

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION
CASE NO. 24-cr-80103-AMC-1

UNITED STATES OF AMERICA, Fort Pierce, Florida
Plaintiff, February 26, 2025
vs. 8:58 a.m. - 4:14 p.m.
DUSTIN SEAN MCCABE, Volume 3
Defendant. Pages 1 to 270

TRANSCRIPT OF JURY TRIAL - DAY 3
BEFORE THE HONORABLE AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

APPEARANCES:

FOR THE GOVERNMENT:

UNITED STATES ATTORNEY'S OFFICE
ZACH KELLER, ESQ.
TANNER STIEHL, ESQ.
JACOB KOFFSKY, ESQ.
99 NE 4th Street
Miami, Florida 33132

FOR THE DEFENDANT:

TERRENCE O'SULLIVAN LAW, P.A.
TERRENCE J. O'SULLIVAN, ESQ.
3810 Murrell Road
Suite 340
Rockledge, Florida 32955

LAW OFFICE OF CALISHA A. FRANCIS
CALISHA A. FRANCIS, ESQ.
7481 NW 37th Court
Lauderhill, Florida 33319

STENOGRAPHICALLY REPORTED BY:

LAURA E. MELTON, RMR, CRR, FPR
Official Court Reporter to the
Honorable Aileen M. Cannon
United States District Court
Fort Pierce, Florida

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

E X A M I N A T I O N S

Witness/Proceedings	Page
CHRISTOPHER MOSQUERA	
DIRECT EXAMINATION BY MR. STIEHL	7
CROSS-EXAMINATION BY MS. FRANCIS	22
REDIRECT EXAMINATION BY MR. STIEHL	44
PAUL ALBER	
DIRECT EXAMINATION BY MR. KOFFSKY	46
ANDREW COLE	
DIRECT EXAMINATION BY MR. STIEHL	72
ALLAN ROTH	
DIRECT EXAMINATION BY MR. KELLER	98
CROSS-EXAMINATION BY MS. FRANCIS	122
DR. TERRILL TOPS	
DIRECT EXAMINATION BY MR. KELLER	135
ALTHEA HARRIS	
DIRECT EXAMINATION BY MR. KOFFSKY	161
CROSS-EXAMINATION BY MR. O'SULLIVAN	190
KRISTY KELLY	
DIRECT EXAMINATION BY MR. KELLER	197
CROSS-EXAMINATION BY MR. O'SULLIVAN	214
REDIRECT EXAMINATION BY MR. KELLER	221

E X H I B I T S

Exhibit	GOVERNMENT FOR IDENTIFICATION	Page
	NONE	
Exhibit	DEFENDANT FOR IDENTIFICATION	Page
	NONE	
Exhibit	GOVERNMENT ADMITTED EXHIBITS	Page
	NONE	
Exhibit	DEFENDANT ADMITTED EXHIBITS	Page
	NONE	
Exhibit	JOINT EXHIBITS	Page
	NONE	

1 (Call to the Order of the Court.)

2 THE COURT: Good morning. You may all be seated.

3 Let's call the case.

4 COURTROOM DEPUTY: Calling United States v. Dustin Sean
5 McCabe, Case No. 24-cr-80103.

6 Counsel, please make your appearance.

7 MR. KELLER: Good morning, Your Honor. Zachary Keller
8 on behalf of the United States, joined by Special Assistant
9 United States Attorney Tanner Stiehl, Assistant United States
10 Attorney Jacob Koffsky, and Coast Guard Special Assistant Caleb
11 King.

12 THE COURT: Good morning.

13 MR. O'SULLIVAN: Good morning, Your Honor. Terrence
14 O'Sullivan, on behalf of the defense. Standing to my left is
15 Dustin Sean McCabe, the defendant in this matter.

16 THE COURT: All right. Thank you.

17 This is day three of trial. We have most of our
18 jurors, so we have a few minutes.

19 As you might have seen, I entered an order regarding
20 Government's Exhibit 109 about 10 or 15 minutes ago. So please
21 review that, if you haven't already.

22 Any other items to address? I did see the proposed
23 jury instruction, and my only question would be: At what point
24 are the parties seeking that I deliver that instruction to the
25 jury?

1 MR. KELLER: During the final instructions.

2 THE COURT: okay. So no additional contemporaneous
3 instruction?

4 MR. KELLER: No, Judge. I think that it would be
5 around the same time as the "equally available witness"
6 instruction, if the Court were inclined to give it, in terms of
7 where it is positioned in the jury instructions.

8 THE COURT: okay. All right, then. We will hear from
9 Mr. O'Sullivan.

10 Do you believe that it is sufficient to deliver this
11 instruction as part of the Court's final jury instructions, or
12 do you think it needs to also be said separately during today
13 or tomorrow of trial?

14 MR. O'SULLIVAN: I would concur with the government,
15 just during the normal jury charge.

16 THE COURT: okay. Then that's what we will do.

17 Anything else before we inquire about our jurors?

18 MR. KELLER: The only thing I will just briefly note,
19 Your Honor, if you don't mind, is, with respect to the order
20 you entered, I just wanted to flag that the Court, in the
21 minute order, listed 109L as the one that was excluded and, I
22 think -- and it was 109I, which is the full-body autopsy photo.

23 THE COURT: okay. All right, then.

24 That's -- that's -- it's a little hard to see with your
25 lowercase letters, but -- bless you.

1 MR. O'SULLIVAN: Thank you, Your Honor. I apologize.

2 THE COURT: I will make a note.

3 Any confusion with respect to the full-body image that
4 was already excluded yesterday, Mr. O'Sullivan?

5 MR. O'SULLIVAN: No confusion, Your Honor.

6 THE COURT: okay. So that's going to be GXI, not L.
7 Am I correct, Mr. Keller?

8 MR. KELLER: Yes, Your Honor.

9 THE COURT: okay.

10 MR. O'SULLIVAN: I concur.

11 THE COURT: All right, then. So confer on those
12 images, obviously before the testimony, which shouldn't happen
13 until later today, anyhow. Correct, Mr. Keller?

14 MR. KELLER: Yes, Your Honor. Yes, ma'am.

15 THE COURT: okay, then. Do we have our jurors?

16 COURTROOM DEPUTY: We are waiting on one juror,
17 Your Honor.

18 THE COURT: okay. Anything else that can be addressed
19 now?

20 MR. KELLER: No, Your Honor, I don't think so.

21 THE COURT: Mr. O'Sullivan?

22 MR. O'SULLIVAN: Nothing for the defense, Your Honor.

23 THE COURT: All right, then. You can have a seat.

24 MR. O'SULLIVAN: Thank you, Your Honor.

25 THE COURT: And we will hang tight.

1 (Pause in proceedings.)

2 THE COURT: All right. Let's call in the jury.

3 COURT SECURITY OFFICER: Yes, Your Honor.

4 (The jury entered the courtroom at 9:03 a.m.)

5 THE COURT: All right. Thank you, Officer. We will
6 just wait a moment for him to retrieve your notepad.

7 Good morning, ladies and gentlemen. Thank you for your
8 prompt arrival. I hope you had a nice evening.

9 All the attorneys may be seated. Okay. Excellent. We
10 are all set.

11 Mr. Keller or Mr. Koffsky or Mr. Stiehl, you may call
12 your next witness.

13 MR. STIEHL: Thank you, Your Honor. The United States
14 would like to call Christopher Mosquera.

15 THE COURT: All right. Let's invite him in, please.

16 Good morning, sir. When you get here to the witness
17 stand, please stay standing for a moment so Mr. Creary can
18 swear you in.

19 COURTROOM DEPUTY: Please raise your right hand.

20 Do you solemnly swear or affirm that the testimony you
21 are about to give is the truth, the whole truth, and nothing
22 but the truth, so help you God?

23 THE WITNESS: I do.

24 COURTROOM DEPUTY: Please be seated. State and spell
25 your first and last name for the record.

1 THE WITNESS: My name is Christopher Anthony Mosquera.
2 My last name is spelled M-O-S-Q-U-E-R-A.

3 THE COURT: You may begin.

4 CHRISTOPHER MOSQUERA,
5 having been sworn, testified as follows:

6 DIRECT EXAMINATION

7 BY MR. STIEHL:

8 Q. Good morning, Mr. Mosquera, and thank you for being here
9 today.

10 First off, let's get a little bit of background about
11 yourself. So where do you live?

12 A. I live in Wellington, Florida.

13 Q. And what do you do for a living?

14 A. I am currently a marine transportation and systems cyber
15 security specialist for the Coast Guard, Sector Miami.

16 Q. How long have you worked for the United States Coast Guard?

17 A. Approximately 24 years.

18 Q. And what were you doing for the Coast Guard in March of
19 2020?

20 A. At the time, I was the supervisor for marine safety,
21 detachment Lake Worth.

22 Q. And, Mr. Mosquera, if you could just slow down a little
23 bit --

24 A. Sure.

25 Q. -- so they can make sure everything gets properly

1 transcribed.

2 And what was your military rank at that time?

3 A. I was a lieutenant.

4 Q. And what types of responsibilities did that job entail?

5 A. Sure. So supervisor to a unit like that, we essentially
6 act on behalf of the Captain of the Port. And the
7 responsibilities entail the responsibility of vessel
8 inspections, so commercial vessel inspections, casualty
9 investigations, pollution response, port facility.

10 Essentially, oversight and containers and things of that
11 nature.

12 Q. And what area does that -- you said Riviera Beach or Lake
13 Worth --

14 A. That covers Lake Worth. So we are a subunit from our
15 parent unit, which is Sector Miami. So pretty much from
16 Deerfield all the way up to Malabar, Florida. It's kind of the
17 area that we oversee on behalf of Sector Miami.

18 Q. And what types of qualifications do you have as an
19 inspector or investigator for the Coast Guard?

20 A. So you go through several types of inspections, so -- I'm
21 sorry -- several types of qualifications such as small
22 passenger vessel inspector. And then specific to the different
23 types of vessels, you would get qualifications for those types
24 of vessels.

25 Additionally, on the investigation side, you go through

1 school and you go through training, and then there is a couple
2 of other different certifications and qualifications that you
3 would go through to be able to obtain those -- those positions.

4 Q. And you have those qualifications?

5 A. I do, yes.

6 Q. Do you know the defendant, Mr. McCabe?

7 A. I do.

8 Q. Okay. Let's talk about a case where you were called out on
9 March 29th of 2020.

10 Do you remember being called out on that day?

11 A. I do.

12 Q. And why were you called to the scene?

13 A. So I was called initially -- and, I apologize. The way it
14 works, so we have a command center at our Sector Miami, which
15 typically receives all of the calls for casualties and such.
16 So I received a call from our command center reporting a marine
17 casualty that took place in the Riviera Beach area, so I was
18 notified and responded afterwards.

19 Q. And can you just briefly explain what a marine casualty is?

20 A. Sure. So within the regulations, I mean, it's a very
21 specific definition, but broadly, it would be, you know,
22 whether it's a fire, whether you lose propulsion, whether there
23 is a death, whether there is an injury, anything of that nature
24 on board a vessel, that would be considered a marine casualty.

25 Q. And what did you do that day once you got to the scene?

1 A. So initially upon arrival, when I got there, there was
2 already some law enforcement on scene. There was Florida Fish
3 and Wildlife Conservation investigators on scene, so I met with
4 them. By the time I got there, the vessel was already there,
5 the investigation was already underway.

6 So I spoke with FWC officers and, you know, once they kind
7 of briefed me on what was going on, I asked if I can go on
8 board the vessel just to -- just to see some of the things that
9 they were pointing out.

10 So they allowed me to go on the vessel. We walked around
11 for a little bit, got off the vessel, and there was -- at the
12 time, there was some of the people that were on board the
13 vessel off to the side waiting to be interviewed. So at that
14 point we -- you know, I just stood by and then we proceeded to
15 go from there.

16 Q. And were you involved in those interviews?

17 A. I was in some of them. Not all of them.

18 Q. And what was the nature of that casualty?

19 A. So the report was that there was a diver that was struck by
20 a propeller and had died on scene.

21 Q. And do you know who was driving that vessel?

22 A. Yes. Mr. McCabe.

23 Q. And did you continue to investigate that incident beyond
24 that day?

25 A. Yes, I did.

1 Q. Okay. Let's talk about the events that occurred the day
2 before on March 28th of 2020.

3 when you were on the scene on March 29th, were you aware of
4 anything that had occurred with the Southern Comfort on the
5 previous day?

6 A. I was not.

7 Q. And did you later become aware of an incident involving
8 several mechanical issues and a grounding that occurred on
9 March 28th?

10 A. I did.

11 Q. And as the supervisor of marine safety detachment, Lake
12 worth, were you made aware of all marine casualties that
13 occurred in that area that you previously mentioned?

14 A. Yes.

15 Q. So who would typically notify you?

16 A. So notifications would typically, like I mentioned before,
17 would come from either our command center that would receive
18 calls like that, or sometimes, you know, they have direct
19 relationships with some of our other people on duty. So if
20 something like that would have happened, then they would have
21 received the call and I would have been notified.

22 Q. And just briefly, again, what types of casualties are
23 typically reported in those to you?

24 A. So groundings, bridge allisions, loss of propulsion, fires,
25 death, things -- things of that nature.

1 Q. And are recreational vessels required to report marine
2 casualties to the Coast Guard?

3 A. So recreational vessels would be required under
4 fish -- under, essentially, Florida state law.

5 so there is a difference between recreational vessels and
6 commercial vessels regarding the reporting on that. And
7 additionally there is, you know, based on size and things like
8 that. But, yes.

9 Q. But are recreational required to report to the Coast Guard?

10 A. Not to the Coast Guard, no.

11 Q. And on what waterways does the Coast Guard investigate
12 vessels?

13 A. So within the jurisdiction, there is -- depending on the
14 type of vessel and the flag of the vessel would be required to
15 be investigated. So we go out to, essentially, 12 miles, but,
16 you know, additionally, it can go farther if it's a U.S. flag
17 vessel.

18 Q. So is the Intracoastal Waterway one of those waterways
19 where the Coast Guard investigates?

20 A. Yes.

21 Q. And the Atlantic Ocean from 12 miles to shore?

22 A. Yes.

23 Q. And what kinds of vessels does the Coast Guard typically
24 investigate?

25 A. So typically, we investigate commercial vessels.

1 Q. So would an uninspected passenger vessel be required to
2 report a casualty to you?

3 A. Yes.

4 Q. And can you tell me what an uninspected passenger vessel
5 is?

6 A. Sure. So in an uninspected passenger vessel, pretty much
7 any vessel that's carrying six or less passengers, where at
8 least one passenger is for hire -- or somebody is paying to go
9 on board; right? So that would fall under the category of an
10 uninspected passenger vessel.

11 Q. And are those also called six-packs?

12 A. Yes.

13 Q. And what's the difference between an uninspected and an
14 inspected passenger vessel?

15 A. So inspected passenger vessel -- as I mentioned, six is
16 kind of the cutoff. After six, so seven or more, would fall
17 under an inspected passenger vessel, where you -- you have
18 direct Coast Guard oversight. So anything like that
19 requires -- the building of the vessel needs to be under
20 Coast Guard oversight. The inspection of the vessel -- there
21 is, like, scheduled exams that happen on a yearly basis when
22 the vessel gets pulled out of -- you know, out of the water for
23 dry dock, that's a requirement that the Coast Guard has to be
24 involved in.

25 So there is direct oversight over inspected passenger

1 vessels compared to uninspected.

2 Q. And what is the difference between uninspected and a
3 recreational vessel?

4 A. So recreational vessel is, you know, I go on a vessel with
5 friends, there is no money exchanged. It's just we're going
6 out for fun. So that's recreational. Where an uninspected
7 passenger vessel is -- I am taking money for you to go on board
8 the vessel. So I'm -- I'm literally, you know -- like, I need
9 X amount of money for you to come on board the vessel.

10 Q. And are there additional regulations between a recreational
11 and an uninspected passenger vessel?

12 A. Yes. There is specific regulations that pertain to an
13 uninspected passenger vessel.

14 Q. And based on your knowledge of the vessel, the Southern
15 Comfort, was the defendant operating it as an uninspected
16 passenger vessel in March of 2020?

17 A. Yes, he was.

18 Q. Yesterday the jury heard from Mr. Sean Goodman, who stated
19 that he was on duty for the Lake Worth office that day. Did
20 you, Mr. Goodman, or anyone on your staff report -- or receive
21 the report of a marine casualty on March 28th?

22 A. No.

23 Q. And why does the Coast Guard require reports of marine
24 casualties on commercial vessels?

25 A. So the big mission of the Coast Guard is marine safety,

1 safety of people, safety of property, safety of the
2 environment. So when we received those reports, you know, we
3 do the investigation, try to identify causes for the casualties
4 that happened. And, you know, by doing that, we do analysis.
5 And eventually all that information goes up to our headquarters
6 unit to analyze. And the intent, once again, is to prevent
7 things like that from happening in the future.

8 So, you know, we gather data, collect it, and the intent is
9 for -- you know, that's -- and injuries and things like that
10 not to happen in the future.

11 Q. And what does the Coast Guard do in the immediate aftermath
12 of a report of a marine casualty?

13 A. We -- well, if we receive a report, we investigate
14 immediately.

15 Q. And what steps might that take in the hours after a
16 casualty is reported?

17 A. So we would respond on scene, begin doing witness
18 interviews, gathering evidence, if there is any that we can
19 gather, and things of that -- you know, take pictures, do
20 things of that nature to essentially build on the
21 investigation. And then continue -- you know, depending what
22 we find, we continue going from there.

23 Q. And how soon after a casualty occurs is it required to be
24 reported to the Coast Guard?

25 A. It's required to be reported immediately upon the casualty

1 happening with -- you know, there is some room for, you know,
2 if you're in a safety sensitive issue where you can't report
3 right now, but it's meant to be immediate, as per the
4 regulations.

5 Q. And who is responsible for reporting marine casualties to
6 the Coast Guard?

7 A. It would be the master of the vessel/owner-operator.

8 Q. And by "master," can you explain what that means?

9 A. Sure. So the captain of the vessel, who is in charge of
10 the vessel, overseeing the operations, if he is the one that is
11 coming in, you know, has the casualty, he is required to report
12 that immediately to the Coast Guard.

13 Q. And do you know who the owner and master of the Southern
14 Comfort were in March of 2020?

15 A. Yes. Mr. McCabe.

16 Q. And what other duties and responsibilities do the owners
17 and captains of uninspected passenger vessels have?

18 A. They're fully responsible for the safe operation of that
19 vessel. They're responsible for knowing, essentially, the
20 vessel inside and out because they're -- you know, the life of
21 passengers are in their hands, so they're fully responsible
22 for, you know, safety briefs, the maintenance of the vessel.
23 Anything related with the vessel, they're responsible for.

24 MR. STIEHL: And for the awareness of the Court, the
25 next document has redactions on it. I want to show the witness

1 and the jury what has already been admitted as Government's
2 Exhibit 58.

3 THE COURT: Ladies and gentlemen, again, a number of
4 exhibits were admitted without objection for the sake of
5 efficiency. This is one of those exhibits, and you will see
6 some redactions there. As I indicated yesterday, you shouldn't
7 concern yourself with what is redacted or speculate about what
8 is redacted.

9 Please continue.

10 BY MR. STIEHL:

11 Q. Mr. Mosquera, can you tell me what this document is?

12 A. Sure. This is a merchant mariner credential, so it's a
13 license to operate in a commercial capacity.

14 Q. What does it mean when a vessel's captain has this license?

15 A. That means that they have gone through training and gone
16 through all the various steps to attain the license to be able
17 to operate a vessel within the limits of the license.

18 Q. Is there a high standard expected when someone is the
19 holder of this type of license?

20 A. Yes.

21 Q. And can you briefly describe what type of training is
22 required for someone to be issued this type of license?

23 A. Sure. So depending on the level of training -- of their
24 experience, there is -- you know, there is different schools,
25 Coast Guard-approved schools, that they have to go through,

1 drug testing, certain amount of hours that they would have to
2 operate prior to attaining the license.

3 So once they have all this and they meet those
4 requirements, they would apply, and, if approved, they would
5 attain this license.

6 MR. STIEHL: And I want to show the witness and the
7 jury what has already been admitted as Government's
8 Exhibit 110.

9 BY MR. STIEHL:

10 Q. Do you know what this document is?

11 A. I mean, I haven't seen it before today. But, "I do
12 solemnly swear..."

13 Q. Can you please read it?

14 A. Sure. So it says, "Merchant mariner oath. I do solemnly
15 swear or affirm that I will faithfully and honestly, according
16 to my best skill and judgment and without concealment and
17 reservation, perform all the duties required of me by the laws
18 of the United States. I will faithfully and honestly carry out
19 the lawful orders of my superior officers aboard a vessel."

20 Q. Thank you.

21 I want to move on. I want to show the witness and the jury
22 what's already been admitted as Government's Exhibit 68.

23 Sorry. But before we move on to that, can you tell me who
24 signed this document?

25 A. Sure. Mr. McCabe.

1 Q. And can you tell me what a merchant mariner is?

2 A. Once again, a merchant mariner is somebody that operates in
3 a commercial capacity, all the way ranging from, like, a cruise
4 ship captain or the -- you know, the people that operate within
5 a tanker, cargo ship, anything within that nature. But anybody
6 that operates commercially would be considered a merchant
7 mariner.

8 Q. So would this oath be associated with the license that we
9 just saw?

10 A. Yes.

11 Q. Okay.

12 MR. STIEHL: I want to show the witness and the jury
13 what has been admitted as Government's Exhibit 68.

14 BY MR. STIEHL:

15 Q. Can you tell me what's pictured in Government's Exhibit 68?

16 A. Sure. So this is the -- when you go on board a vessel, on
17 the right side of the vessel, this is where the controls were
18 for the vessel.

19 Q. And did you see the Southern Comfort in this condition on
20 March 29th of 2020?

21 A. I did.

22 Q. If you had known the Southern Comfort had issues with their
23 propulsion system on March 28th, would this picture have had
24 more significance to you?

25 A. Absolutely.

1 Q. And can you explain why?

2 A. Sure.

3 So the way vessels operate -- and there is a lot of
4 different types of vessels, so I don't want to, you know, say
5 broadly. But in this particular case, this controls the engine
6 and transmission and throttles. So if something like this is
7 missing, it would have questioned how -- how everything is
8 working.

9 Because there is cables that attach from the controls that
10 lead into the engine's transmission, into the throttle. And if
11 there is a report of issues, like you mentioned before, on the
12 28th, that would have definitely raised some flags as to the
13 condition of the vessel.

14 Q. But, again, you were not aware of any actions that occurred
15 on March 28th when you were on the scene of the vessel --

16 A. Correct.

17 Q. -- on March 29th?

18 A. Correct.

19 Q. Did you ever take any action to limit the operation of
20 Florida Scuba Charters or the vessel, the Southern Comfort?

21 A. Not initially, no. Not -- on the day or at any point?

22 Q. At any point in time.

23 A. We did on -- I believe April 10th, we did limit their
24 operations.

25 Q. And how did you limit those operations?

1 A. So we put a Captain of the Port order on board the vessel;
2 so an operational restriction.

3 Q. And how much longer were you stationed at the Coast Guard
4 base in Lake Worth after this incident?

5 A. After -- I officially retired June of 2021.

6 Q. And are you aware of the defendant ever running a scuba
7 charter from the time of this incident until the time that you
8 left that office in 2021?

9 A. No.

10 Q. And while you were there, did he ever approach your office
11 about reinstating his vessel or lifting any order that you put
12 on it?

13 A. The -- the only time, I believe it was the June time frame
14 of still 2020, where I reached out to Mr. McCabe to ensure that
15 he is still not operating the vessel in accordance with the
16 Captain of the Port order that we issued.

17 And then he replied that he wasn't operating the vessel,
18 but was inquiring as to how to get -- essentially, how to move
19 forward. And, once again, we instructed him as per the date
20 that we issued the Captain of the Port order, he needs to prove
21 that he is in compliance with the regulations for the
22 uninspected passenger vessel.

23 MR. STIEHL: Okay. Thank you, Mr. Mosquera. No
24 further questions.

25 THE WITNESS: Absolutely.

1 THE COURT: Cross-examination?

2 CROSS-EXAMINATION

3 BY MS. FRANCIS:

4 Q. Good morning, again.

5 A. Hi. Good morning.

6 Q. I just have a few questions for you, and I'm going to start
7 where you said you entered an order that limited the use of the
8 vessel.

9 A. Okay.

10 Q. Okay? And could you tell us the date of that order?

11 A. I believe I issued -- it was April 10th of 2020.

12 Q. So that would be after the accident?

13 A. Yes.

14 Q. Okay. And can you tell us exactly what he was limited in
15 doing?

16 A. He was not allowed to operate in a commercial capacity as
17 an uninspected passenger vessel until he met the requirements
18 and proved that he met the requirements of the order -- of the
19 regulations.

20 Q. Could he operate any other aspect of his business as long
21 as he was not using that vessel?

22 A. Would you mind asking that again?

23 Q. Yes.

24 Could he still operate his business as long as he was not
25 using or operating the vessel?

1 A. I would say no, because he -- he needs the vessel to
2 operate in a scuba charter capacity.

3 Q. So he would not be able to use his scuba -- the scuba
4 portion of his business; is that correct?

5 A. No. Just -- in any commercial capacity. So if it's used
6 in -- as an uninspected passenger vessel, whether he is taking
7 out, you know, people on a day charter or scuba diving or any
8 of those operations, he does -- the scuba part is not specific
9 to this. As any capacity in a commercial capacity, he was not
10 allowed to use the vessel.

11 Q. Correct. My question to you is: As long as he is not
12 using the vessel, could he operate his business?

13 A. I couldn't speak to that because I don't know what other
14 business he would do besides doing -- if his business is to
15 operate in a scuba capacity, then I don't know what other way
16 he would be able to use that in a commercial capacity. So I
17 wouldn't know.

18 Q. So, for instance, if he was a dive instructor and not
19 taking his actual vessel out, but going out on another vessel,
20 would he be allowed to do so?

21 A. As a scuba -- you mean --

22 MR. STIEHL: Objection, Your Honor. She's asking him
23 to speculate about something he clearly doesn't know about.

24 THE COURT: Overruled.

25 You may answer the question, sir.

1 THE WITNESS: would you mind repeating the question?

2 BY MS. FRANCIS:

3 Q. Yes, sir.

4 what I'm trying to find out is, if he was operating in
5 another capacity, as long as he was not using his boat, he was
6 in compliance?

7 A. Not with -- well, I want to make sure that I -- so the
8 vessel itself, right, the Captain of the Port order that was
9 issued to the vessel is for the vessel itself --

10 Q. Okay.

11 A. -- right?

12 So any commercial capacity, like I said, whether he is
13 scuba diving -- whether he is taking out the vessel for scuba
14 diving purposes or whether he is taking people out on a trip to
15 one of the -- you know, one of the islands, Peanut Island, for
16 example, that all would be restricted.

17 Q. Correct.

18 A. So he would not be able to use that vessel in those
19 capacities at all.

20 Q. Understood.

21 So the order limits the vessel --

22 A. Yes.

23 Q. -- correct?

24 A. Correct.

25 Q. But it doesn't limit Mr. McCabe from performing any other

1 business activities that he wants to, as long as he is not
2 taking out the vessel; is that correct?

3 A. Yeah, I -- I guess, in that case, yes, that would be
4 correct.

5 Q. Okay. And you did say that you spoke to Mr. McCabe after
6 you entered the order, and you confirmed that he was not taking
7 out the vessel?

8 A. I didn't speak to him directly. There was an email that
9 was sent because he wanted to know -- or I reached out to make
10 sure that he wasn't operating in any commercial capacity. And
11 I wanted to know the status of what was going on. So at that
12 point, he replied saying he wasn't operating in a commercial
13 capacity and wanted to know farther, like, how to take the
14 restriction out.

15 So I said, you know, you need -- as I told you on the day
16 that we -- that we met, when we issued the order, that he needs
17 to prove that he is in compliance with the regulations prior to
18 us rescinding the Captain of the Port order.

19 Q. Thank you, sir.

20 Are you aware of any incident, after that order was
21 entered, that Mr. McCabe reportedly took out his vessel?

22 A. Not that I am aware of, no.

23 Q. In your opinion, would that mean that Mr. McCabe complied
24 with your order?

25 A. Yes.

1 Q. Thank you, sir.

2 Now I want to speak a little bit about the intentional
3 grounding. So you mentioned in your earlier testimony that you
4 were informed later on of the grounding that occurred on
5 March 28th, prior to the incident.

6 A. Yes.

7 Q. And who informed you of the intentional grounding?

8 A. I -- so throughout the investigation, while we started
9 doing some interviews of some of the crew that was on board the
10 vessel the day before -- the crew and passengers on board the
11 vessel the day before, through one of those interviews is where
12 we were notified that the vessel had grounded.

13 Q. Okay. And would you -- could you tell the Court, what are
14 the rules for an intentional grounding? What would be
15 required to be confirmed to be an intentional grounding?

16 A. So, just -- I just want to clarify that -- are you talking
17 about intentional, unintentional, or --

18 Q. Intentional grounding, yes.

19 A. So intentional grounding would be when you purposefully put
20 your vessel onshore; right? That would be an intentional. But
21 what I -- what I was referring to wasn't an intentional
22 grounding. The report that I -- that we received -- or that --
23 from the interviews, it wasn't an intentional grounding. It
24 was a grounding which would have been unintentional.

25 Q. And who reported that it was an unintentional grounding?

1 A. So this was through one of the interviews, and I forgot
2 which one of the witnesses that I interviewed mentioned it, but
3 I believe it was Ms. Hester. And I think Ms. Hester would have
4 been the one that we interviewed that mentioned the grounding.

5 Q. So Ms. Hester defined it as an intentional grounding or an
6 unintentional grounding?

7 A. She just defined it is a grounding.

8 Q. So in what -- who defined it as an intentional grounding,
9 or what led to it being defined as an intentional grounding?

10 A. I apologize. Where are we talking about being defined as
11 an intentional grounding?

12 Q. Well, you said that Ms. -- you received reports from
13 Ms. Hester, and that's how it was determined to be a grounding;
14 is that correct?

15 A. A grounding, yes. Not an intentional grounding.

16 Q. A grounding.

17 A. I just want to make sure that I'm clear on the language
18 that we're using because there is a difference between
19 intentional, unintentional. So I want to make sure that I'm
20 conveying the information correctly.

21 Q. Yes, sir.

22 A. So the information that I received was that it was a
23 grounding. And based on the thing -- you know, the issues that
24 led to the grounding is where I would determine it to be an
25 unintentional grounding, if that makes sense.

1 So if you lose propulsion, you lose your engines, and you
2 have no control of the vessel, right, and you ground, that
3 would be an unintentional grounding because you did not mean to
4 ground --

5 Q. Okay.

6 A. -- as opposed to -- as opposed to a vessel operating on
7 a -- on a waterway, and you intentionally want to ground it for
8 whatever reason; right? That happens sometimes where, at that
9 point, it would be an intentional grounding, meaning you have
10 full control of the vessel and you are intentionally doing
11 something on purpose where, like I said, an unintentional
12 grounding or an intentional -- I apologize. Unintentional
13 grounding. You're now -- once again, you lose control of the
14 vessel. You have no control of the engines, and you go
15 aground.

16 Q. Thank you, sir.

17 So who determined that Mr. McCabe lost steering or
18 propulsion?

19 A. Once again, this was from the interviews that I conducted
20 with the passengers that were on board the day before.

21 Q. So this was determined that he lost steering and propulsion
22 by interviewing which witness?

23 A. I interviewed a few -- a few of them that were --
24 Ms. Hester was one of them, and I -- I apologize. I don't
25 remember -- recall the names of some of the other ones.

1 But through, collectively, all the interviews that we
2 conducted, that's where it was identified that the vessel went
3 aground, that the vessel lost propulsion; and coming into the
4 marina, they had no control and almost hit a bridge.

5 Q. Okay. Thank you, sir.

6 So for today's purposes, the only witness that you can
7 identify who advised that steering and propulsion was lost was
8 Ms. Hester?

9 A. Ms. Hester and I -- once again, I -- it's been about five
10 years, so I haven't looked at all of the, you know, interviews
11 from the past. But I believe there was another person that we
12 interviewed that collaborated, kind of, the same thing, where
13 there was issues with the engines. They almost hit a bridge as
14 they were coming into the marina, and there was a lot of issues
15 leading up to getting to the marina, that there was panic on
16 the vessel.

17 They were told to lower the -- essentially, the outriggers,
18 because they were going to hit a bridge. And then they were
19 able to somehow regain control, and as they were coming back,
20 they grounded the vessel at that point.

21 Q. Okay. So, sir, you have no firsthand knowledge of the
22 grounding; is that correct?

23 A. I wasn't aboard the vessel, no.

24 Q. Okay. So you are relying on witnesses; correct?

25 A. Of course.

1 Q. And you -- did you ask Mr. McCabe what happened ever?

2 A. The -- so I interviewed Mr. McCabe -- well, let me take
3 that back.

4 MR. STIEHL: Objection, Your Honor. Calls for hearsay.

5 THE COURT: I will see the parties at sidebar.

6 (Conference at bench.)

7 THE COURT: The question was concerning whether the
8 witness ever asked Mr. McCabe. So now I want to understand
9 your hearsay challenge.

10 MR. KELLER: So, Mr. McCabe's statements are -- if
11 they're offered -- elicited by the defense are hearsay because
12 they're not subject to the exception.

13 THE COURT: Correct.

14 MR. KELLER: So because he is -- they're trying to
15 basically bring in his interview that he did through this
16 witness, and that's improper.

17 THE COURT: All right. Any response?

18 MR. O'SULLIVAN: I think Mosquera kind of opened the
19 door when he was talking about how he had knowledge of this
20 grounding. And Ms. Francis asked, you know, you didn't have
21 firsthand knowledge, you relied on witnesses. I think it's a
22 fair question to ask --

23 THE COURT: But then she asked, "Did you ask him?" So
24 the -- the direct question was from counsel to the witness
25 eliciting hearsay.

1 MR. O'SULLIVAN: without asking what the substance of
2 the statement was, she -- I think that we can ask, "Did you ask
3 him? Yes or no?" Not what the substance of the -- what the
4 response was. "Did you ask Mr. McCabe? Yes or no?"

5 And that's not -- that's not hearsay because there is
6 no -- there is no statement. It's just a question of fact.
7 "Did you ask someone a question? Yes or no?"

8 MR. KELLER: Well, just to start, with respect to his
9 use of Ms. Hester's statement, that that was for the
10 non-hearsay purpose of explaining his investigation. So that
11 was not using hearsay, and that also doesn't open the door for
12 a defendant's statement coming in.

13 And our position would be that the eliciting of the
14 fact that the defendant -- you've already crossed on the fact
15 that he was cooperative. Trying to get in the fact that he
16 gave a statement that is not going to be available for the
17 jury, potentially, and we haven't admitted it, is prejudicial,
18 and it's irrelevant.

19 It's not relevant that he gave a statement because it's
20 not evidence. There is no evidence that -- of what he said.
21 So our position is that it is not admissible.

22 THE COURT: Due to hearsay problems?

23 MR. KELLER: Due to hearsay problems, and it would also
24 be relevance objection as to the fact that he gave a statement
25 because there is -- there is no substance to it. It's not

1 relevant to anything. It doesn't tend to prove any fact.

2 THE COURT: So, just so that I understand, there was no
3 actual statement given by the defendant regarding the prior
4 day's events?

5 MR. KELLER: Not regarding the prior day's events, no.

6 THE COURT: Okay. Well, I'm going to sustain the
7 government's hearsay objection. I haven't heard any valid
8 reason to overcome that hearsay challenge. I'm unsure with
9 respect to the relevance challenge, but at the very least,
10 there is a hearsay issue which hasn't been overcome, in the
11 Court's view, given the fact that it's being offered by the
12 defense. And I think these questions were not prompted by the
13 witness, but were, rather, very much prompted by the questions
14 of counsel.

15 So, with that, you should move on and not elicit
16 testimony from this witness regarding statements made, if they
17 were ever made, by the defendant.

18 Understood?

19 MS. FRANCIS: Yes.

20 THE COURT: Okay. Thank you.

21 MR. O'SULLIVAN: Thank you, Your Honor.

22 (Conference at bench concluded.)

23 THE COURT: All right. The hearsay objection is
24 sustained. Let's move on.

25 ///

1 BY MS. FRANCIS:

2 Q. Thank you, sir.

3 So I'm going to go back to the grounding that happened on
4 the 28th. And you said that you are aware of that based on
5 your interview of witnesses --

6 A. Yes.

7 Q. -- correct?

8 A. That's correct.

9 Q. And for today, the only witness that you can remember by
10 name is Ms. Jennifer Hester; correct?

11 A. Yes, that's correct.

12 Q. Okay. When you spoke to Ms. Hester, or any other witness,
13 did they tell you how the grounding was resolved? How did the
14 boat get back into the water?

15 A. Yes. I believe there was -- I apologize. I don't recall
16 his name, but the -- there was another gentleman that worked
17 with Mr. McCabe, and he occasionally dove. And he either
18 jumped onto the shore and pushed the vessel off, or something
19 along those lines. I don't remember the specifics. But they
20 were able to push off from the grounding and eventually make it
21 back to the marina.

22 Q. And -- I'm sorry, sir.

23 A. I apologize.

24 And something along the lines of he jumped in the engine
25 room, did something to fix the engine or -- something in the

1 engine room which would allow them to push off and then make it
2 back to the marina and tie up.

3 Q. Thank you.

4 And could you describe -- from your review of your -- the
5 witness investigations, could you tell us how large the
6 Southern Comfort is, or how -- how much it weighs?

7 A. I don't know how much it weighs. Large-wise, it was around
8 48 feet.

9 Q. 48 feet. So usually about -- if we were to just estimate,
10 about how large would a 45-foot boat be?

11 A. You mean weight-wise?

12 Q. Weight-wise, correct.

13 A. I wouldn't be able to tell you that. There is
14 measurements -- there is calculations for different
15 measurements based on a whole bunch of different things,
16 so -- and it's based on tonnage.

17 So, once again, there is calculations where you can take
18 different measurements and then figure out what the tonnage of
19 the vessel is.

20 Q. Right. Tonnage-wise, though, could you give us an estimate
21 of how -- the smallest amount and the largest that a 45-foot
22 boat could weigh?

23 A. I couldn't tell you that off the top of my head.

24 Q. Okay. But you just testified that one person was able to
25 get off the boat and push it back?

1 A. That's what the testimony from Ms. Hester was, yes.

2 Q. And from Ms. Hester's testimony, she advised you that the
3 boat was on the shore, as you just testified?

4 A. I didn't say onshore. Grounded.

5 So there is different types of groundings. So even if
6 you -- where there is rocks or you bump sand or anytime the
7 bottom of the vessel touches ground, it would be considered a
8 grounding, regardless of the weight or any of that stuff.
9 Anytime a vessel touches bottom, it would be considered a
10 grounding.

11 Q. Thank you, sir.

12 So could you -- you just testified earlier that he pushed
13 it from the shore. So are you now testifying that the boat did
14 not make it onto the shore?

15 A. I said that the vessel grounded.

16 Q. Okay.

17 A. So, once again, if the vessel touches ground, which was
18 reported on the side of the channel, that's still considered a
19 grounding. So you're grounded. Doesn't mean you're hard
20 aground, doesn't mean you're on the rocks fully and you cannot
21 get off, that means that you are grounded.

22 And the -- from what Ms. Hester said, that they were able
23 to push it off from there, from the grounding. And then he was
24 able to do something with the engines to be able to actually
25 maneuver the vessel out of there.

1 Q. So would that really be considered a grounding if one man
2 was able to push a 45-foot boat back --

3 A. Absolutely. Absolutely. You don't even need one man. It
4 can just be they fixed the engines, they backed the engines
5 out, and they pulled it off the sand or the rocks or whatever.
6 It's still a grounding, regardless of whether there is one,
7 two, three people or no people pushing the vessel.

8 Q. Understood.

9 And when Ms. Hester gave you her statements, did she tell
10 you whether or not Mr. McCabe intentionally shut down the
11 engine on the starboard side?

12 A. No. The way she related it was that there was issues with
13 the engines -- there was issues earlier with the engines before
14 even coming into shore -- I mean, into -- back into the marina.
15 And as they were heading towards the marina, there was some
16 commotion with Mr. McCabe in a -- pretty much stressing about
17 the fact that he needed a particular spot at the marina near
18 the fuel dock.

19 And as they were approaching, once again, since that spot
20 was not available, he began panicking. And the next -- when
21 you continue down that waterway, there is a bridge. There is a
22 U.S. 1 bridge in that area.

23 So he started yelling to -- to the people that were on
24 board to bring down the outriggers because they were going to
25 hit the bridge. And at that point, he was able to,

1 essentially, turn the vessel a little bit, which led to the
2 grounding.

3 Q. Okay. So just to follow up on what you just said. If he
4 was able to turn the vessel, would that mean that he did not
5 lose steering?

6 A. Not necessarily. If it's an intermittent problem and you
7 lose steering, but then you gain steering, you know, it could
8 have been -- it could have been that. And I don't know
9 specifically what maneuvers he took.

10 Maybe he turned the rudder; right? So the rudder is
11 independent of the engines. So if he turned the rudder, and he
12 is able to maneuver the vessel, that could have been the case.

13 I'm not -- I don't want to speculate on what he did, but
14 based on the interviews that I conducted, there were engine
15 issues. You know, there were -- essentially, they lost
16 propulsion, which led to the grounding.

17 Q. Thank you.

18 And did you conduct any interviews with any engineers or
19 anyone that actually worked on the boat or any individuals that
20 got off of the boat to help it be pushed back?

21 A. So I interviewed -- I apologize -- I don't remember his
22 name. But the person that was the day before, he was
23 interviewed the -- the day of the casualty.

24 But, once again, at that point, we didn't know any of this
25 that had happened the day before.

1 Q. Was there any independent investigation to verify whether
2 or not the boat actually lost steering or propulsion?

3 A. No. The day that the casualty happened, there was a lot of
4 confusion on whether the vessel was a recreational vessel, a --
5 you know, a commercial vessel. And by the time I arrived on
6 scene, Florida Fish and Wildlife, like I said, took over the
7 investigation. And there was no need at the time for me to,
8 you know, take over the investigation because there was a lot
9 of uncertainty on how the vessel was operating.

10 So they got on scene. They kind of took lead on that
11 portion of the investigation. They gathered evidence, so on
12 and so forth. And then they kind of took control of the vessel
13 at that point. But there was no -- on my end, no.

14 Q. So do you have any firsthand knowledge on whether or not it
15 lost steering? Especially if you just testified that he was
16 able to turn? Could you say definitely that --

17 A. Once again, it's not firsthand knowledge. I mean, when
18 you're conducting an investigation, you are taking into account
19 all the witnesses and all of the evidence that you are
20 gathering. So through witness testimony and collaboration
21 across the board, everything we heard, that was my conclusion,
22 was there was a loss of propulsion.

23 But then additionally, during the interview of
24 Mr. McCabe -- which, once again, as I stated before, I had to
25 step away --

1 MR. STIEHL: Object, Your Honor. Hearsay.

2 THE COURT: Sustained. Next question.

3 MS. FRANCIS: Thank you, Judge.

4 BY MS. FRANCIS:

5 Q. Can we go back to where you said you were told by
6 Ms. Hester that there was a lot of commotion because the slip
7 that Mr. McCabe wanted wasn't available?

8 A. Sure.

9 Q. Can you tell us exactly what she told you about that
10 particular incident?

11 A. So she mentioned they were coming back, they had lost
12 propulsion, and I -- you know, at some point, they had lost
13 propulsion. There was, I believe, a police vessel in that
14 slip, and he was communicating with the marina that he needed
15 that spot. And for whatever reason, that -- you know, that
16 vessel was still there.

17 So he continued past the marina, and that's when they
18 almost hit the bridge. And there was a commotion because he
19 couldn't control the vessel, and -- which is why he needed to
20 have the passengers and crew lower the outriggers because he
21 thought he was going to hit the bridge.

22 Q. Thank you.

23 And can you tell us what you mean when you say "he
24 continued past the marina"?

25 A. I wish I had a picture of the -- of the area. But

1 the -- coming into the -- into that section, the marina is on
2 the -- on the left-hand side, and there is, like, a little cut
3 here.

4 So if you continue straight (indicating) on this side,
5 there is that U.S. 1 bridge here; right? So now you have a
6 bridge that -- with a lot of people, you know, driving through
7 it. And because he couldn't turn into that spot because the
8 loss of propulsion, he continued going past it.

9 Q. You -- I'm sorry.

10 A. Oh, no.

11 Q. You just testified that Mr. McCabe was making a lot of
12 noise, and he was contacting the marina saying, "I need that
13 spot." You also testified that there was a police vessel in
14 that spot.

15 A. Uh-huh.

16 Q. Now you're saying that he didn't get to turn into that spot
17 because of propulsion issues. Can you --

18 A. That's not what I said.

19 Q. Okay.

20 A. What I said was, coming into the marina from -- once again,
21 from the interview with Ms. Hester was, he really wanted that
22 spot because of the issues that he was having with the
23 propulsion. Because he couldn't get that spot, he continued
24 going forward because he didn't have control of the vessel.
25 But where the -- where the dock is -- where that particular

1 dock is, it's, like, at the -- at the entrance of that channel.

2 Q. Correct. So would he have to turn into that spot?

3 A. Yes.

4 Q. And there was already a vessel in that spot?

5 A. Yes.

6 Q. So had there not been a vessel in that spot, Mr. McCabe
7 would not have been making noise because he would have been
8 able to turn into that spot?

9 A. It depends on what the issues were at the time.

10 Q. As far as your investigation goes, Ms. Hester testified
11 that a police boat was in that spot and he couldn't get that
12 spot. Is that correct?

13 A. Yeah, I mean, based on what she said, yes, he couldn't get
14 that spot.

15 Q. Okay. Did she say he couldn't get that spot because a
16 police vessel was in that spot and they didn't move it; is that
17 correct?

18 A. Can you rephrase that?

19 Q. Is it correct that Mr. McCabe -- or Ms. Hester advised you
20 that a police vessel was in that spot that wasn't moved, and
21 that is why he was not able to get that spot?

22 A. Yeah. So she said that he was contacting the marina. The
23 marina is, you know -- they -- there was a vessel in that spot.

24 Q. Okay.

25 A. And he couldn't take that spot. So, because he had lost

1 propulsion, he kept going forward and almost hit the bridge.
2 And at that point -- at some point was able to regain, perhaps,
3 control or, perhaps, move the vessel with the rudder. And
4 that's when they grounded.

5 Q. But at the time -- you said Ms. Hester advised you that
6 Mr. McCabe did contact the marina; is that correct?

7 A. He attempted to contact the marina, yes, to try to get that
8 spot.

9 Q. When you say "attempted to contact the marina," what does
10 that mean?

11 A. Well, he contacted the marina via radio.

12 Q. I'm sorry?

13 A. Via radio or cellular phone. I don't know the specifics of
14 how he contacted.

15 MR. STIEHL: Objection, Your Honor. This is continuing
16 to be hearsay.

17 THE COURT: All right. Overruled. Please continue.
18 You may answer the question, if there was a pending
19 question.

20 For clarity, Counsel, restate your question, if you had
21 one.

22 MS. FRANCIS: Thank you, Your Honor.

23 BY MS. FRANCIS:

24 Q. So my question -- I guess my next question would be, had
25 that police vehicle or vessel not been in the slip where Mr. --

1 MR. STIEHL: Objection, Your Honor. Asked and
2 answered.

3 THE COURT: Sustained. Let's move on.

4 MS. FRANCIS: Thank you, Judge.

5 BY MS. FRANCIS:

6 Q. And could you tell us whether or not, when the
7 vehicle -- or when the vessel was grounded, whether or not it
8 created any hazard? Was it blocking any channel or blocking
9 any vessel?

10 A. I guess, at that point, it would have -- if it's grounded
11 where the location -- where it would have grounded, then the
12 answer would have been yes, because it would have been blocking
13 the channel. It's a very narrow channel leading to U.S. 1.

14 Q. So it is -- do you have firsthand knowledge that where the
15 vessel ended up, it was blocking a channel?

16 A. Once again, it's -- it's all based on the interviews
17 and -- and the conversations that we had with the witnesses.
18 You know, if you look at a chart and you look at that
19 particular waterway, if -- if the vessel was grounded, it would
20 have been blocking the waterway partially there.

21 Q. So was the vessel grounded closer to shore, or was it
22 grounded in the middle of the bridge?

23 A. Do you have a chart that I can point it out, perhaps?

24 MS. FRANCIS: One moment, please.

25 Your Honor, may I take a brief moment to confer?

1 THE COURT: Yes.

2 MS. FRANCIS: Thank you, sir.

3 Your Honor, I have no further questions for this
4 witness.

5 THE COURT: All right. Thank you.

6 MS. FRANCIS: Thank you.

7 THE COURT: Redirect?

8 MR. STIEHL: Yes, Your Honor, just a few questions.

9 REDIRECT EXAMINATION

10 BY MR. STIEHL:

11 Q. Good morning, again, Mr. Mosquera.

12 If there is even one paying passenger on a vessel, that
13 means it's commercial?

14 A. Yes.

15 Q. And it's not recreational?

16 A. Correct.

17 Q. And if a vessel loses steering, even for a moment, does it
18 become reportable?

19 A. Yes.

20 Q. And if a vessel loses propulsion, even for a moment, does
21 it become reportable?

22 A. Yes.

23 Q. And, again, you were not there on March 28th?

24 A. No.

25 Q. And the defendant never notified your office of those

1 events on March 28th?

2 A. Correct.

3 MR. STIEHL: Thank you, Your Honor. No further
4 questions.

5 THE COURT: All right. Thank you, Mr. Mosquera. You
6 may be excused.

7 How much time, overall, do you anticipate this witness
8 taking, Mr. Koffsky?

9 MR. KOFFSKY: Your Honor, I'm not sure what the
10 cross-examination will be. I think direct examination will be
11 no more than a half hour.

12 THE COURT: Okay. Ladies and gentlemen, do you prefer
13 to continue or would you like a break at this time?

14 Continue? All right.

15 Then please call your next witness.

16 MR. KOFFSKY: Your Honor, the United States calls Paul
17 Alber to the stand.

18 THE COURT: Good morning, sir. Please walk over here
19 to the witness stand to be sworn in.

20 THE WITNESS: Good morning.

21 COURTROOM DEPUTY: Right here, sir.

22 Please raise your right hand.

23 Do you solemnly swear or affirm that the testimony you
24 are about to give is the truth, the whole truth, and nothing
25 but the truth, so help you God?

1 THE WITNESS: Yes, sir.

2 COURTROOM DEPUTY: Please be seated, state and spell
3 your first and last name, for the record.

4 THE WITNESS: will do.

5 Good morning, Your Honor.

6 THE COURT: Good morning.

7 THE WITNESS: Good morning, everybody. My name is Paul
8 Alber, last name spelling is A-L-B-E-R.

9 PAUL ALBER,
10 having been sworn, testified as follows:

11 DIRECT EXAMINATION

12 BY MR. KOFFSKY:

13 Q. Mr. Alber, good morning. where do you live, sir?

14 A. West Palm Beach.

15 Q. And I want to start by asking you a few questions about
16 your work experience, which I know is extensive.

17 Please tell the jury where you've worked in chronological
18 order, starting earliest and then moving to present.

19 A. Sure. I am a law enforcement officer, 32 years of
20 experience. I started in '93 with the Florida Fish and
21 wildlife Conservation Commission. I worked there for 13 years
22 before I left for the Town of Palm Beach Police Department,
23 where I'm currently a lieutenant in the internal affairs
24 department. I have been there for 19 years.

25 Q. And during your tenure with the Florida Fish and wildlife

1 Conservation Commission and during the Town of Palm Beach
2 Police Department tenure that you currently have, what type of
3 work have you done over the years?

4 A. Well, with Florida Fish and Wildlife, it was almost
5 entirely a boating job, marine law enforcement. I enforced
6 boating safety regulations, investigated boating accidents,
7 enforced natural resource violations like fishing, bag limits,
8 size limits, and such. But it was -- there was a variety of
9 other work that I did with them.

10 with the town of Palm Beach, I started as a patrol officer,
11 worked on the marine unit as well. I'm on the dive team. I
12 promoted to sergeant and then to lieutenant as a watch
13 commander on the road. I've been a detective. And then for
14 the past three and a half years, I have been internal affairs.

15 Q. Thank you, sir.

16 And I want to narrow in on your experience investigating
17 boat incidents, which you said you did at the FWC. Can you
18 describe what type of incidents that you have investigated
19 during your career?

20 A. Sure.

21 I have investigated a full range of boating incidents from
22 the most -- from minor property damage to the most severe and
23 tragic fatal boating incidents.

24 Q. Have you investigated boating incidents during your time as
25 an officer with the Palm Beach Police Department as well?

1 A. Yes.

2 Q. And approximately how many boating incidents do you think
3 you have investigated throughout your career?

4 A. Excuse me.

5 I have never kept a log, but it's in the hundreds.

6 Q. In your investigation of boating incidents, what specific
7 steps have you focused on during your career?

8 A. Earlier -- early in my career, when I was still with the
9 FWC, I developed a knack for digital forensics involving
10 navigation systems, GPSSs. So I -- I -- early -- early on, when
11 I was still fishing -- and it really started off from my love
12 of fishing and offshore fishing. I started tinkering with GPS
13 devices when they became popular in the '90s.

14 I started using different programs and I figured out -- my
15 initial goal was to better manage my fishing spots and plan my
16 fishing trips, but in the process, discovered how much data is
17 actually stored in the GPSSs, and that it was directly
18 applicable to my work investigating boating accidents and
19 miscellaneous other types of incidents.

20 And so I developed kind of a specialty niche as a GPS
21 forensics expert.

22 Q. And, just for the record, can you define what is a GPS
23 device?

24 A. Sure.

25 It's a global positioning system device. They're

1 practically everywhere now. There is a GPS in all of our
2 phones, they're in a lot of our cars. Almost all boats have
3 them. A lot of systems use them just for timekeeping, because
4 the timekeeping system within the GPS is -- is extremely
5 precise.

6 Q. And we will talk more about that in a few minutes.

7 Do you do any additional work alongside your law
8 enforcement work in connection with GPS devices?

9 A. I do. When I started using it for work, it -- it kind
10 of -- it started to grow within my department, and then other
11 agencies started asking me for assistance. And then that led
12 to eventually me developing and teaching a course for a
13 national boating safety organization.

14 And I have -- so I have done GPS investigations for local,
15 state, and federal agencies all across the country. And I --
16 excuse me. I had -- I had the flu, like, a month ago, and I
17 still can't shake the cough.

18 Where was I?

19 So I have taught and -- and used GPS forensics in a wide
20 variety of cases, and I have continued to do so since I left
21 FWC.

22 Q. Thank you.

23 And have you received any -- you mentioned certifications.
24 Have you received any training as you have kind of conducted
25 this type of work over the years?

1 A. I have. I have -- I have had multiple courses in boating
2 accident investigation. And my course is now a part of the
3 advanced boating accident investigation course that the agency
4 I work for puts on, the agency I work for outside of Palm
5 Beach.

6 And -- yeah, so I -- I have -- I have had multiple
7 trainings in that. I have taken some computer forensics and
8 digital evidence courses to supplement my knowledge. Most of
9 the GPS stuff that I have is kind of self-taught. But then I
10 have taken courses to solidify my processes and procedures.

11 Q. And are you familiar, or have you become familiar with
12 different types and different brands of GPS devices during your
13 career?

14 A. Yes.

15 Q. Is there a standard or industry practice for extracting
16 data from those devices and analyzing them?

17 A. I wouldn't say there is an industry standard. There is
18 just a best -- there is best practices for digital evidence
19 collection that applies, whether it's a GPS or a computer or
20 cell phone.

21 Q. And do you deploy those practices as you conduct your
22 analysis?

23 A. I do, and I teach them.

24 Q. In your -- in the, you know, past years that you have done
25 this, has that practice been reliable in your analysis?

1 A. Yes.

2 Q. Okay. And then one other thing, just about your
3 background. You mentioned that you have fished in your life.
4 Have you also dived? Or have you done diving as well?

5 A. I grew up here. I'm born and raised South Florida, and I
6 was running boats in -- and I was a certified scuba diver
7 before I could drive a car. I have been fishing and diving all
8 my life.

9 Q. Familiar with the Palm Beach area?

10 A. Very familiar.

11 MR. KOFFSKY: Okay. Your Honor, at this time, I would
12 tender Mr. Alber as an expert in GPS data analysis and marine
13 casualty investigations.

14 THE COURT: Any objection?

15 MS. FRANCIS: No objection, Your Honor.

16 THE COURT: All right. The witness is so qualified in
17 that field, which is GPS data analysis and marine casualty
18 investigations.

19 MR. KOFFSKY: Thank you, Your Honor.

20 BY MR. KOFFSKY:

21 Q. And I will continue, Mr. Alber.

22 I want to shift focus to an investigation that occurred on
23 March 29, 2020, involving a vessel called the Southern Comfort.
24 Did you participate in that investigation?

25 A. Yes.

1 Q. Please tell the jury how you became involved.

2 A. I was at work at the Palm Beach Police Department when I
3 got a call from Florida Fish and wildlife about a fatal boating
4 incident, and they asked if I could respond out immediately to
5 look at the navigation system from the boat that was involved.

6 Q. Do you remember who contacted you specifically in regards
7 to this incident?

8 A. I believe it was Investigator Dave Fowler. It could have
9 been his supervisor, but I think it was Investigator Fowler.

10 Q. And what did you learn just at the very start about what
11 had happened?

12 A. That a dive boat had an incident where one of their
13 passengers was run over and died as a result.

14 Q. And I'm not sure if you mentioned this. Did you say you
15 traveled to the scene where the vessel was?

16 A. I did. The boat was at the Riviera Beach Municipal Marina,
17 which is, like, a 15-minute drive from Palm Beach. So I drove
18 straight over from work.

19 MR. KOFFSKY: Your Honor, I'm now going to show the
20 witness and the jury what's already been admitted as
21 Government's Exhibit 2.

22 THE COURT: All right. Please proceed.

23 BY MR. KOFFSKY:

24 Q. And, Mr. Alber, what does Government's Exhibit 2 show?

25 A. That is the vessel, Southern Comfort, that I -- that I

1 looked at on the day of the incident.

2 Q. Thank you.

3 And once you got to the scene and saw the vessel, please
4 describe to the jury the investigation that you conducted.

5 A. Sure.

6 So once I got to the boat, I generally start by taking some
7 pictures -- and I didn't take this one, but I took a few
8 pictures and just observed the scene. And then with
9 permission, I boarded the boat. And I went up the stairs, the
10 ladder there, to the flybridge and inspected the navigation
11 system.

12 Q. And I'm going to show you a few more photos.

13 MR. KOFFSKY: I'm now going to show the witness and the
14 jury what's already been admitted as Government's Exhibit 34.

15 BY MR. KOFFSKY:

16 Q. And what does this photograph show?

17 A. That is a Furuno Navnet marine navigation device. It is
18 currently -- in that state, that's -- that's a picture that I
19 took. And it is being used as a radar in this configuration.

20 Q. And just for clarity of the record, where was this -- this
21 device that's depicted in Government's Exhibit 34?

22 A. It was where the captain was seated behind the wheel. It
23 was above him to the left.

24 Q. And this is on the Southern Comfort, that vessel?

25 A. Yes.

1 Q. Okay. Did this GPS device -- you mentioned it was being
2 used more as a radar. How could you tell that?

3 A. Well, just looking at the screen, I can tell you that it's
4 being used as a radar display. But even though it's being used
5 as a radar display, the GPS is still running in the background
6 and still generating data.

7 Q. Is this device in Government's Exhibit 34 one of the
8 devices you analyzed in this case?

9 A. Yes.

10 Q. Okay.

11 MR. KOFFSKY: Now I'm going to show the witness and the
12 jury what's already been admitted as Government's Exhibit 35.
13 It's another photograph.

14 BY MR. KOFFSKY:

15 Q. And what does this photograph show, Mr. Alber?

16 A. This is a Garmin marine navigation device.

17 Q. And was this device also on the Southern Comfort?

18 A. It is. This one would have been above the captain, to
19 the -- to the right-hand side.

20 Q. And how was this device functioning when you were examining
21 it and on the vessel, so far as you could tell?

22 A. It's a GPS. It's showing a digital map, and there is a
23 little icon in the -- kind of the lower center of the screen
24 that represents the boat. And that icon accurately represented
25 where we were at the end of the dock at the Riviera Beach

1 marina when I looked at it.

2 Q. And, Mr. Alber, you are able to notate on the screen using
3 your finger.

4 A. Okay.

5 Q. If you could just point to the mark that you just
6 mentioned.

7 A. Sure. It's right there (indicating).

8 Q. And what does that show?

9 A. That's an icon representing the boat. And it's showing its
10 current position, which was at the end of the dock at the
11 Riviera Beach marina.

12 Q. Got it.

13 And then just back to Government's Exhibit 34. I'm not
14 going to pull it up again. You mentioned the word "radar."
15 what did you mean by "radar"?

16 If you could just define that term for the jury.

17 A. Sure.

18 So radar is -- it's a navigational tool. And there is an
19 antenna up on top of the boat and it sends out a signal. And
20 that signal goes out 360 degrees around the boat and reflects
21 off of any solid surface, and sends the signal back, and it
22 allows the -- it essentially draws a picture for the captain to
23 see anything that's around him.

24 So it's a great navigational tool for avoiding other boats,
25 especially in the dark. You can use it for measuring distances

1 and seeing the direction that other boats are traveling.

2 Q. Did you also analyze this Garmin GPS device in Government's
3 Exhibit 35?

4 A. Yes.

5 Q. And, you know, with these photographs -- you took these
6 when you were on the vessel itself at the scene?

7 A. Yes.

8 Q. How did you -- how did you extract the data from these
9 devices?

10 A. So both of these devices have an SD card slot in them. And
11 so an SD card is a secured digital flash drive, like you would
12 use in your computer. And I -- I start by just inspecting the
13 machine and making sure that everything looks like it's working
14 correctly and everything is connected, which everything -- this
15 one looked like it was in almost new condition.

16 The door for the SD card slot is right here (indicating),
17 and so I opened that up. It was -- it was empty. There was no
18 slot in there -- or no device -- no card in the slot. The
19 operator can use the -- that slot to put -- you can buy really
20 fancy maps that show really high -- high degree, like, aerial
21 imagery, like, satellite images, and you can get stuff -- I
22 mean, it gets really crazy.

23 Like, you can click on the marinas and see, like, do they
24 have gas? Do they have hotel rooms? Stuff like -- like -- and
25 you can also back up your -- your data that you have, like all

1 your fishing spots, you can transfer it onto the card. And
2 that's essentially what I do.

3 So I put a brand-new SD card -- I took it out of the
4 package, put it in there. And then through -- using the menu
5 system on the device, I saved all of the navigational data that
6 was stored in this device onto the SD card. And then I took
7 that original out and I gave that to Investigator Fowler as his
8 evidence copy so that he has a clean, unmolested copy right out
9 of the machine.

10 And then I took a second card and I put it in, and I
11 downloaded it again, and that's the card that I retained for my
12 working copy that I later plugged into my computer and used
13 different software programs to analyze the data.

14 Q. And did you engage in this process for both devices that
15 you inspected on the vessel?

16 A. I did. It was a little bit different with the -- with the
17 Furuno. That device is really -- is old. It was probably
18 15 years old at the time, probably 20 years old now. And all
19 SD cards are not the same. It's -- today, it's not unusual to
20 have -- a 16-gigabyte card is a small card these days. You can
21 get them well north of a terabyte.

22 But when that device was built, we're dealing in megabytes
23 and not gigabytes or terabytes. And if you took a new, modern
24 card and put it into that machine, it wouldn't recognize that
25 there is an SD card in there.

1 So, fortunately, I carry a lot of different sizes, and I
2 took my one lone 128-megabyte card and put it in there to
3 download it. And because that is my -- the only one that I
4 have, I took the card out, put it into my computer, made a copy
5 of it onto a new SD card and provided the new SD card to
6 Investigator Fowler.

7 Q. Thank you.

8 A. Yup.

9 MR. KOFFSKY: Your Honor, at this point, I would like
10 to show the witness and the jury what's already been admitted
11 as Government's Exhibits 107A and 107B.

12 They're physical exhibits.

13 THE COURT: All right. You may continue.

14 MR. KOFFSKY: May I approach the witness, Your Honor?

15 THE COURT: Yes.

16 BY MR. KOFFSKY:

17 Q. And, Mr. Alber, starting with Government's Exhibit 107A,
18 can you just identify for the record what that is?

19 A. Sure. It is a -- it's a micro-SD card, 16 gigabyte, really
20 tiny, with an adapter, a standard-sized SD card.

21 Q. And which device did that pertain to, 107A?

22 A. I -- I don't know.

23 Q. Was it one of the two devices?

24 A. One of the two devices. And I haven't seen these cards
25 since I handed them to Investigator Fowler, and I don't know

1 how he numbered or labeled them.

2 Q. Is it safe to say it's just one of the two devices --

3 A. Yes.

4 Q. -- you analyzed on the Southern Comfort?

5 A. Yes.

6 Q. Understood.

7 what about for 107B? Could you just identify that for the
8 record as well?

9 A. Yes, it's another -- this one -- this is another 16
10 gigabyte, micro-SD card in a plastic wrapper.

11 MR. KOFFSKY: Your Honor, permission to approach the
12 witness and show these exhibits to the jury?

13 THE COURT: Granted.

14 MR. KOFFSKY: Thank you.

15 (Publishing exhibits.)

16 MR. KOFFSKY: Thank you, Mr. Alber.

17 BY MR. KOFFSKY:

18 Q. Did you have any -- aside from the discrepancy in pulling
19 from those devices that you mentioned, any issues or problems
20 that you had pulling the data onto those SD cards?

21 A. No. It was very straightforward.

22 Q. And, now, once you pulled the data from these devices, what
23 format is this raw data in?

24 A. The -- each -- each manufacturer has their own proprietary,
25 like, file format or computer programming that they use.

1 Garmin has their own; Furuno has their own.

2 Q. Is the raw data -- if you were to just put the raw data
3 out, can someone understand that?

4 A. I mean, in the raw form, no. But when you -- when you
5 import it into the -- into the computer and look at it, it's
6 all just -- it's numbers, latitude and longitude digitally.
7 There can -- depending on the device -- dates, times, speeds,
8 headings.

9 And depending on the device, it depends on how big the
10 memory is. So, like, this Garmin -- modern Garmins can hold up
11 to 50,000 individual track points. So for each one of those
12 track points on a Garmin, it could be the date, time, speed,
13 heading, latitude, longitude, water depth, water temperature,
14 distance from one track point to the next track point. It can
15 hold a lot of data.

16 The older Furuno from the other picture, it's an older
17 device, it has much less memory capacity and only retains the
18 latitude and longitude coordinate for each position in the
19 track line.

20 Q. Did you analyze that data in your involvement in this case?

21 A. Yes.

22 Q. And in your analysis, or in the process of you analyzing
23 the data, did you create a report with your findings?

24 A. Yes.

25 Q. And does that report contain the raw data itself, or do

1 you -- or do you show the data in a different way?

2 A. So I described the data, but then I also -- I take the data
3 and project it onto Google Earth image so that you can see the
4 track line data. So track -- a track line, essentially, is a
5 recording of where the device has been.

6 When you turn -- so this Garmin device that we have up now,
7 when you turn this device on, the first thing it does is it
8 starts listening for satellite signals. And once it hears
9 enough satellite signals and can calculate its position, it
10 logs it as a track point. And it will save the date, time,
11 speed, heading, all -- latitude, longitude. And then it
12 continuously does that every few seconds and it records where
13 the device has been, all of its travels.

14 And so I take that data, and I -- I took the relevant
15 portions for this case and put it into a Google Earth image so
16 you can see where the boat has been.

17 THE COURT: Sir, one moment. Would you care for some
18 water?

19 THE WITNESS: I would love a cup of water, yes, please.

20 THE COURT: All right. Thank you.

21 Mr. Creary, thank you very much.

22 THE WITNESS: Thank you, sir.

23 MR. KOFFSKY: If at any point you need an additional
24 water break, let me know.

25 THE WITNESS: No problem. Thank you.

1 BY MR. KOFFSKY:

2 Q. I do want to talk through -- you mentioned using that data
3 and combining it with Google Earth. I want to talk about your
4 findings in a moment. Before I do, just a couple of quick
5 questions.

6 Do you know the defendant in this case, Mr. Dustin McCabe,
7 at all?

8 A. I do not.

9 Q. Did you know him at all before the date of your
10 investigation on March 29, 2020?

11 A. No.

12 Q. Were you aware of his vessel, the Southern Comfort, at all?

13 A. No.

14 Q. Okay. And how much do you know about -- well, let me ask
15 you this: were you present for the underlying incident at all?

16 A. No.

17 Q. You were just confined to your after-the-fact analysis?

18 A. I usually -- I ask the investigator for, like, a synopsis
19 of the incident so I know where I'm looking at when I look at
20 data, but I don't have the -- the intricate details of the case,
21 just an over -- a broad overview of what happened.

22 Q. I see.

23 MR. KOFFSKY: I'm now going to show the witness and the
24 jury what's already been admitted as Government's Exhibit 16.

25 ///

1 BY MR. KOFFSKY:

2 Q. And, Mr. Alber, what is Government's Exhibit 16?

3 A. This is a graphical display of the track line data that was
4 taken from -- that was retrieved from that Garmin device that
5 we just had up.

6 MR. KOFFSKY: I'm just going to clear the screen,
7 Your Honor.

8 BY MR. KOFFSKY:

9 Q. And what voyage or what trip does Government's Exhibit 16
10 show?

11 A. This is the trip leading up to the incident, start to
12 finish. In the -- in the upper left-hand corner you can see
13 where there is a green line that comes down from the top of the
14 screen and then follows the shoreline and goes out through the
15 Lake Worth inlet and offshore into the ocean and then back.
16 That's a recording of the entire day's trip, ending at the
17 dock, where I took the GPS data out of the device.

18 Q. And as we discuss Government's Exhibit 16 and a few other
19 exhibits, feel free to mark on the screen with your finger as
20 well.

21 You talked earlier about track points and other types of
22 data that GPS devices record.

23 A. Yup.

24 Q. If you could, just with respect to Government's Exhibit 16,
25 what is the green line specifically?

1 A. So the green line is -- it's just a line drawn by the
2 software from one point to the next point. The actual data
3 from the device is the series of little blue dots. And it's a
4 little tough to see on this, but where they're spread further
5 apart, there are little triangles, and the triangle points in
6 the direction that the boat was traveling.

7 And we will probably get to a closer-up view. There is
8 also squares that are when the boat was traveling less than
9 3 miles per hour. The green line is just connecting the dots,
10 essentially.

11 Q. Which part of Government's Exhibit 16 -- and you can mark
12 on this the screen here -- which part would have been the
13 actual dive part of the trip?

14 A. The dive part of the trip is right here (indicating).

15 Q. Okay. And how do you know that, or what makes you say
16 that?

17 A. So I can see and analyze, through my analysis, the data. I
18 can see that the boat is going offshore and moving in a
19 particular direction towards the dive site at -- you know, at a
20 significant speed, and then it slows down and comes to a
21 complete -- almost a complete stop. And then the -- the
22 zigzagging and drifting trails moving in a generally north --
23 northward direction is consistent with what a boat would do
24 when they're drift diving.

25 And I also know from personal experience that there is a

1 large artificial reef system in that area.

2 MR. KOFFSKY: I'm now going to show the witness and the
3 jury what's already been admitted as Government's Exhibit 17.

4 BY MR. KOFFSKY:

5 Q. With relation to or with respect to Government's
6 Exhibit 16, what does Government's Exhibit 17 show?

7 A. So what I circled in the last image, this is that data just
8 blown up, close-up view of it.

9 Q. And if you could, please, walk the jury through your
10 analysis of this specific portion of the March 29, 2020 --

11 A. Sure.

12 Q. -- trip.

13 A. So you can see a little better the triangles. So this is
14 the boat approaching the scene, coming in this direction. He
15 comes around this way. And then where I marked it -- where I
16 have the call-out arrow right here, he comes to almost to a
17 complete stop. And then there is a long series -- or a series
18 of squares where the boat is going less than 3 miles per hour.

19 And that's pretty consistent with a boat that is drifting
20 out of gear, going this way. And so, in my opinion, it was
21 likely that that's where he pulled up to the dive site and
22 dropped his divers while he is drifting to the -- to the
23 northwest. And then here, you can see he motors away.

24 And then there is a series of -- he actually comes -- comes
25 back around to where he initially dropped the divers and then

1 starts this long series of drifts and maneuvers.

2 Q. And I believe you mentioned a term earlier, "drift diving."

3 Is --

4 A. Yes.

5 Q. Is that what this is?

6 A. It is. Off the coast of Florida, from Jupiter south, the
7 Gulfstream comes really close to the shoreline, closest to
8 anywhere in the world. And that current makes it really
9 impractical to anchor your boat and dive from an anchored boat,
10 because if you go in the water, there is very realistic chance
11 that the current is going to sweep you away from your boat and
12 you can't get back to it.

13 So the normal practice from, basically, Jupiter Inlet south
14 is that a dive boat will deploy the divers, one of the divers
15 will carry a -- will hold a line that's attached to a buoy or a
16 float, and then somebody will stay on the boat and follow the
17 buoy until the dive is over and retrieve the divers.

18 Q. And you have testified about the arrival at the dive site.
19 I want to shift your attention to the top left portion of
20 Government's Exhibit 17.

21 You have a marker titled "Incident Site."

22 A. Yes.

23 Q. If you could walk the jury through that portion of the
24 trip.

25 A. So about 45 minutes -- excuse me. About 45 minutes after

1 they arrived at the site, the boat maneuvers here (indicating)
2 and comes around this way, and then comes to a stop right in
3 here (indicating). And that's likely where they -- where the
4 captain maneuvered up to his divers who had surfaced and is
5 going to pick up his divers from the water.

6 MR. KOFFSKY: Now, I'm now going to show the witness
7 and the jury what has already been admitted as Government's
8 Exhibit 18.

9 BY MR. KOFFSKY:

10 Q. And, Mr. Alber, what does Government's Exhibit 18 show?

11 A. Again, this is an even closer view of the -- that
12 particular portion that we just discussed, where the captain
13 was likely picking up his divers.

14 Q. And if you could please walk the jury through the beginning
15 portion, as far as time is concerned, of what is shown in
16 Government's Exhibit 18.

17 A. Sure.

18 So the boat comes around -- comes around this way
19 (indicating). And then he comes -- pulls up, and he comes to
20 almost a complete stop at -- at 9:44. You can see
21 this -- this -- that track point there. He is traveling at a
22 speed about 3 miles per hour, so he is going pretty slow, but
23 up here, he drops below 1 mile per hour.

24 And for the next -- let's see, from 9:44:13 to 9:44:47,
25 there is -- there is just a series of very close maneuvers in

1 there. The typical accuracy rate for a modern civilian GPS is
2 less than 6 feet, and these spots are 10 to 12 feet away from
3 one another. So it's pretty close.

4 Q. And just going off the data that is shown in these images
5 that you've created, it seems like GPS can capture a vessel's
6 speed; is that right?

7 A. Yes.

8 Q. The time in which the travel is occurring?

9 A. Yes.

10 Q. Can it show, as well, the actual direction that a vessel is
11 facing?

12 A. No. That's not what this is representing. This is just
13 showing point -- from one point to the next. So the boat could
14 be drifting sideways, and it's going to show a track point when
15 the boat is actually facing one direction but moving in
16 another. It's simply a representation of where the boat moved,
17 not which direction the boat was pointing.

18 Q. I see. And so -- if you can focus on the center of
19 Government's Exhibit 18, the --

20 A. Yes.

21 Q. -- circled part. What, in your opinion, is happening there
22 at that exact moment, so far as you can tell?

23 A. There is some type of maneuvering by the captain in there
24 because of the jagged nature of the track point there, and it's
25 out of sequence with the rest of the, like, smooth track. So

1 there was some maneuvering that was going on at that point.

2 Q. And what makes you think, as far as your analysis, that
3 this is exactly where the incident occurred?

4 A. Because they didn't leave from that -- after this series of
5 maneuvers, you can see the boat kind of goes off this way
6 (indicating), but all of the speeds are less than -- less than
7 3 miles an hour, consistent -- there was probably some maneuver
8 to create this curve right here (indicating), but then it goes
9 into a lengthy drift, where I think it -- well, you are
10 probably going to show the picture next.

11 MR. KOFFSKY: I'm now going to show the witness and the
12 jury what's already been admitted as Government's Exhibit 19.
13 And I will just clear the screen. Thank you.

14 BY MR. KOFFSKY:

15 Q. What does Government's Exhibit 19 show, Mr. Alber?

16 A. Sure.

17 So this is the section we were just talking about, and he
18 comes out of that series of maneuvers, but then doesn't make
19 any maneuvers. And this -- this represents over half a mile of
20 drift over the course of -- I think it's 26 minutes.

21 And this pattern of movement is consistent with a boat that
22 is drifting in our area, because you have the northward current
23 from the Gulfstream pointing that way, and probably a wind
24 coming from the east blowing that way.

25 So the result is the boat is going this way (indicating).

1 Q. And so is the boat under power at that point, so far as can
2 you tell?

3 A. I would -- I would suspect that the engines were running,
4 but it's not in gear. It's just drifting.

5 Q. Okay. And then what happens -- just directing your
6 attention to the top of Government's Exhibit 19. You have one
7 other point identified. What happened there?

8 A. Yeah. So up here (indicating), the boat stops. It starts
9 making way, where it's -- it's using propulsion to move. So he
10 moved -- he comes out of the drift here and goes off in that
11 direction, and travels directly into the Riviera Beach
12 Municipal Marina.

13 MR. KOFFSKY: Mr. Alber, thank you for your time this
14 morning. I have no further questions, Your Honor.

15 THE WITNESS: Thank you.

16 THE COURT: Cross-examination?

17 MS. FRANCIS: Your Honor, we have no questions for this
18 witness.

19 THE COURT: All right, then. Thank you very much,
20 Mr. Alber.

21 THE WITNESS: Thank you.

22 THE COURT: Ladies and gentlemen, we are going to take
23 our morning break now for 20 minutes.

24 All rise for the jury.

25 (The jury exited the courtroom at 10:27 a.m.)

1 THE COURT: All right. Thank you. We will resume at
2 10:50.

3 (A recess was taken from 10:28 a.m. to 10:55 a.m.)

4 THE COURT: Let's call in the jury, please.

5 COURT SECURITY OFFICER: Rise for the jury.

6 (The jury entered the courtroom at 10:55 a.m.)

7 THE COURT: Thank you, please be seated.

8 All right. Please call your next witness.

9 MR. STIEHL: Thank you, Your Honor.

10 The United States would like to call Lieutenant
11 Commander Andrew Cole.

12 THE COURT: All right. Let's invite Lieutenant Cole
13 in, please -- or Lieutenant Commander, I should say.

14 Good morning, sir. Please walk over here to be sworn
15 in.

16 COURTROOM DEPUTY: Please raise your right hand.

17 Do you solemnly swear or affirm that the testimony you
18 are about to give is the truth, the whole truth, and nothing
19 but the truth, so help you God?

20 THE WITNESS: I do.

21 COURTROOM DEPUTY: Please be seated. State and spell
22 your first and last name, for the record.

23 THE WITNESS: My name is Andrew Cole. First name
24 A-N-D-R-E-W, last name C-O-L-E.

25 ///

1 ANDREW COLE,

2 having been sworn, testified as follows:

3 DIRECT EXAMINATION

4 BY MR. STIEHL:

5 Q. Thank you, Lieutenant Commander Cole.

6 Can you tell me where you live?

7 A. Yes. I live in Palm Beach County, Florida.

8 Q. And what do you do for a living?

9 A. I am currently assigned to Coast Guard District 7 in Miami,
10 Florida. My job is I have oversight over Port State Control
11 and domestic vessel inspections for District 7, which includes
12 South Carolina, Georgia, Florida, and the Caribbean.

13 Q. And can you break that down a little bit? What is Port
14 State Control and domestic inspections?

15 A. Absolutely. So Port State Control is any foreign flag
16 vessels that come into the United States. They're subject to
17 certain regulations and oversight. So the Coast Guard's
18 responsible for inspecting those vessels to those regulations.

19 And, likewise, with domestic U.S. flag vessels that are
20 also applicable to certain laws and regulations, and the
21 Coast Guard's responsible for ensuring those are enforced.

22 Q. And how long have you worked for the United States
23 Coast Guard?

24 A. I have been in going on 14 years now.

25 Q. And what were you doing before -- or excuse me.

1 what Coast Guard office were you stationed prior to being
2 stationed at District 7 in Miami?

3 A. All my units, would you like me to say?

4 Q. Yes.

5 A. Okay. So, first out of officer training, I was a deck
6 watch officer on the Coast Guard Cutter Escanaba, in Boston,
7 Massachusetts, so driving the ship.

8 After that, I went and I was in inspections in Houston,
9 Texas. And then I went and I was in investigations in
10 San Francisco.

11 And then after that, I was the marine safety detachment
12 supervisor at MSD Lake Worth in Palm Beach.

13 Q. And can you tell me what types of vessels that the
14 Coast Guard inspects?

15 A. So any vessel that is operating on federally navigable
16 waters, waters that are subject to the jurisdiction of the
17 federal government, there are certain rules and regulations
18 that are applicable to pretty much any vessel.

19 However, a marine inspector of the United States
20 Coast Guard is primarily focused on enforcing regulations for
21 commercially-operated vessels.

22 Q. And can you tell me what a marine casualty investigator
23 does?

24 A. Yes. So just like when you have waters that are subject to
25 federal jurisdiction, whenever something goes wrong on those,

1 the Coast Guard is responsible for overseeing the investigation
2 for why it happened, what happened, how to prevent it from
3 happening again in the future, coming up with recommendations
4 like that.

5 So a marine casualty investigator looks into these
6 incidents that occur generally on commercial vessels. We have
7 memorandums of understanding --

8 THE COURT: Sir, I'm just going to ask that you slow
9 down just a little bit so that our court reporter can take down
10 everything you're saying. Thank you.

11 THE WITNESS: I apologize, Your Honor. Yes.
12 My apologies.

13 So marine casualty investigators for the Coast Guard,
14 we oversee the investigations of anything that happens on
15 pretty much federal and navigable water. Coast Guard
16 investigators will generally take the investigations for
17 commercial vessels, while we have other understandings and
18 agreements with other local and state agencies for
19 recreational-type investigations.

20 BY MR. STIEHL:

21 Q. So you mentioned that in your current role, you are
22 conducting oversight. Are you also qualified as a marine
23 inspector?

24 A. I am qualified both as a marine inspector and investigator.

25 Q. Okay. Let's move on to your experience as a diver.

1 A. Okay.

2 Q. Do you have experience as a diver?

3 A. Yes. I have been certified as a diver since 2001. I was
4 certified a PADI divemaster in 2010, I guess, it was. And I
5 was a PADI divemaster prior to joining the Coast Guard.

6 Q. So what dives certifications do you have?

7 A. So open water, advanced, rescue, divemaster.

8 Q. And what training does that require?

9 A. So for every different level of certification, there is
10 extensive training that's, you know, associated with each
11 level. Then, you know, divemaster is focused on more of the
12 professional side of diving, assisting with instruction, guided
13 dives, really the professional side of scuba diving.

14 Q. And do you know, how many dives do you have?

15 A. I stopped logging in the hundreds. I would suspect, if I
16 had to guess, between five hundred and a thousand.

17 Q. And have you ever worked in the dive charter business?

18 A. I have.

19 Q. In what capacity?

20 A. So I was a divemaster. So I got my certification as a
21 divemaster in North Florida, so that was primarily in caves and
22 springs in North Florida. But then I was a divemaster on a
23 vessel out of La Parguera Lajas, Puerto Rico.

24 MR. STIEHL: And, Your Honor, I would like to tender
25 Lieutenant Commander Cole as an expert in dive charters and

1 Coast Guard regulations.

2 THE COURT: Any objection?

3 MS. FRANCIS: No objection, Your Honor.

4 THE COURT: All right. The witness is expert as --
5 qualified as an expert in that designated field, dive charters
6 and Coast Guard regulations.

7 BY MR. STIEHL:

8 Q. And do you know the defendant here?

9 A. I do not know him personally, no.

10 Q. And do you have any firsthand knowledge of this case?

11 A. So when I reported to marine safety detachment Lake Worth,
12 my predecessor, Mr. Chris Mosquera, he had conducted the marine
13 casualty investigation of the incident that occurred. And then
14 when I was coming in, there were proceedings for suspension,
15 revocations of credentialings that was occurring. And so that
16 got passed to me, and my extent of that was really just helping
17 facilitate the process.

18 The Suspension and Revocation National Center of Expertise
19 ran those proceedings, and I really didn't have much engagement
20 in it, but I was present in some phone calls with, you know,
21 setting up the hearing and all that.

22 Q. But you are familiar with the facts, the general facts of
23 this case?

24 A. The general facts, yes.

25 Q. Okay. First, let's talk about general dive safety. I want

1 you to walk me through a dive charter, starting with the very
2 beginning. What steps would you take essentially, I guess, to
3 register divers?

4 A. Yes. So generally, people sign up in advance to go out on
5 a dive with the company, right? So they will report to the
6 office or whatever meeting point that you have. There is basic
7 paperwork that's filled out, signed, waivers, liability,
8 you know, things like that.

9 We make sure that they have their -- all the gear that they
10 need. If they don't, then they're given that, make sure
11 they're familiar with the gear. They check their licenses.
12 They check their certifications, make sure that they're good to
13 go for that.

14 Then you would proceed to wherever the place of the vessel
15 was located, generally in a marina; right? You go down to it.
16 Help the customers come get onto the vessel, make sure that
17 they're set, that they have all of their equipment that they
18 need. And then they will generally begin preparing their dive
19 gear while you're at the -- while you're still there at the
20 pier, while it's, you know, stable, your boat is not rocking,
21 things like that.

22 And then you will begin heading out to the dive site. The
23 ones that I generally did were two dives. So you began heading
24 out there, and I, as the divemaster, would give just a general
25 brief of what the dive was that we were going to go and do. It

1 is not the Coast Guard's safety brief that we would give. I
2 would give the dive brief for that.

3 And then we would get out to the site. Get moored up or
4 anchored or however the situation of the site was. Once again,
5 go over the plan of what we were going to do. I would assist
6 all the divers to get into the water. And then I would take
7 them on that dive.

8 Throughout the dive, making sure I have accountability of
9 the people, checking on air, making sure everyone is okay.

10 Then we come back up to the vessel, get back on the dive
11 boat. There is generally a break in between. Repeat for a
12 second dive. Come back up. And then head back into shore and
13 help the divers get off.

14 Q. Okay. A lot to digest there. I'm going to kind of break
15 it down a little bit, kind of, with some of the things that you
16 stated.

17 So you mentioned certifications. What type of
18 certifications are typically required for someone to go on a
19 dive charter?

20 A. The minimum would be open water certification from one of
21 the main scuba diving agencies. There are several out there.
22 The largest is PADI.

23 You would make sure -- you know, depending on the company,
24 you would want to see when the last time they dove was, their
25 "comfortability" with the type of dive that you are going to

1 do. But general open water certification is generally the
2 basics, but they're obviously -- depending on the type of dive,
3 there are different levels and requirements.

4 Q. And remember to slow down so the -- we can get proper
5 transcriptions.

6 So I believe you mentioned the term "moored" or "anchored."
7 Can you explain that in a bit more detail?

8 A. Yes. So moored, when you are either at a pier, the boat is
9 tied up, affixed, not moving, or also to a mooring ball, which
10 is a fixed buoy that is in one location.

11 And then anchored is when the vessel has dropped their
12 anchor and is also in a fixed position.

13 Q. Okay. I want to talk about entering and exiting the water.
14 Can you specifically tell me how that process works on a dive
15 charter?

16 A. Yes. So every dive is a little bit different. Places do
17 it differently.

18 The ones that I have experience with, we were always moored
19 in one spot. And so we would assist -- we would get moored.
20 we would make sure that we would have a tether line that was
21 off the back of the boat. We would assist the divers with
22 getting in the water. I would tell them when it was okay,
23 after confirming with the captain that everything was good to
24 go. Assist them getting in the water.

25 They would generally hold onto a line to wait until I got

1 in the water, but then I would enter the water after them and
2 then take them down.

3 As we were coming back up, generally we were doing a dive
4 that required what's called a decompression stop. So we would
5 stop at, you know, 30 or 15 feet, depending on the requirements
6 of the dive for decompression. Then we would surface. They
7 would wait until I got back onto the vessel, got permission
8 from the captain for coming back on, and then I would assist
9 them back onto the boat.

10 Q. And what sort of commands would you give when they were
11 getting back on the vessel?

12 A. So once the captain has given, you know, a green light for
13 them to come on, we would direct them on, generally, with hand
14 signals. There are traditional -- there are three ways of
15 signaling that you're okay from the scuba diving world,
16 depending at the distance that you're at.

17 So general okay (indicating), okay (indicating), or okay
18 (indicating), I would give them that signal, and then we would
19 be directed with permission from the captain.

20 Q. Are there any inherent dangers associated with scuba
21 diving?

22 A. Scuba diving in itself, yes, is a relatively dangerous
23 activity, you know, that has its dangers associated with it.
24 Primarily, a lot of the stuff that I saw when things went wrong
25 were related to exacerbated preexisting health conditions;

1 right? It's a strenuous activity. If you're not -- especially
2 if you hadn't done it in a while. So if you're overweight or
3 have heart conditions or something like that, when you get in
4 the water, you know, that can be exacerbated.

5 If there are heavy currents that you're having to be
6 fighting while you're under water, that can lead to a lot of
7 exhaustion, not knowing that you are consuming as much air as
8 you are, if you are not paying attention to the gauges and you
9 run low on air, and then you're not able to surface in a quick
10 enough time.

11 So, yes, there are inherent dangers to scuba diving, yes.

12 Q. And where do you typically board a scuba diving vessel?

13 A. Generally embark -- when you are getting in and out of the
14 water from a dive vessel, there are different types of boats
15 out there, different setups, different arrangements. But
16 generally, it is from the stern or the back of the vessel.

17 Q. And why is it that you board at the stern or the back of
18 the vessel?

19 A. You know, typically, just depending on the setup of it,
20 that's really the only logical place to have a, sort of, dive
21 platform that's built onto these boats.

22 Based on the way that boats ride and sit in the water and
23 move, the stern, the back of the vessel is going to be the most
24 logical place for them to build that for the boats.

25 Q. And is there any specific hazards associated with boarding

1 on the vessel's stern?

2 A. Yeah. So, you know, there are multiple ones. When you are
3 coming up -- when you are in the water and you're coming up to
4 the boat, you're going to be watching the action of the boat as
5 it comes up and down with the waves and the swells. So
6 that -- that big hazard there with, you know, making sure
7 you're timing it right.

8 And generally, the crew, the people on board the vessel are
9 watching the conditions around you that can tell you, "Hey,
10 either there is a big swell coming up, just hold off a little
11 bit," or, you know, "You are good to come on in." So that's
12 one of the issues.

13 Additionally, you always have the propeller and the rudders
14 that are generally located right there with the point of
15 embarkation that you're going to have to watch out for as well.

16 Q. And when you say "watch out for the propellers," can you
17 explain that in a little bit more depth?

18 A. Yes. So, I mean, a propeller, it's a giant metal piece of
19 equipment that spins rapidly. It's meant to do that in order
20 to, you know, move the boat. And so, unfortunately, with the
21 way that they're designed -- these boats are designed,
22 generally they're in close proximity to the ladder that you're
23 getting on and off the boat on. So you are going to be
24 watching that to make sure that it doesn't, you know, begin
25 spinning on you, and you are a safe distance from it.

1 Q. Now, in your experience as a divemaster, whose
2 responsibility is it to make sure that those propellers are not
3 engaged?

4 A. So on all vessels, the captain is ultimately responsible
5 for anything that occurs with the vessel.

6 Q. And I'm sorry. I jumped ahead.

7 Can you tell me what it means by the propellers being
8 engaged?

9 A. Yes. So I'm not an engineer by any sort of the imagination
10 on anything; it's not my background. So a layman's term way of
11 describing it is a propeller is engaged when it is -- when the
12 vessel is put into either forward or stern. So the engine
13 clutch is in and is allowed -- and transfers the power to the
14 shaft and the propellers and begins spinning it.

15 Q. And based on your experience, are vessels' engines usually
16 turned off or in neutral?

17 A. In all of the diving experience that I have done, yes.

18 Q. And why is that?

19 A. So that the propeller is not a hazard as divers are coming
20 on and off the vessel.

21 Q. And can you tell me about your dive safety brief? You
22 mentioned it a little bit earlier.

23 A. Yes. So when we're going out, we're describing the dive
24 site to the divers that are going to be doing it, what we're
25 going to be looking at, the topography of the dive site, the

1 duration that we're going to be down, depth.

2 And then along with the duration and depth -- that is going
3 to have impacts on your decompression limits that you have;
4 right?

5 So as you're diving, you're under pressure, you're
6 breathing air, your body is absorbing nitrogen. And so, as
7 you're coming back up, your body has to -- call it, like,
8 off-gassing -- decompress to let these -- let your body
9 readjust.

10 Think of it like a Coke bottle. When you have a Coke
11 bottle that's unopened, it is under pressure; right? But when
12 you look at the -- you look at the liquid, there is no bubbles
13 in the liquid; right? But as soon as you release that pressure
14 on the Coke bottle, bubbles form in the liquid; right? So
15 that's your body when you are diving.

16 When you are underneath the water, you are under pressure.
17 But then if you come up too quick, you can have those bubbles.
18 So you do decompression stops to slowly allow your body to
19 decompress the nitrogen that you have accumulated.

20 Q. And so are these safety briefs required?

21 A. They are a general safe practice for the dive industry.
22 There is no requirement for a dive safety brief that I know of,
23 as far as regulatorily stated.

24 Q. And so what are the duties of the captain aboard the dive
25 vessel?

1 A. The safety of the personnel and crew and the vessel is
2 ultimately responsible for the captain of the vessel. So
3 anything that happens on board that vessel is the
4 responsibility of the captain.

5 Q. And as the captain of a dive vessel, if you're aware of any
6 mechanical issues, would it be an industry standard to fix
7 those problems prior to getting underway with passengers?

8 A. Absolutely.

9 Q. And if the captain elected to get underway with known
10 mechanical issues, would he have a duty to notify the divers of
11 those mechanical issues?

12 A. I would say so.

13 Q. And have you ever worked on a dive boat that allowed
14 spearfishing or lobster diving?

15 A. I have.

16 Q. Can you tell me a little bit more about those practices and
17 how they work with the dive charter?

18 A. Yeah, so they've -- you know, people that are going, and
19 they're going to be spearfishing, they're going to have extra
20 equipment, right, the spear gun. So, generally, we don't let
21 them jump in the water with the spear gun. They will hop in,
22 we will hand it to them after the fact.

23 And, likewise, when they're coming up, they will hand it to
24 us on the boat, we will take it, and then they will be able to
25 come up after that.

1 Then obviously, you know, there are precautions that need
2 to be had while you are diving, as far as, like, when they're
3 spearfishing, making sure they're not directing it at other
4 people and general safety.

5 Q. And several past witnesses have mentioned a dive computer.
6 Can you just explain what that is?

7 A. Yeah. So I'm not wearing -- I generally -- I have a watch
8 that is a dive computer that I used to wear all the time. They
9 come in a bunch of different forms, either in a watch form or
10 they can be in your -- you know, your gauges, that -- set in
11 there.

12 And, essentially, it records what you're doing throughout
13 the dive. It records your depth. It records the time. A lot
14 of them have -- I was talking about the saturation of nitrogen.
15 It tells how you have built up through multiple dives; helps
16 you with your -- you know, how long you need to decompress for
17 at several levels. It helps you plan the dive out a lot
18 better.

19 Q. Thank you.

20 All right. Let's talk about marine casualty reporting
21 requirements.

22 A. Okay.

23 Q. So, first off, what kind of vessels does the Coast Guard
24 investigate?

25 A. So the Coast Guard has the authority to conduct

1 investigations on any vessel that's operating on federal
2 waters. However, when we talk in regards to marine casualty
3 investigations, those are generally going to be vessels that
4 are operating commercially that we are going to be doing these
5 marine casualty investigations.

6 Q. And you mentioned federal waterways. Can you explain that
7 in a little bit more depth.

8 A. Yeah, so there are definitions of federal waterways that
9 have been determined to be, we call it, federally navigable.
10 The way I like to describe that is essentially any waterway
11 that has access to the ocean or is divided amongst state lines
12 is, kind of, the easy way to define it.

13 Q. So is the Atlantic Ocean itself a navigable waterway?

14 A. Yes.

15 Q. And what about the Intracoastal Waterway in Palm Beach
16 County?

17 A. Yes.

18 Q. And if a dive charter vessel was being operated with six
19 paying passengers or fewer, how would that vessel be
20 classified?

21 A. That would be categorized as an uninspected passenger
22 vessel.

23 Q. And is that also referred to as a six-pack?

24 A. Yes.

25 Q. Can you tell me what an uninspected passenger vessel is?

1 A. An uninspected passenger vessel is a vessel that is taking
2 at least one passenger for hire, right? Someone has paid to go
3 out on that vessel for whatever reason there is, but they're
4 paying to go out on that vessel.

5 Q. And what is the difference between an uninspected passenger
6 vessel and a recreational vessel?

7 A. A recreational vessel is someone that -- there is no --
8 there is no commercial service; no one has given any sort of
9 payment in order to go out on that vessel. You just have a
10 boat and you're going out to enjoy it on your own.

11 Q. And are there additional safety regulations that apply to
12 uninspected passenger vessels that do not apply to recreational
13 vessels?

14 A. Yes.

15 Q. And can you briefly tell me about what types of regulations
16 those are?

17 A. Yeah, so the big ones, you have to have a properly
18 credentialed captain or mariner operating the vessel. There
19 has to be a drug and alcohol testing program set up. Then the
20 vessel also has to have a certificate of documentation, and
21 then there is also other requirements for safety; so, like,
22 Type 1 PFDs and additional safety equipment that those vessels
23 have to have, that they wouldn't have to have if they are
24 operating recreationally.

25 Q. And briefly, what is a PFD?

1 A. Sorry. A personal flotation device, a life jacket.

2 Q. And does the Coast Guard investigate accidents or
3 casualties that occur on recreational vessels?

4 A. We have the authority to, yes. And I personally have done
5 investigations on recreational vessels as well.

6 Q. In Florida, though, what agencies usually investigate
7 accidents that occur on recreational vessels?

8 A. Yeah. So typically, those are passed off to FWC or any
9 other sort of local or state law enforcement.

10 Q. And what about an investigation on an uninspected passenger
11 vessel?

12 A. Those the Coast Guard would have primary jurisdiction for.

13 Q. And what document can a Coast Guard inspector or
14 investigator review to help determine if a vessel is being
15 operated commercially or recreationally?

16 A. So a certificate of documentation is the federal
17 registration that has different endorsements on it that would
18 indicate the type of service that the vessel is in.

19 Q. What other steps could a Coast Guard inspector investigator
20 take to determine if a vessel was being operated recreationally
21 or commercially?

22 A. Interviewing the passengers, talking to them, if they paid
23 to go out on the boat, if they know the operator in any sort of
24 capacity apart from going out on the vessel, if they -- you
25 look for advertisements, advertising that this vessel or the

1 operator is taking people out to do things.

2 Q. And so you previously said that uninspected passenger
3 vessels are required to have licensed captains. Who issues
4 those captains licenses?

5 A. The Coast Guard.

6 Q. And is there a higher level of safety expected when the
7 captain has a license issued by the Coast Guard?

8 A. Yes. That's the reason that we require that requirement.

9 Q. And does a licensed captain have a duty to ensure the
10 safety of the passengers and crew of the vessel?

11 A. Absolutely.

12 Q. Okay. I want to get into a little bit more about the types
13 of accidents or marine casualties that are required to be
14 reported to the Coast Guard.

15 Can you briefly describe the types of casualties that are
16 required to be reported?

17 A. Yes. So reportable marine casualties, they're defined in
18 46 CFR Part 4. So you have unintentional groundings or
19 allisions with the bridge; losses or reductions in steering or
20 propulsion; loss of life; injury that is beyond first aid; any
21 sort of incident that adversely affects the material condition
22 of vessel, so fire, flooding, as an example; any damage that is
23 worth more than \$75,000; and then any significant harm to the
24 environment, which is essentially defined as a single drop of
25 oil.

1 Q. And when are these reports required to be reported to the
2 Coast Guard?

3 A. So immediately after addressing any relevant safety
4 concerns.

5 Q. So if an uninspected passenger vessel were to have a
6 propulsion irregularity that caused its engine to engage when
7 it's in neutral, would that be reportable to the Coast Guard?

8 A. Yes, I would say so. If it affected -- if it affected the
9 steering or the propulsion of the vessel, yes.

10 Q. What if it only occurred for a few minutes or less than a
11 minute and was resolved?

12 A. Even if it's resolved on the spot, it has to be reported.

13 Q. So if an uninspected passenger vessel had mechanical issues
14 with the steering or propulsion system that prevented it from
15 turning, would that be reportable?

16 A. Absolutely.

17 Q. And if an uninspected passenger vessel ran aground to avoid
18 hitting a bridge, would that be considered reportable?

19 A. Yes.

20 Q. And what does the Coast Guard do when they receive those
21 reports?

22 A. So as soon as we're notified of a marine casualty, it's a
23 lot of, you know, gathering the evidence -- or gathering, kind
24 of, the basics of what's going on, figuring out what you are
25 going to need to go and do the investigation.

1 Start gathering -- for example, when I was doing
2 investigations in Palm Beach, we have a great support of the
3 local and state law enforcement. So oftentimes, I reached out
4 to Palm Beach County sheriffs; they would help, come out and
5 head out to the scene or whatever is going on.

6 You would arrive at the scene, and -- you know, everything
7 is different; right? If you have a death or an injury,
8 you know, obviously there is going to be a lot more to go
9 through. But if you're dealing with loss of propulsion or
10 something mechanical on the ship, it's a little bit more
11 benign.

12 But you start gathering the facts, doing interviews,
13 getting statements, you know, processing any sort of evidence
14 that needs to be collected. And then, really, it's -- the
15 point of our investigation is to figure out what happened, why
16 it happened, and how to prevent it from happening again. So
17 any sort of collection of evidence and interviews and
18 information that we need to make that determination.

19 Q. And, ultimately, what does the Coast Guard do with these
20 reports?

21 A. So the -- my career field is marine safety; right? We call
22 it colloquially, in the Coast Guard, prevention; right? So we
23 want to prevent marine casualties from happening; right? So we
24 don't -- unfortunately, a lot of the regulations that we have
25 in our world of work, it's written in blood; right?

1 They -- these regulations are there because something happened
2 that the government decided we need to have these regulations
3 to improve the safety of whatever it is that's going on; right?

4 So when we do these investigations, we come up with safety
5 recommendations, or we have recommended regulatory changes,
6 potentially, that we then route up through the Coast Guard
7 chain of command and, you know, hopefully, you know, they take
8 that and they look at trends and analyses and statistics across
9 the country to see if this is something that is going to
10 require any sort of changes or safety alerts that need to go
11 out to make, you know, our world of work and shipping and
12 boating safety, you know, better and safer for everyone.

13 Q. And based on what you just said, do you -- in your opinion,
14 is that why the Coast Guard requires immediate reports of
15 marine casualties?

16 A. Absolutely. And because, you know, with any -- with any
17 sort of investigation, you know, timeliness is of the essence.
18 To be able to get the right amount of information and then a
19 better understanding for what's going on, you need to be there
20 right away.

21 Q. Now, would the Coast Guard ever take action on a vessel to
22 limit its operations?

23 A. Yes.

24 Q. And how would the Coast Guard do that?

25 A. So we have different tools that we can do. If a vessel is

1 inspected by the Coast Guard -- so you talked about an
2 uninspected passenger vessel, but there are inspected passenger
3 vessels for people -- for vessels carrying greater than six
4 people; right? And there are all sorts of different types of
5 vessels that require inspection by the Coast Guard, but the
6 point being, they will have what's called a certificate of
7 inspection on board. And if a vessel has a certificate of
8 inspection, we then will issue what is called an 835, which is
9 a report of deficiencies. We are able to essentially write
10 down how they're not meeting the regulation and whatever the
11 requirement of -- is for them to satisfy prior to, you know,
12 them getting back underway.

13 Then, additionally, if a vessel is not inspected, the -- we
14 generally use what is called a Captain of the Port order, which
15 is a mechanism that we can use to -- you know, say, for
16 example, an uninspected passenger vessel or an uninspected
17 towing vessel or even recreational vessels; right? If we see
18 something that's going on, we can write on it, say, "Hey, this
19 is either unsafe or against the rules or whatever. Here is
20 what you have to do to come back into compliance, and --
21 you know, to be able to operate safely."

22 Q. And who is responsible for reporting marine casualties to
23 the Coast Guard?

24 A. The operator, owner, person in charge of a vessel.

25 Q. And what other duties and responsibilities do the owners of

1 an uninspected passenger vessel have?

2 A. Could you clarify?

3 Q. I know we've already talked about dive vessels, but I just
4 want to be more specific to the roles of a captain of an
5 uninspected passenger vessel.

6 A. I mean, so like I said, on any vessel the captain is
7 responsible for making sure that the vessel and the people on
8 board it are safe, that the vessel is being operated safely and
9 in accordance with all applicable laws and regulations.

10 Q. All right. Let's talk about the certificates of
11 documentation. You have discussed that a little bit
12 previously.

13 A. Okay.

14 MR. STIEHL: Your Honor, I want to show the witness and
15 the jury what's already been admitted as Government's
16 Exhibit 72.

17 BY MR. STIEHL:

18 Q. Can you tell me what this document is?

19 A. It's a Coast Guard certificate of documentation.

20 Q. And in your capacity as a Coast Guard inspector or an
21 investigator, can you tell me how you would use this document?

22 A. Yup. So this is, like I said, the federal registration of
23 the vessel. So the first thing that you look at is the -- make
24 sure it's valid, the issue date and expiry date, and make sure
25 you are within those time frames.

1 It tells you who owns it, who is going to be operating it,
2 and then it tells you operational endorsements. It tells you
3 what it can be used for.

4 Q. And can you tell me the date that this document was issued?

5 A. I believe it says May 19, 2020.

6 Q. And is a vessel allowed to operate without a valid
7 certificate documentation?

8 A. Not if they're required to have one.

9 Q. And are uninspected passenger vessels of the tonnage
10 indicated on this form required to have them?

11 A. Yes.

12 Q. And if a vessel had applied, but it not -- but the document
13 had not yet been issued, would they be allowed to operate?

14 A. No, they have to have one approved and issued.

15 Q. And what types of endorsements would you expect to see on
16 an uninspected passenger vessel?

17 A. So you can really see that -- there is four endorsements.
18 And depending on what they are doing, you can see any of them.
19 But you have registry, right, so if a vessel is going to other
20 countries. There is coast-wise, so if a vessel is operating
21 commercially in the United States; coast-wise trade, we call
22 it. There is fisheries. And then there is recreational.

23 But generally the one -- the most common you will see is
24 coast-wise.

25 Q. And can you tell me what fisheries is, just since you

1 mentioned it?

2 A. Yeah, fisheries -- so vessels that are operating -- that
3 are going and doing commercial fishing vessel operations. So
4 you think of the big trawlers and stuff that go offshore
5 operating in our exclusive economic zone. Those vessels are --
6 have a fisheries endorsement.

7 Q. And can you tell me what endorsement is listed here on this
8 form?

9 A. Where -- it says "recreation."

10 Q. And would a vessel with this endorsement be allowed to
11 operate as an uninspected passenger vessel?

12 A. No.

13 Q. Why not?

14 A. At a minimum, they would need "coast-wise" on there,
15 because that is the requirement for any vessel that's operating
16 commercially, conducting coast-wise trade.

17 Q. Okay.

18 MR. STIEHL: Thank you, Lieutenant Commander Cole. No
19 further questions.

20 THE COURT: Cross-examination?

21 MS. FRANCIS: Your Honor, we have no questions for this
22 witness.

23 THE COURT: All right, then. Thank you very much,
24 Lieutenant Commander. You may be excused.

25 THE WITNESS: Thank you very much, Your Honor.

1 THE COURT: All right. Mr. Keller, please call your
2 next witness.

3 MR. KELLER: Thank you, Your Honor. The United States
4 calls Allan Roth.

5 THE COURT: Good morning, sir. If you'd walk over
6 here.

7 Just stay standing for a brief moment while you're
8 sworn in.

9 COURTROOM DEPUTY: Please raise your right hand.

10 Do you solemnly swear or affirm that the testimony you
11 are about to give is the truth, the whole truth, and nothing
12 but the truth, so help you God?

13 THE WITNESS: Yes, it is.

14 COURTROOM DEPUTY: Please be seated, and state and
15 spell your first and last name, for the record.

16 THE WITNESS: Allan Roth. That's A-L-L-A-N, R-O-T-H.

17 ALLAN ROTH,

18 having been sworn, testified as follows:

19 DIRECT EXAMINATION

20 BY MR. KELLER:

21 Q. Good morning, Mr. Roth.

22 A. Good morning.

23 MR. KELLER: And I'm going to attach to the HDMI here.

24 A moment, Your Honor. I have to reload when I shift to
25 computers -- or to the different HDMI.

1 Okay. There we go.

2 BY MR. KELLER:

3 Q. So, Mr. Roth, where are you currently employed?

4 A. I'm employed with the traveling inspection staff out of
5 Coast Guard headquarters in Washington, D.C.

6 Q. And so are you a member of the Coast Guard?

7 A. In the civilian federal, yes, I am.

8 Q. And how long have you worked for the Coast Guard in total?

9 A. So I have worked for the Coast Guard over 29 years. Over
10 26 of those have been in active duty service, where I retired.
11 And then I have been employed by the Coast Guard as a civilian
12 since 2021.

13 Q. And we're going to talk a little bit about what you did
14 before your current role in a minute. But for now, what is
15 your current job title?

16 A. My current job title is traveling marine inspector.

17 Q. And how long have you been doing that specific job?

18 A. Since 2021.

19 Q. And what does a traveling marine inspector do?

20 A. So we're a group of senior -- specialized senior marine
21 inspectors that conduct oversight over the commercial vessel
22 fleet, ranging from small passenger vessels all the way to
23 large, deep-draft ships. We provide technical consult to field
24 units, the commanders, and the marine inspectors in the field,
25 and basic repairs.

1 And we also provide consults, and involved in policy
2 changes, and sometimes legislative change proposals in
3 headquarters level.

4 Q. And can you describe the training you underwent to become a
5 traveling marine inspector?

6 A. So to become a traveling marine inspector, it took quite a
7 few years. I became -- I did an apprentice tour as a marine
8 inspector for four years, and then I did follow-on inspections
9 tours since then in various positions as an advanced journeyman
10 marine inspector, and eventually becoming a senior marine
11 inspector.

12 Q. And what about before this current role you are in? Can
13 you describe the experience you have had with the Coast Guard
14 from when you joined up until now?

15 A. So I started my career as a machinery technician, which is
16 the Coast Guard's equivalent to a marine mechanic. We are
17 trained in basic shipboard systems, which would include diesel
18 engine, steering systems, hydraulics, air conditioning,
19 refrigeration, field systems. Pretty much all the systems that
20 you would find on a vessel to make it go.

21 So I had, throughout my career and training, various
22 factory schools for the different platforms that I was assigned
23 to.

24 Q. And how many years were you a mechanic?

25 A. I was since 1996 till 2011, where I received my appointment

1 as a chief warrant officer.

2 Q. And how long were you a chief warrant officer?

3 A. Until my retirement in 2022.

4 Q. And can you describe what your job was as a warrant
5 officer?

6 A. So my job as a chief warrant officer was as a marine
7 specialty -- or marine safety specialty engineering. So it
8 used my background as a marine mechanic, but I also was taught
9 how to navigate through Code of Federal Regulations and apply
10 those regulations in the compliance sense to different vessels
11 out -- inspected vessels out in the fleet.

12 Q. And you described the classes you have taken to become a
13 mechanic. Did that training include learning how motorized
14 vessels work and malfunction?

15 A. That is correct. So all the training that we had was in
16 repair and maintenance of various pieces of machinery.

17 Q. And in your 20-plus years of Coast Guard work, have you
18 also become familiar with Coast Guard rules and regulations for
19 commercial vessels?

20 A. That is correct. That is my main job that I do now, is the
21 application for compliance and safety of the
22 commercial -- using the Code of Federal Regulations.

23 Q. And does that include when marine incidents relating to
24 malfunctions of a vessel are reportable to the Coast Guard?

25 A. That is correct.

1 Q. And by the same token, are you familiar with industry
2 standards for maintaining a safe vessel?

3 A. Yes. That is correct. I am familiar with marine industry
4 standards.

5 Q. And can you explain the training you've had on Coast Guard
6 regulations and industry standards?

7 A. So, most of the training is on the job. And, like I said
8 earlier, we do a four-year apprenticeship tour, which goes
9 through a qualification process on various different types of
10 platforms. We normally do a basic entry into small passenger
11 vessels, and eventually start training on larger, deep-draft
12 ships, which could include tank ships, gas ships.

13 And then we get more involved into more complex systems,
14 low-flash-point fuels, stuff like that, depending upon the unit
15 we're at and the type of vessels that are in that vicinity.

16 Q. And as you do this work of a traveling inspector, do you
17 continue to train and to keep up with current evolutions in
18 regulations and in vessel mechanics?

19 A. Constantly. So this is an ever-changing job. You always
20 have to stay updated on it. Regulations are constantly being
21 published. Standards are being changed. So we also attend
22 various meetings where we discuss with industry members and
23 other stakeholders out there on the changes that need to be
24 applied. And that's also where we come in on the headquarters
25 level and help affect those changes.

1 Q. And are you also an experienced scuba diver?

2 A. I am.

3 Q. And can you just describe your experience as a scuba diver?

4 A. So I was a recreational scuba diver since 1991. I became a
5 military diver in 2005, and I held that job for about six years
6 at two different units. I was also a dive supervisor during
7 that period.

8 Q. And about how many dives would you say you have been on?

9 A. Recreational and military dives, probably -- a rough
10 estimate would be over 500.

11 Q. And do you have certifications relating to all of that
12 diving experience?

13 A. I do. I hold PADI open water diver certification, and now
14 the advanced open water diver certification, and my Navy hard
15 hat surface-supplied diver certification.

16 Q. And in terms of your testimony today, have you reviewed
17 records relating to a marine casualty incidence that occurred
18 on March 28th and 29th of 2020?

19 A. Yes, I have.

20 Q. And can you just describe the records you have reviewed?

21 A. So I have received the report of investigation from the
22 Coast Guard, and I also have reviewed the marine surveyor's
23 report, and then also some photos that were given within the
24 case file.

25 Q. But do you know the defendant, Dustin Sean McCabe?

1 A. I do not.

2 Q. Were you in Palm Beach in March of 2020, when this marine
3 casualty event happened?

4 A. I was not.

5 Q. Did you visit the crime scene as part of the investigatory
6 team?

7 A. No, I have not.

8 Q. Is your testimony today based solely on your training,
9 education, and experience, and review of the record?

10 A. That is correct, it is.

11 MR. KELLER: Your Honor, at this time, we would tender
12 Mr. Roth as an expert in vessel mechanics, Coast Guard
13 regulations, and industry standards for commercial vessels.

14 THE COURT: Any objection?

15 MS. FRANCIS: No objection, Your Honor.

16 THE COURT: The witness is qualified as an expert in
17 the stated fields of vessel mechanics, Coast Guard
18 regulations -- excuse me -- and industry standards for
19 commercial vessels.

20 BY MR. KELLER:

21 Q. And, Mr. Roth, I'm going to move to talking about vessels
22 being used for scuba diving. And the jury has already heard a
23 lot about scuba diving, so I don't want to go over things too
24 finely in some areas.

25 So, just in general, the jury's already heard about this,

1 but where do scuba divers get on and off the vessel for scuba
2 diving?

3 A. Typically, they enter the water and also come back onto the
4 boat at the stern or the rear part of the vessel.

5 Q. And where are the propellers of the vessel located?

6 A. The propellers are also located at the stern or the rear of
7 the vessel.

8 Q. And do propellers present a danger to scuba diving
9 passengers?

10 A. Yes, they can.

11 Q. And why is that?

12 A. It's a rotating blade at a high rate of speed. So it's a
13 potential hazard to anybody coming near it.

14 MR. KELLER: And at this time, the United States is
15 going to publish what's been admitted as Government's
16 Exhibit 23 to the witness and to the jurors.

17 BY MR. KELLER:

18 Q. Mr. Roth, what does this photo depict?

19 A. So this is a picture depicting the stern of the vessel.
20 You see two propellers in the port and starboard side, and the
21 rudders and the shafts and the struts.

22 Q. And, Mr. Roth, the jury hasn't heard much about how
23 these -- these propellers actually work, how they spin to
24 create the force to push a vessel forward and backward.

25 Can you explain what goes -- what's going on to create the

1 force that leads these propellers to move?

2 THE COURT: One moment. I'm hearing that the cameras
3 for the jurors are not activated.

4 MR. KELLER: Oh.

5 COURTROOM DEPUTY: Nothing?

6 THE COURT: How about now? Okay. Things are good now.

7 MR. KELLER: Perfect. Okay.

8 THE COURT: Let's continue.

9 BY MR. KELLER:

10 Q. So, Mr. Roth, can you explain, and using this photo to the
11 extent it's helpful, how it is that these propellers are
12 powered in order to generate the force to move forward and
13 backward?

14 A. Yes, of course. So these propellers are powered by a main
15 engine. In this case, it's a diesel -- marine diesel engine,
16 where you have a transmission or a reduction gear that's
17 directly coupled to the flywheel, so the back part of the
18 engine. From that transmission, you have another couple where
19 it has a shaft, and that shaft runs down, as you can see in
20 this picture, that connects directly to the propeller.

21 Those propellers are going to be turning at a specific
22 ratio. It's reduced from the transmission from what the engine
23 RPMs are turning. So, for example, if an engine is turning at
24 600 revolutions per minute, and the reduction ratio is a 2-to-1
25 reduction ratio, the shaft and propeller would be turning at

1 300 revolutions per minute, at the force used from the power of
2 that engine.

3 Q. And just starting at the beginning with the engine itself,
4 how does this engine compare to something that would be in a
5 vehicle?

6 A. So it would be the same as your car engine; that is going
7 to be connected to a drive line that goes to your wheels. So
8 as you escalate, it's going to turn the wheels at a higher rate
9 of speed. When you decelerate, it's going to slow down until
10 you're in neutral. And then it's pretty much -- you can move
11 them by hand.

12 Q. And how is the diesel creating the force that leads to the
13 propulsion?

14 A. I'm not clear on your question.

15 Q. Sure. I will rephrase.

16 So just as a car uses fuel, does the -- how does the engine
17 use the fuel to create the forces that lead to the propeller
18 turning?

19 A. So a normal car engine, an internal combustion engine uses
20 spark plugs and gasoline. Diesels use the heat of compression
21 to create that. That is how the force is going to be driven on
22 that. But it uses diesel as the primary fuel.

23 Q. It's the same process here?

24 A. It's going to be the same process.

25 Q. And one thing that the jury has heard a little bit about

1 from some witnesses, but that may not be clear, can you just
2 explain -- so the propeller is moving. Can you explain what
3 the shaft is doing whenever a vessel is moving forward or
4 backward?

5 A. So the shaft is coupled directly to the propeller, so that
6 is turning. So each of those propellers is kind of angled to a
7 certain way. They call that the pitch. So the pitch is what
8 actually creates that forward or aft thrust driving that
9 pull -- that suction or pull on there, depending on the angle.

10 The shaft is turning that propeller kind of like a fan
11 blade. It's going to sit there and spin it; right? You can
12 sit there, and if you want the blades to pull the air up, you
13 turn them a certain way. If you want the air to push the air
14 down, you turn them the other way. Same thing is happening
15 here with the propellers.

16 Q. And I'm glad you used the word "suction." Can you explain
17 what suction is and how it's created by these propellers?

18 A. So as I was explaining, the pitch is what's going to be
19 driving or creating that thrust. So if you engage the engine
20 to make it go forward, it's going to create a pushing effect at
21 the stern of the vessel; right? You are blowing that wind down
22 on you. You are pushing that water away from you.

23 If you go in reverse, it's going to create a suction effect
24 pulling the water behind it, down and forward of the vessel,
25 right, pulling that wind up, just like a fan would do. This is

1 pushing that water forward, bringing the vessel astern.

2 Q. And we're going to come back a little bit more to suction
3 in just a bit, but for now, shifting gears a little bit.

4 Under the industry standards for a paid scuba charter
5 voyage, who is responsible for maintaining this vessel and this
6 propulsion system in proper working condition?

7 A. Ultimately, that falls under the responsibility of the
8 licensed master, the captain of the vessel.

9 Q. And under industry standards for a paid scuba charter
10 voyage, who is responsible for identifying problems with the
11 vessel, including the propulsion system that powers it forward
12 and backward?

13 A. That, again, would be the responsibility of the captain of
14 the vessel, the licensed mariner.

15 Q. And do passengers -- paying passengers on these vessels
16 depend on the captain to maintain a reasonably safe
17 environment?

18 A. That is correct. That is an expectation.

19 Q. And is that expectation in keeping with industry norms?

20 A. Yes, it is.

21 Q. And why, in your training and experience, do these industry
22 standards put the onus on the captain or owner to be vigilant?

23 A. Mainly because they are the licensed mariner. They're the
24 ultimate authority onboard that vessel; right? They have gone
25 through a process and testing and experience to prove that they

1 are capable and have the right judgment to safely operate that
2 vessel with either the passengers or the crew on board.

3 Q. And what do industry standards and Coast Guard regulations
4 dictate that a captain do when he or she identifies a
5 malfunction to the vessel's propulsion system?

6 A. So in this case, as an uninspected vessel, they should have
7 reported it.

8 Q. And what do you mean by "reported it"?

9 A. So under 46 CFR Part 4, they have reporting requirements,
10 which he is held to as a licensed mariner of an uninspected
11 passenger vessel. So based off of those requirements, anything
12 that has an unintentional or intentional grounding, any loss of
13 propulsions, any loss of steering -- there is a list of them,
14 you know, injuries, losses of life -- all those have to be
15 reported to the Coast Guard.

16 Q. Is there anything else that the captain needs to do when
17 they have identified a problem with the propulsion system?

18 A. Well, they need to take corrective actions.

19 Q. And if a captain has passengers and the problem hasn't been
20 fixed, does the captain have an obligation to warn the
21 passengers?

22 A. That would be the prudent thing to do, to at least make an
23 advisory to the passengers and maybe take some mitigating
24 procedures to keep the safe and well-being of the passengers
25 and crew.

1 Q. And to go back to your "corrective action" phrasing, what
2 is corrective action for something like a propulsion system
3 issue?

4 A. So that would really depend on the competency of the person
5 identifying it. So if -- if the captain identifies that there
6 is an issue with the propulsion system, the prudent thing would
7 be -- to do is to either try to fix it themselves, if they have
8 the capability and competency to fix the issue, or hire an
9 outside person to come in and troubleshoot -- properly
10 troubleshoot and provide corrective measures for that issue.

11 Q. And what should they do, if anything, after they
12 have -- they think they fixed it?

13 A. It has to be tested. That's just an industry standard for
14 anything. After troubleshooting, you have to verify that
15 whatever you troubleshot and corrected was actually fixed. So
16 you will do a series of basic sea trials and underway checks to
17 ensure that whatever was done is functional again.

18 Q. And do passengers on charter vessels typically understand
19 all the ins and outs of a motorized vessel's ability to
20 operate?

21 A. No. That's not -- the typical passenger typically does
22 not. That's also not their role. They're on board for --
23 expecting to have a working vessel and the captain to be safe
24 in operating it with them on board.

25 Q. And have the industry standards that you have been

1 describing, have those been formed with these facts in mind?

2 A. They have. Most of the industry standards that we have
3 were, as we say, written in blood, so -- because of incidents
4 or casualties that have happened throughout the years. And
5 that's how changes and regulations have been implemented.

6 Q. And moving past industry standards, I want to talk a little
7 bit about Coast Guard regulations. So just to start -- and the
8 jury has heard some about Coast Guard regulations -- where are
9 the Coast Guard regulations codified?

10 A. Those are codified in Title 46, the shipping laws of the
11 U.S. Code.

12 Q. And do merchant mariners take an oath to follow those?

13 A. They do.

14 Q. And why is that important?

15 A. That's so they understand and take that oath that they are
16 going to be bound by these laws and regulations.

17 Q. And does Title 46 require boat captains and owners to
18 report certain incidents to the Coast Guard?

19 A. It does. And it leads you to 46 CFR, which also requires
20 it.

21 Q. And the jury has heard about this already, but what type of
22 incidents?

23 A. So the incidents, as I had mentioned before, would be
24 unintended and intentional -- or intentional and unintentional
25 groundings, losses of propulsion, losses of steering, anything

1 that would reduce the maneuverability of the vessel, certain
2 levels of injury, losses of life. Any injury or loss of life
3 regarding a diving incident, those all have to be reported, as
4 per the code.

5 Q. And why is that reporting important?

6 A. Well, it's to ensure that there -- if anything happened,
7 that they're not -- one, not in immediate danger, and the
8 Coast Guard can respond, if necessary; and, two, to ensure that
9 the corrective actions are being done to ensure that the vessel
10 is -- continues to safely operate.

11 Q. And now I want to talk about specific events relating to
12 the Southern Comfort and the records that you reviewed.

13 And so, are you familiar with those records from March 28th
14 and 29th involving the Southern Comfort?

15 A. That is correct, I am.

16 Q. And did you review photos from the alleged incidents?

17 A. Yes, I have.

18 Q. And where is it, your understanding, that these incidents
19 occurred?

20 A. It is my understanding that they occurred off the coast of
21 Palm Beach County.

22 MR. KELLER: And showing the witness and the jury what
23 has been admitted as Government's Exhibit 69, and directing the
24 witness's attention to the pins in the center of the map.

25 ///

1 BY MR. KELLER:

2 Q. What is this area?

3 A. This is an aerial view of the coast of Palm Beach County.

4 Q. And is this open ocean?

5 A. Yes, it is.

6 MR. KELLER: And moving to Government's Exhibit 10,
7 what's already been admitted as Government's Exhibit 10.
8 Publishing to the witness and to the jury.

9 BY MR. KELLER:

10 Q. Mr. Roth, are you familiar with this photograph?

11 A. Yes, I am.

12 Q. And what does it depict?

13 A. The photograph depicts a spear gun that has a bent shaft
14 and broken band.

15 Q. And are you familiar with spear guns --

16 A. Yes, I am.

17 Q. -- and how hard a spear is, what it's made of?

18 A. Yes. They're usually a very rigid steel shaft.

19 Q. And moving to Government's Exhibit 7, Mr. Roth. What does
20 Government's Exhibit 7 depict?

21 A. It depicts a large bruise on an inner thigh of a leg.

22 Q. And what, from your understanding, is alleged to have
23 caused this bruise?

24 A. It is my understanding that the butt of the spear gun came
25 back after it had struck the propeller, and it slingshot'd back

1 into the leg.

2 Q. Now, when it comes to propellers starting to spin and
3 striking things, are you familiar with a concept called
4 windmilling?

5 A. Yes, I am familiar with that concept.

6 Q. And can you explain to the jury what windmilling is?

7 A. So windmilling, also freewheeling, is just -- it's the
8 rotation of the propeller without any mechanical force driving
9 it. So typically you will see that when currents are pushing
10 it. You can actually move the propeller by hand and it will
11 just slowly rotate with the current.

12 So that's what freewheeling is. There is no -- the engine
13 is not driving it. It's disengaged.

14 Q. And how much -- when a propeller is freewheeling or
15 windmilling, how much force is it hitting things with, to the
16 extent things get close to them?

17 A. It really depends on the amount of current and the size of
18 the propeller, but typically, it's not very much.

19 Q. And on a calm, normal day in Palm Beach County, would
20 windmilling cause a propeller to move at a speed sufficient to
21 cause this type of injury from a spear gun?

22 A. No, I do not believe so.

23 MR. KELLER: And going back to Government's Exhibit 10,
24 what's been admitted as Government's Exhibit 10. Publishing to
25 the witness and to the jury.

1 BY MR. KELLER:

2 Q. Based on your experience, could windmilling have caused a
3 spear to bend in the way that you see in Government's
4 Exhibit 10?

5 A. No, it would not.

6 Q. And why do you say that?

7 A. Well, I say that through my experience as a diver. When I
8 was a military diver, I would actually do a lot of underwater
9 hull inspections. And we would have the engine shut off and
10 the shaft is in neutral, and we could actually go down and spin
11 it by hand. The currents would windmill the propellers, and we
12 could actually stop them by hand. So that amount of force is
13 not enough to bend a steel shaft.

14 Q. And what, in your opinion, would have been required to bend
15 this steel shaft?

16 A. It would have to be driven by some type of mechanical force
17 like an engine.

18 Q. And in this case, what would be that force?

19 A. It would be the main engine running and the transmission
20 engaged.

21 Q. And going back to the concept of suction, what direction
22 would the engine need to have been pushing the vessel in order
23 to create suction for a spear like this?

24 A. In order to create that suction, the engine would have to
25 be engaged in reverse; so going astern, so it pulls the water

1 behind it, moving it forward across the propeller.

2 Q. Would an incident where the propulsion system malfunctioned
3 to create this broken spear gun be something that is reportable
4 under the Coast Guard regulations?

5 A. That is correct. Yes, it would be.

6 Q. And why is that?

7 A. Because under the list of the items that are reportable,
8 any diving injuries or any losses of life are considered
9 reportable incidents. The lady -- or the person that had this
10 was -- had a significant bruise on her leg, which caused an
11 injury to her.

12 Q. And once an incident is reported to the Coast Guard, does
13 the Coast Guard typically investigate?

14 A. They do. Once they receive the initial report, they will
15 either have a marine inspector or an investigating officer
16 provide a list of preliminary questions to first see if they're
17 in immediate danger and need assistance. After that, they will
18 continue to ask a series of questions for further
19 investigation.

20 Q. And if the same vessel ran aground the same day after
21 losing its ability to steer, would that be reportable to the
22 Coast Guard?

23 A. That is correct. Yes, it would.

24 Q. And why would that be?

25 A. Again, that is also listed in the items that are considered

1 reportable incidents.

2 Q. And when you have an incident that results in something
3 like a broken spear gun and an injury, what level of testing is
4 appropriate to make sure that the propeller has been made safe?

5 A. So at a minimum, the level that should be done is a check
6 of the transmission, either engaging it forward, in reverse,
7 individual sides, running it through different variations of
8 the RPM range. And then you do that a lot at the dock, and
9 then you will get underway and do a sea trial on it.

10 That would be a typical industry sea trial.

11 Q. And can you describe what a sea trial is?

12 A. A sea trial is just a verification check of the engine, the
13 way they operate, and any of the equipment that's associated
14 with it. So the running gear, as they call it, so the
15 transmission, the propeller, and the shaft. Ensure that
16 everything is functioning, including the rudders. Make sure
17 everything is turning. It's like your steering wheel. Making
18 sure everything is smooth and functioning correctly.

19 Q. And now moving to March 29th of 2020. Did you review
20 photos associated with this incident from that day as well?

21 A. That is correct.

22 Q. And what type of photos did you review?

23 A. I reviewed photos of the vessel itself, photos of the
24 diving casualty and the victim, and also photos of the controls
25 that were removed from the boat itself.

1 Q. And I'm not going to publish the photos that you reviewed,
2 but can you just describe the types of injuries that you
3 observed in those photos, just so that the jury can understand
4 that you reviewed these photos?

5 A. So the injuries that I observed were large, deep
6 lacerations on boat legs, including some fractures.

7 Q. And, in your opinion, could windmilling of the propeller
8 have caused those types of wounds?

9 A. In my opinion, it would not.

10 Q. And what type of force would have been needed to create
11 those types of wounds that you saw in those photos?

12 A. It would have to be driven by the engine itself, so the
13 propeller engaged.

14 Q. And is that the same mechanism as the spear gun incident?

15 A. That is correct.

16 Q. And now let me also ask about this propeller malfunction.
17 Are you familiar with photos of the vessel where throttle
18 controls were allegedly removed?

19 A. Yes, I am.

20 MR. KELLER: And at this time, the United States is
21 going to publish to the witness and to the jury what's been
22 admitted as Government's Exhibit 68.

23 BY MR. KELLER:

24 Q. Mr. Roth, are you familiar with this photo?

25 A. Yes, I am.

1 Q. And what is this a photo of?

2 A. This is a photo of where two of the Morse controllers were
3 on the main deck that were removed.

4 Q. And are you familiar with vessels that have two sets of
5 throttle controls?

6 A. Yes, I am.

7 Q. And are you familiar with the mechanisms that
8 involved -- that are involved in two sets of throttle controls
9 connecting to an engine --

10 A. Yes, I am.

11 Q. -- and to a transmission?

12 A. That is correct. Yes, I am.

13 Q. And, in your opinion, could manipulating or removing
14 throttle controls like you see here cause mechanical
15 malfunctions with the engine?

16 A. Yes, it can. These are mechanical controllers. They're
17 Morse brand, which use a telescoping cable. And it's similar
18 to what you would find on the old BMX bikes that -- for the
19 brake that had that little cable that would push down those
20 little calipers for your front break. It operates the same
21 way, where it has a cable within that's wrapped, and it just
22 comes out and comes in. And if those aren't adjusted
23 correctly, or if they're bound, it will affect the operation of
24 those cables.

25 Q. And could those -- could the malfunctions that result from

1 removing a set of controls like this include the engine
2 engaging when it's not supposed to?

3 A. That is correct. So each side of those controllers has one
4 shift cable which goes directly to your selector lever, which
5 would be equivalent to, like, your gear shifter on your car.
6 The other one is your drive cable, which is going to go to a
7 component or a governor that drives the fuel, which would be
8 like your accelerator on your car. And they're using that by
9 pulling those telescoping cables. If those cables aren't
10 properly routed or adjusted, it could affect the operation of
11 that component.

12 Q. Now, we've talked about the controls being removed. Could
13 something like a battery problem cause the engine to engage
14 when it isn't supposed to?

15 A. Not typically. These are mechanical shift cables, so
16 there's no electrical components that I'm aware of on
17 this -- on these here.

18 Q. And what does a battery do? How would a battery short
19 affect a vessel?

20 A. So typically on a vessel, they will have different series
21 of batteries. But in the engine room, the majority of the
22 batteries are for your starting circuit. So it's only for
23 starting of the main engine.

24 Q. So could it cause the engine to engage if there was a
25 battery short?

1 A. No.

2 Q. And based on the records indicating that the two events,
3 March 28th, 29th, were inflicted by the same propeller, what,
4 if anything, would that lead you to conclude about whether the
5 propeller had been adequately fixed?

6 A. It would lead me to conclude that it wasn't adequately
7 fixed.

8 Q. And based on the records you reviewed from March 28th and
9 March 29th, and the fact that it was the same propeller, what,
10 if anything, would that lead you to conclude about whether the
11 propeller had been adequately tested?

12 A. It was not adequately tested.

13 Q. And whose responsibility would it have been to ensure that
14 those repairs were completed?

15 A. The ultimate responsibility always falls on the licensed
16 mariner, which, in this case was the captain of the vessel.

17 Q. And whose responsibility would it have been to report the
18 problems from March 28th to the Coast Guard?

19 A. Again, that falls under the responsibility of the captain,
20 who is the licensed mariner.

21 MR. KELLER: Nothing further, Your Honor.

22 THE COURT: Cross-examination?

23 CROSS-EXAMINATION

24 BY MS. FRANCIS:

25 Q. Thank you for your testimony so far.

1 So just one or two follow-up questions. You mentioned that
2 in your investigation, you reviewed photos; is that correct?

3 A. That is correct. I reviewed photos that were provided to
4 me from the case file.

5 Q. Did you also review any reports?

6 A. That is correct. I reviewed the report of investigation
7 provided by the Coast Guard.

8 Q. So did you actually inspect the vessel yourself?

9 A. No. I had stated earlier that I was not onboard the vessel
10 or know the vessel or know the captain himself. I reviewed
11 everything based off of the reports that were given to me and
12 the photos that were provided in the case file.

13 Q. And the photos that were provided, were any of them
14 photographs of the vessel's gears?

15 A. I'm sorry. Could you rephrase that question?

16 Q. Yes. Were you able to review any photographs of the
17 vessel's gears?

18 A. Which gears are you referring to?

19 Q. Were you able to review any of the capital marine gears
20 that were on the vessel, the levers, the cables?

21 A. I think you're -- what you're asking is if I reviewed any
22 photos of the actual controllers that controlled the
23 transmission. Is that what you are asking me?

24 Q. Yes, sir.

25 A. I reviewed photos that were provided of the ones that were

1 removed, and the ones that were also located on the helm
2 station on the flying bridge.

3 Q. And the cables that were removed, can you describe those?

4 A. So cables on Morse controls are telescoping mechanical
5 cables. As I had mentioned earlier, they're very similar to
6 what you would find on a bicycle that has a little cable that
7 pushes down on the calipers.

8 In this case, these controllers have two sets of cables for
9 each engine. One is going to be a drive cable, which would
10 normally go to the governor or the accelerator of some sort.
11 Or in this case, it has a synchronizer in place, so it would
12 lead to the synchronizer, the shift cable would be down to the
13 transmission itself, which would be equivalent to your gear
14 shifter, but does not normally get routed through a
15 synchronizer.

16 Q. And you testified earlier that removing the cables could
17 have caused an issue. Is that correct?

18 A. I testified earlier that removal of the cables could have
19 affected the adjustments that could eventually affect the
20 operation of the other one. Anytime that you make any changes
21 or modifications, specifically with a cable itself, there is
22 possibilities of cables becoming bound or pinched or affecting
23 that telescoping mechanism that moves in and out that could
24 potentially affect the operation.

25 Q. Is it possible to remove these cables without affecting the

1 operation of the vessel?

2 A. I would say that removing of the vessel -- unless you know
3 all of the routing behind it, is always going to require some
4 type of adjustment, and, at a minimum, a set of testing after
5 you do any type of modification.

6 Q. So, in your opinion, correctly removing it, knowing all of
7 the adjustments and testing it, would you say, then, that
8 wouldn't have an adverse effect?

9 A. There was always a possibility of other things happening
10 when you remove the original design. So if you change any
11 adjustments, if you make any modifications other than what was
12 originally designed, there was always a possibility of creating
13 some type of problems.

14 Q. Thank you, sir.

15 My question is: Knowing that possibility, is it possible
16 to successfully remove these cables without creating an issue?

17 A. There is a possibility of successfully removing it if you
18 have the level of competency to remove those cables and conduct
19 proper testing afterwards to ensure what you have done has not
20 affected the operation.

21 Q. Thank you, sir.

22 And you mentioned that it was a normal, calm day on the day
23 that the incident occurred in Palm Beach.

24 A. I'm sorry. I did not mention that. That was by counsel.

25 Q. Okay. Did you agree with counsel?

1 A. I am not aware of the current sea state that was happening
2 that day.

3 Q. Thank you, sir.

4 would you say 3- to 4-foot seas, 10 miles per hours
5 (phonetic), and two current knots, would you describe that, in
6 your expert opinion, as a calm and normal day?

7 A. A calm and normal day really depends on the type of vessel.
8 And for a vessel with this type of hull and that side -- that
9 size, it probably wouldn't have affected it very much. The
10 current itself is more significant. 1 to 2 knots is not very
11 much.

12 Q. But -- I'm sorry. Could you repeat your answer.

13 Given the size of the vessel, given 3 to 4-foot seas, and
14 10 miles per hour winds, and 2 knots, "yes" or "no," would you
15 describe that as a calm day?

16 A. A calm day, as I had mentioned before, really greatly
17 depends on the size of the vessel; right? So this vessel was
18 48 feet long. It would be comparative to saying 2 to 3 feet
19 for a cruise ship. Well, you're not going to feel that.
20 Unless you're in a small little dinghy, 2 to 3 feet might be a
21 little bit more aggressive.

22 But on a vessel that is 48 feet long and has a deep hull,
23 which is very stable, it may not affect it as much. The
24 current being at 1 to 2 knots is not as significant in moving
25 of the divers and windmilling of the propellers.

1 Q. Thank you, sir.

2 so you testified earlier that you were experienced in
3 diving; is that correct?

4 A. That is correct.

5 Q. Are you also experienced in spear gun fishing?

6 A. I have done some recreationally.

7 Q. About how many times would you say you have been spear gun
8 fishing in your diving career?

9 A. My diving career was in the capacity as a military diver,
10 which was a working diver. We didn't take spear guns down. As
11 a recreational diver, I did it on occasion, probably a handful
12 of times, I would say maybe a half a dozen, when I was younger.

13 Q. Oh, okay. When you say you were younger, about how old
14 were you when you were --

15 A. I was --

16 Q. -- spear gun fishing for about a dozen times -- about a
17 half a dozen times?

18 A. I was in my teens.

19 Q. Outside of spear gun fishing while you were in your teens,
20 do you have any experience, in your recreational diving spear
21 gunning?

22 A. No, I do not.

23 Q. You testified earlier that the injury that we saw on the
24 state's exhibit, that you don't believe that it could have been
25 caused by current, wind, or any other factor; is that correct?

1 A. That is correct. The level of damage that was caused to
2 that spear gun could not have been caused by basic windmilling.

3 Q. And what are you basing that knowledge on, whether or not
4 that type of damage could not have happened to the spear gun?

5 A. I'm basing that type of knowledge as a working military
6 diver, that I actually conducted underwater ship repairs and
7 maintenance for many years. And while I was underwater, we
8 were able to hold the shaft by hand. If I am able to hold
9 something by hand with minimal force, that is not enough to sit
10 there and bend a piece of metal rod from a spear gun.

11 Q. So you have no personal knowledge. You're just basing it
12 off of your career and you held -- I'm sorry. You said you
13 held the propeller with your hands?

14 A. I -- it's not that I do not have personal knowledge. I
15 think what I'm trying to say or what I'm trying to correct here
16 is that I do have personal knowledge as a military, working
17 diver conducting ships husbandry work around propellers.

18 Q. Thank you, sir.

19 Do you have any personal knowledge of using a spear gun --
20 you just testified that in your career, you guys were not
21 taking spear guns down underneath of the boats; is that
22 correct?

23 A. That is correct. There is no need to take a spear gun when
24 you are working on a hull. But the working knowledge of taking
25 a spear gun to a shaft, that -- that doesn't really -- I don't

1 see the relevance of that.

2 Q. But you have no personal knowledge of viewing a spear gun
3 being damaged, either by shooting a fish, hitting the hull,
4 hitting the propeller? You were not involved yourself,
5 personal knowledge, with using a spear gun and seeing it being
6 bent in any manner?

7 A. I have been -- used a spear gun when I was in my teens on
8 shooting a fish, as you had indicated, and also striking rocks
9 behind it when you miss, and it doesn't bend the rod like that.

10 Q. So is it your testimony today that if you shoot a spear gun
11 at a rock, or even a fish, is it not possible to bend the shaft
12 of the spear gun?

13 A. The shaft of the spear gun is going to be bent by a strong
14 force. A propeller that is windmilling is not going to be
15 strong enough force to bend a steel shaft.

16 Q. And you are -- again, sir, you are basing that knowledge --
17 have you tested that? Has -- have you ever been involved where
18 a spear gun hit a propeller?

19 A. I have not been involved on using spear guns into
20 propellers.

21 MS. FRANCIS: Okay. Thank you.

22 No further questions, Judge.

23 THE COURT: Any redirect?

24 MR. KELLER: No redirect, Your Honor.

25 THE COURT: All right. Thank you very much, sir. You

1 may be excused.

2 THE WITNESS: Thank you very much.

3 THE COURT: Ladies and gentlemen, we are going to take
4 our lunch break today at this time, and it will be one hour and
5 15 minutes long. So we will resume at 1:30.

6 Again, all of my warnings continue to apply, please,
7 during your lunch break.

8 So let's rise for the jury. Enjoy your lunch.

9 (The jury exited the courtroom at 12:13 p.m.)

10 THE COURT: Please be seated. All right. Any issues
11 to address before lunch, Mr. Keller?

12 MR. KELLER: I just want to flag that Dr. Tops is going
13 to be our first witness who shows up. So when it comes to
14 the -- I have got my six exhibits picked out. I will confer
15 with the defense over lunch, and I guess that we will deal with
16 that before the jury comes back.

17 THE COURT: All right. Please return to the courtroom
18 at 1:20.

19 Anything further, Mr. O'Sullivan?

20 MR. O'SULLIVAN: Nothing from the defense, Your Honor.

21 THE COURT: All right. Thank you. Enjoy your lunch.

22 (A recess was taken from 12:14 p.m. to 1:23 p.m.)

23 THE COURT: All right. You may be seated.

24 Any further argument with respect to the chosen six
25 images out of the larger set in Government's 109, Mr. Keller?

1 MR. KELLER: I don't believe so, after conferring with
2 the defense. They have no objection to the six I chose.

3 THE COURT: okay. Mr. O'Sullivan, any additional
4 argument?

5 MR. O'SULLIVAN: No, ma'am.

6 THE COURT: okay. All right.

7 Then, for the Court's awareness, which letters will you
8 be using?

9 MR. KELLER: B.

10 THE COURT: B, as in boy?

11 MR. KELLER: Yes, ma'am. H, as in horse; J, as in
12 Jordan, my brother; K, as in Keller; L, as in limbo; and M, as
13 in mom.

14 THE COURT: okay. B, H, J, K, L, M?

15 MR. KELLER: Yes, Your Honor.

16 THE COURT: okay. All right.

17 Now, just in terms of reviewing the remaining witnesses
18 for today, we have Dr. Tops, and then is it Althea Harris and
19 Kristy Kelly?

20 MR. KELLER: Yes, Your Honor.

21 THE COURT: okay. All right, then.

22 Since we have a couple of minutes before the jury
23 enters, I just had a conceptual question. Looking at the
24 proposed jury instructions in the substantive offense
25 instruction for Count 1, I see there is this "or" formulation

1 for element 3 as proposed by the government. One concerns
2 being a captain and causing death by negligence, misconduct, or
3 inattention to duties, and then the other one is owner or
4 charter causing death by fraud, neglect, connivance,
5 C-O-N-N-I-V-A-N-C-E, misconduct or violation of law.

6 How do those two kind of prongs operate, and is the
7 government actually invoking both of those in this case?

8 MR. KELLER: Well, one of the things that is at play in
9 this case is the fact that the defendant served as both an
10 owner and a captain of this vessel. And in the statute, it's
11 all one paragraph, but it uses those different verbs to -- or
12 through -- I guess nouns to describe the things that those two
13 different capacities do.

14 THE COURT: Uh-huh.

15 MR. KELLER: So our position -- and it's just to be
16 clear about what it is for each of those that would qualify.
17 And then our position as to why it is all one element is
18 because this is all one paragraph, one statute.

19 The finding of how it is the defendant was negligent is
20 something that's just, like, a brute fact, under, like, the
21 Richardson analysis, where it would all be one element and not
22 something that the jurors need to be unanimous about.

23 THE COURT: I understand that point, and that's not
24 really what I'm asking about. It's more just statutorily
25 looking at the way the statute is written.

1 MR. KELLER: Yes, Judge.

2 THE COURT: whether the government is, in fact, relying
3 on both portions of that long sentence or just the first half,
4 which tends to cover captain, misconduct, negligence,
5 inattention, death.

6 MR. KELLER: So we are relying on both parts, and the
7 reason for that is that it's at least conceivable that,
8 you know, one person could find that he was, you know,
9 negligent as the owner, and one could say he is negligent as
10 the captain, and those would both qualify. And that's why it
11 was charged in that way.

12 THE COURT: So in this case, though, there is a
13 stipulation that he was both a captain and an owner; is that
14 right?

15 MR. KELLER: Yes, Your Honor. That's correct.

16 THE COURT: So in light of that stipulation, just for
17 clarity's sake, I turn back to my question. And I'm trying to
18 locate my copy of the statute.

19 But in any case, does that stipulation make any
20 difference?

21 MR. KELLER: Well, I think it would make a difference
22 just because, to the extent he was the captain, it would be --
23 and I'm just looking at statute here -- about his misconduct,
24 negligence, or inattention to duties.

25 THE COURT: Slow down.

1 MR. KELLER: Oh, I'm sorry.

2 And as to the owner, it would be as to his fraud,
3 neglect, misconduct, connivance, or violation of law.

4 THE COURT: So fraud and violation of law comes through
5 in your role as an owner, whereas it wouldn't come through if
6 you were just a captain; is that correct?

7 MR. KELLER: That's correct. Although, of course, we
8 would argue that fraud would be negligence or would be
9 inattention to detail. So there would be overlap as to, like,
10 the -- you know, what facts would constitute one or the other.

11 THE COURT: Okay. We will resume this discussion, if
12 necessary later.

13 But, for now, do we have our jurors?

14 COURT SECURITY OFFICER: (Nods head.)

15 THE COURT: All right.

16 (The jury entered the courtroom at 1:30 p.m.)

17 THE COURT: Please be seated.

18 Mr. Keller, call your next witness, please.

19 MR. KELLER: Thank you, Your Honor.

20 The United States calls Dr. Terrill Tops.

21 THE COURT: Good afternoon, sir. If you can walk over
22 here to my left where the witness stand is.

23 COURTROOM DEPUTY: Right over here. Right up here,
24 sir.

25 THE COURT: And then stay standing to be sworn in.

1 COURTROOM DEPUTY: Please raise your right hand.

2 Do you solemnly swear or affirm that the testimony you
3 are about to give is the truth, the whole truth, and nothing
4 but the truth, so help you God?

5 THE WITNESS: I do.

6 COURTROOM DEPUTY: Please be seated. State and spell
7 your first and last name, for the record.

8 THE WITNESS: My name is Terrill Tops, MD. My first
9 name is spelled T, as in Tango, E-R-R-I-L-L. Last name is
10 spelled T, as in Tango, O-P-S.

11 DR. TERRILL TOPS,
12 Having been sworn, testified as follows:

13 DIRECT EXAMINATION

14 BY MR. KELLER:

15 Q. Good afternoon, Dr. Tops.

16 A. Good afternoon.

17 Q. Dr. Tops, where are you currently employed?

18 A. I'm currently employed at the Palm Beach County Medical
19 Examiner's Office.

20 Q. And what do you do at the Palm Beach County Medical
21 Examiner's Office?

22 A. I am a forensic pathologist, also known as a medical
23 examiner.

24 Q. And we will talk a little bit in greater detail later, but,
25 for now, just in broad terms, what is a medical examiner?

1 A. A medical examiner in the state of Florida is an individual
2 who is able to sign death certificates that are nonnatural
3 manners of death. Most pathologists that are trained in this
4 country, they are able to diagnose natural diseases where they
5 are able to consult medical records and meet with the patient
6 on a regular basis.

7 In order to be a medical examiner, you have to do
8 additional training where you are able to see cases that are
9 nonnatural in manners of death. Those nonnatural manners are
10 suicides, where a person can die by their own hand; homicides,
11 death by another individual; or accidents where a person is in
12 an event that they were at the wrong place at the wrong time
13 and, unfortunately, they didn't survive.

14 If there is cases where I'm not able, or other colleagues
15 that I work with are not able, to determine the manner of
16 death, there is another category called undetermined. And
17 those are not very common when it comes to death certificates.

18 So in Palm Beach County, which there are about 2 million
19 people that live there on a regular basis, there is only seven
20 of us medical examiners in the county that sign nonnatural
21 death certificates, and I'm one of the seven.

22 Q. Thank you, Doctor.

23 And what types of procedures do you use, just, again, very
24 generally, to determine cause of death?

25 A. There are two major aspects of me performing an autopsy.

1 First, there is going to be the external examination, where I'm
2 able to see what's on the person's body such as clothing, their
3 skin, their orifices from head-to-toe, and also look to see if
4 there is any abnormalities that will help me figure out what
5 could be related to the cause and/or manner of death.

6 The other -- that's the first part of the autopsy
7 procedure, the external examination.

8 Then there is the second part, which is the internal
9 examination where I'm able to perform certain incisions and
10 remove the breastplate to get access to the chest and the
11 abdominal organs, and also removing the skullcap to be able to
12 look into the -- inside of the skull to see if there is any
13 injuries and remove items such as the throat, which includes
14 the trachea and the esophagus.

15 So all the organs of the body I look at in terms of finding
16 out what kind of insults or injuries or effects that the body
17 has experienced over the past years or decades that can lead to
18 someone's death.

19 In between those two procedures, the internal and the
20 external examination, what's required is to remove bodily
21 fluids, such as urine, blood, and fluid from our eyes, which is
22 called the vitreous fluid. Those are collected by me, which is
23 also able to help assess what I don't see with my own eyes;
24 maybe there is something in the person's bodily fluids that can
25 explain how they died such as drugs, whether they're

1 over-the-counter or illicit drugs.

2 so all those things that I do, I take notes, and those
3 notes are then placed in a folder, which I use to look at and
4 incorporate into a report, the autopsy report. That
5 information is collated, organized, and as a result, that,
6 along with the death certificate that I sign, will be how I'm
7 able to render a cause and/or manner of death.

8 Q. Thank you, Doctor.

9 And how long have you been a medical examiner?

10 A. I have been a medical examiner since 2007. Going on
11 20 years.

12 Q. And how many of these autopsies that you just described
13 would you say you have performed?

14 A. Almost 2,000. Almost 2,000.

15 Q. And I have been calling you "doctor." Did you graduate
16 from medical school?

17 A. Yes, I did.

18 Q. And what year did you graduate from medical school?

19 A. I graduated from medical school in the year 2000.

20 Q. And during and after medical school, what type of training
21 did you do to become a medical examiner specifically?

22 A. After I graduated from medical school, I then did a
23 residency. So whenever a person receives their medical degree,
24 they're halfway through their training. So the first part is
25 getting the education from medical school, get the degree. And

1 then the doctors who are MDs or DOs, they then go into a
2 residency program to finish the second half of their education.

3 So for four years, I did a pathology residency where I
4 learned all the diseases of the human body, from the skin to
5 the eyes to the internal organs, you name it. So I knew
6 everything from what I learned, and I took an exam after four
7 years of my education to be certified in anatomic pathology.

8 And I did it at two institutions; one in Houston, Texas, at
9 Baylor College of Medicine, and I finished up at Georgetown
10 University Hospital in Washington, D.C.

11 After I completed that training and became board-certified
12 in the field of understanding all of the natural diseases, I
13 did a year fellowship at Wake Forest University in
14 North Carolina, where I did all of the nonnatural manners of
15 deaths. And I -- after that one year, I sat for the exam,
16 national boards, and I also successfully passed that as well.
17 That made me an expert in the field, based on meeting certain
18 benchmarks for being a board-certified medical examiner.

19 Q. Thank you, Dr. Tops.

20 When you do an autopsy at the examiner's office that you're
21 at, is that reviewed -- is that subject to peer-review?

22 A. Yes. Where I currently am employed, all of our physicians
23 that are there are board-certified, which is not very common.
24 So we're all board-certified. Every tenth case that I finalize
25 gets reviewed by one of the other six doctors to make sure that

1 there is no grammatical errors, or my lefts and rights are not
2 switched, or if there was any suggestions to say, "well, you
3 forgot to add this," or, "Please be aware of this."

4 And that is to make sure that I can learn from my other
5 colleagues to make sure that I am growing professionally and
6 intellectually, and it goes the same for the other doctors. I
7 peer-review their work as well.

8 So every case -- there is a peer-review for every tenth
9 case, but every case that I perform is going to be communicated
10 with the entire team; the investigative team that goes to the
11 scenes and all the other doctors. For every case that I do
12 that day, the next day I present it to the group to explain to
13 them and teach them what I learned. And if there is any
14 questions I have, the other doctors and other investigators
15 will fill in that information to fill in the gaps of any
16 information that may be -- may be missing to explain how they
17 ended up the way they did.

18 Q. And have you testified as an expert in court in this
19 capacity as a medical examiner?

20 A. Yes, I have.

21 Q. And about how many times would you say?

22 A. I have -- it's going towards 200 times.

23 MR. KELLER: Your Honor, at this time, the government
24 would tender Dr. Tops as an expert as a medical examiner in
25 determining cause of death.

1 THE COURT: Any objection?

2 MR. O'SULLIVAN: The defense has no objection,
3 Your Honor.

4 THE COURT: All right. The expert is so qualified.

5 BY MR. KELLER:

6 Q. So, Dr. Tops, do you know why you are here to testify
7 today?

8 A. Yes, I do know why I'm here today.

9 Q. And did you perform a medical examination, a determination
10 of cause of death, as to Mollie Ghiz-Flynn?

11 A. Yes, sir.

12 Q. And how did the examination you did there compare to that
13 process that you described earlier in your testimony?

14 A. So in order for me to determine what cases I do on a given
15 day, the day before, I am on a status call, being on call. So
16 today is Thursday. If I was on call today, whatever cases come
17 in overnight, I perform those cases the next day.

18 So if there is any questions, the investigator or law
19 enforcement can ask me questions and I will be able to answer
20 them and expect to see those -- the decedent the next day.

21 So on March the 29th, 2020, I was on call. That was the
22 date that the decedent passed away. The next day, I was the
23 one who performed the autopsy.

24 So what happens is that the body is taken from the scene of
25 where she was declared deceased. A transport service brings

1 the body to me at the morgue. And then what happens is that
2 there will be a series of steps which is primarily the external
3 examination.

4 The body is placed in a human remains pouch to preserve
5 evidence. Once that body is brought from the receiving area
6 into the morgue, photographs are taken, the bag is opened to
7 show the contents, which is the decedent, Mrs. Ghiz-Flynn.

8 Q. Where --

9 A. Yes, sir.

10 Q. And, yeah, I just want to break it up just a little bit so
11 that we don't get too much information all at once.

12 So did you perform the typical autopsy that you do in terms
13 of internal -- external and then internal examination?

14 A. Yes.

15 Q. And so to continue what you were discussing there, what
16 happened after you brought the pouch into your examination
17 room?

18 A. First of all, I look for the demographics, the name, make
19 sure it's spelled correctly, make sure it's the right person,
20 so that way I'm not performing an autopsy on the wrong body.
21 That would be a no-no.

22 Once that is checked, that is when there are photographers
23 that will assist me to take photographs to show how the body
24 was received; if they have clothing on, what they were wearing.
25 And then there is -- then the body is removed out of the bag,

1 and whatever clothing is on the body, that is photographed.

2 And the clothing is removed, and then whatever is on the
3 body in terms of, like, tattoos or birthmarks or any type of
4 defects, those photos are taken, the front side of the body,
5 from head-to-toe. And then afterwards, once those photos are
6 taken, the body is flipped over to the side to look and see
7 what's on the back, to see if there is any injuries or any kind
8 of indicators, such as tattoos, that is consistent with the
9 decedent.

10 And that is -- whatever injuries or whatever body markings
11 or any kind of surgical intervention or medical intervention, I
12 will write that down, and that will be integrated into the
13 autopsy report under the external examination.

14 Q. Thank you, Dr. Tops.

15 And when you conducted this external examination of
16 Ms. Ghiz-Flynn, were there injuries that stood out to you from
17 the perspective of a medical examiner?

18 A. Yes.

19 Q. And can you describe them?

20 A. The injuries that were obvious from the very beginning was
21 that there was a series of chop wounds that were involved on
22 the lower extremities. The lower extremities combined are
23 basically the thigh that is close to the pelvis, the knee, the
24 legs, the ankles, and the feet. And she had clothing that was
25 torn; that was her scuba outfit.

1 And from my experience of seeing chop wounds, it looks as
2 if, from the time, that she had propeller injuries involving
3 her lower extremities. The right lower extremity was more
4 injured than that of the left.

5 Q. And with apologies, I'm going to publish one of the autopsy
6 photos. And I would ask that you explain -- and you're going
7 to be able to use your touchscreen. If you could just explain
8 what the nature of these wounds are and what you mean by "chop
9 wounds."

10 MR. KELLER: And if I could publish to the jury.

11 THE COURT: which particular exhibit is this?

12 MR. KELLER: Oh, I'm sorry, Judge. So the government
13 is publishing Government's Exhibit 109B, which has been
14 admitted to the witness and to the jury.

15 THE COURT: Okay. Government's 109B was admitted in a
16 prior court ruling. You may publish.

17 MR. KELLER: Thank you, Your Honor.

18 BY MR. KELLER:

19 Q. So Dr. Tops, there are obviously a lot of different wounds
20 here. Can you just walk us through the -- what these wounds
21 are, what they told you as a medical examiner?

22 A. Yes. The first thing I would like to just say is that when
23 you look at this photo, you see the lower half of the decedent,
24 Mrs. Ghiz-Flynn. And at the bottom, there is a placard that is
25 listed as Palm Beach County Medical Examiner, and there is a

1 number -- there is two numbers; 2-0, and a space, 0611.
2 Mrs. Ghiz-Flynn was the 611th decedent that came through our
3 facility that day. So anyone before her or after her will not
4 have this number. So whenever we see this number, it's going
5 to refer to the decedent, Ghiz-Flynn. Okay?

6 So what we have in this photo is an external picture that
7 is showing the injuries of the lower extremities. Again, at
8 the 9:00 position, that's the area of her genitalia. That is
9 covered, redacted. But you can see on the top half of this
10 photo is her left lower extremity.

11 Q. And Mr. -- Dr. Tops, you can circle on the screen --

12 A. Oh, sorry.

13 Q. -- just to kind of help people follow along.

14 A. Yes. So what we have here are several injuries. There are
15 some things that I would like to explain to you so you can
16 understand what you are seeing. There are different types of
17 injuries that can affect the body. There are blunt force
18 injuries, and then there is sharp force injuries. Chop wound
19 injuries are in the middle. They have features of the boat.

20 So what is a sharp force injury? A sharp force injury is
21 where you have a sharp instrument, like a knife or a scalpel,
22 that, once it slices into the skin or to the flesh, there are
23 two types of injuries you can have. You can have an incised
24 wound, which is I-N-C-I-S-E-D. That's where the length of the
25 defect is longer than the depth.

1 So if I use my fingers, there is like 6 inches. You can
2 have an incise wound that is like 6 inches long, but the depth
3 is only 1 inch. So it's very shallow. That's an incise wound.

4 If it's a stab wound, you can have a 6-inch depth, but you
5 only have a width that is one inch. So they're inverse.

6 You don't have that in this photo here. There are blunt
7 force injuries, and there is different levels. And you are
8 going to see some of these that I'm going to show you shortly.
9 There are four categories. One is going to be a scratch, which
10 is called an abrasion, where the top surface of the skin is
11 removed from -- because a hard surface is rubbing against the
12 skin.

13 If there is more force applied, you are going to have what
14 is called a contusion. A contusion is where there is blunt
15 force injury to the body that can rupture delicate blood
16 vessels called capillaries. And if those blood vessels bleed,
17 it can go into the soft tissue and give you discoloration of
18 the skin. It can turn red or blue over time. If there is more
19 pressure, it can lead to what is called a laceration. A
20 laceration is where there is enough force on the body that it
21 can cause a tearing of the skin, okay? If there is more force
22 beyond that, then the final phase of blunt force injury is
23 called a fracture, where the blunt force injury can break the
24 bone, okay?

25 So you are going into the depths of -- into the body, and

1 more force; the deeper the force can inflict injury.

2 Chop wounds are not really -- stab wounds are incise
3 wounds, but they're not really lacerations, per se. So they're
4 in the middle.

5 So these are what propeller injuries look like, or a
6 machete, for instance. Those are considered chop wounds.

7 So looking at these photos -- looking at this photo right
8 here, what we have are chop wounds, where you can see on the
9 right thigh, which is right here. What you can see, that is
10 exposed, is showing the subcutaneous tissue. It's kind of like
11 a laceration, but it's deep.

12 Right here, this is another blunt force injury. That is
13 called a contusion. That's where you have delicate blood
14 vessels that have been ruptured by the force of the propeller
15 hitting that area of the thigh, but there was enough force to
16 cut -- not cut, but to lacerate or injure the skin where you
17 have that gash right there.

18 Next to that, you see these curvy linear or -- they're not
19 really straight lines, but curvatures, those are abrasions,
20 scraping of the skin. So the propeller or the sharp -- or the
21 edges of the propeller is hitting the skin, but not enough
22 force to actually pierce or go through the skin.

23 Now, right here (indicating) involving the right knee, the
24 propeller had enough force to cause a fracture. And what it
25 injured is primarily the two major bones of the upper portion

1 of the leg, which is called the tibia and the fibula; that is
2 the main two bones of the leg.

3 And it's -- as you go further down, involving the ankle,
4 you see some more chop wounds. And you also see on the foot
5 more chop wounds where it injures the bone. So you can see
6 this is showing you the right side of her lower extremities,
7 the right lower extremity.

8 On the left, you can see a better example of a chop wound,
9 where you can see that there is a gash, where you can see the
10 underlying tissue that was disturbed, which is the subcutaneous
11 tissue, which is fat.

12 With those injuries, they look severe, but what's really
13 important is what blood vessels were injured. The blood
14 vessels -- the major blood vessels of these lower extremities
15 were not severed or -- or separated. They were intact. So
16 even though you see these injuries, they look quite severe,
17 they're not -- they're shallow. They don't hit any of the
18 major blood vessels to cause significant blood loss.

19 Q. And so would these injuries have been fatal to
20 Ms. Ghiz-Flynn?

21 A. As a medical examiner, an autopsy is the definitive way to
22 diagnose injury. And one of the things that I have to assess
23 is to look for the major blood vessels, to see which ones were
24 severed. And I looked, and both lower extremities, left and
25 right, none of the major blood vessels, the arteries, were

1 injured. Meaning that -- granted, the injuries are present.
2 she -- if she had appropriate medical treatment, if they had a
3 tourniquet or a belt or a clothing to basically tie off the
4 upper portion of her thigh, there would have been a very good
5 chance that she would have been able to be airlifted from where
6 she was to the hospital and be treated and be rehabilitated and
7 be able to walk again.

8 Q. And based on your knowledge of these types of injuries
9 and -- thank you. I will take that off the screen -- are these
10 the types of injuries that someone could remain conscious
11 through and struggle to escape and those sorts of things?

12 A. Yes. So her scuba outfit was torn. And based on the
13 information prior, her scuba suit was entangled with the rudder
14 of the boat.

15 When it comes to the injuries of the chop wounds, for every
16 part of the body, there is going to be arteries and veins to
17 supply oxygenated blood, which is the arteries, and the veins,
18 deoxygenated blood to be reoxygenated. But what always travels
19 with those two blood vessels -- you are going to have nerves.
20 And when a nerve is severed, it's going to cause pain.

21 And the injuries that she had are going to cause
22 significant amount of pain. And as a result, that can cause
23 anyone to panic, to try to set themselves free. So when it comes
24 to these injuries, it may not necessarily be fatal, but it's
25 going to be very painful.

1 Q. And thank you, Dr. Tops. I'm going to publish one more
2 photo of the external examination just to complete your
3 explanation. This one, I think, we can be much more brief
4 with.

5 MR. KELLER: The government is going to publish at this
6 time Government's Exhibit 109H, which has been admitted into
7 evidence.

8 THE COURT: 109H was admitted due to a prior court
9 ruling.

10 BY MR. KELLER:

11 Q. And, Dr. Tops, for this final picture from the external,
12 can you, again, just review with us what you, as a medical
13 examiner, observed about Ms. Ghiz-Flynn as you did your
14 external examination?

15 A. Yes. As you saw in the previous photo, that was the front
16 portion of the body. Now this is the back portion of the body.
17 And what we see in this photo is at the base of this picture is
18 the Palm Beach County Medical Examiner title, with case
19 number 20, a space, 0611. This is Ms. Ghiz-Flynn. And it is
20 showing, at the 3:00 position of this photograph, her buttocks.
21 And as you go to the center of the photo, to the 9:00 position,
22 it's going from her thighs to the base of her feet.

23 And you can see on the upper half of the photograph is her
24 left lower extremity. You can see that it is not as injured as
25 that of the lower half of the picture, which is her right lower

1 extremity. And you can see -- on the back of the right thigh,
2 on the bottom half of the image, you can see a large evulsion
3 or a tearing away or laceration of the backside of her thigh.

4 Granted, it looks large. It looks to be a very large
5 amount of damage. It's actually not. It's superficial. And
6 the major blood vessels are well embedded in the muscle, which
7 is in the center of that photo. Towards the right, you see the
8 red area; that's the muscle. The muscle protects the major
9 blood vessels, primarily that of the femoral artery. It was
10 not injured.

11 So that would have been treated and, again, she would
12 have -- had she survived, she would have been able to walk
13 again.

14 THE COURT: All right. Next question.

15 MR. KELLER: Yes, Your Honor.

16 BY MR. KELLER:

17 Q. And, Dr. Tops, once you completed your external
18 examination, did you move on to an internal examination?

19 A. Yes, to help determine the cause of death.

20 Q. And when you did the internal examination, were you able to
21 come to a conclusion about cause of death?

22 A. Yes, I was.

23 Q. And what was the first part of that internal examination
24 that began to inform your judgment about what the cause of
25 death was?

1 A. Usually, when it comes to a case, the first set of organs
2 that are going to be removed from the body is going to be the
3 thoracic organs. The thoracic organs are the organs that are
4 above the diaphragm, and the diaphragm separates that from the
5 abdominal organs.

6 So the first set of organs that are removed are going to be
7 that of the heart and of the lung fields, the right and left
8 lung fields. And as I manipulate to remove -- to eviscerate
9 the organs to assess any kind of injury or any abnormalities,
10 when I lift up a lung field, there would be foam coming out of
11 the nostrils of the decedent, Mrs. Ghiz-Flynn.

12 And the nose is important for us to breathe in and breathe
13 out air, which is a part of our respiratory system. The lungs
14 are the main organs that oxygenate blood and deoxygenate blood.
15 So a telltale sign that a person drowned is when a person
16 aspirates that fluid in the airways.

17 So the esophagus is supposed to take in solids and fluids.
18 The airway is supposed to only take in air. It's not called
19 waterway. It's called airway. So there was water that was in
20 her trachea and her branches of her lungs, and that told me
21 that, wait a minute, this is going to be the cause of death
22 because water is not supposed to be in the airways.

23 MR. KELLER: And the government will just cycle through
24 Government's Exhibits 109 -- what have been admitted as
25 Government's Exhibits 109J, K, L, and M. And then at the end

1 of that, you can explain what we just saw.

2 THE COURT: J, K, L, M, all from Government's 109, have
3 been admitted in a prior court ruling.

4 MR. KELLER: Publishing Government's Exhibit 109K.
5 Publishing Government's Exhibit 109L. And then publishing
6 Government's Exhibit 109M.

7 BY MR. KELLER:

8 Q. So, Dr. Tops, can you just walk us through what we
9 just -- what we were just looking at?

10 A. Yes. So the images that were shown were as follows.

11 First, there was a photograph showing the cross-section of the
12 trachea. That is the main conduit of where we breathe in and
13 breathe out air to go to the lungs for gas exchange. In the
14 center of that photo, it showed that there was foam that was in
15 the trachea. That is where there is a mixture of air with that
16 of water.

17 So when the decedent aspirated fluid into her airway, there
18 was already air in the lungs, water came in, and that's when
19 air and water mixes to lead to foam. The problem with that is
20 that she -- or the individual who is emerged -- submerged in
21 water, they -- you can't -- you can't breathe in oxygen because
22 you have a barrier. The water is the barrier for gas exchange.
23 And so going into the next set of photos, it's going down the
24 respiratory tree. It's like branches of a tree.

25 So there was a photo showing the left side, which is the

1 left side of the lung field, right side, the right side of the
2 lung field. And you can see in the center of that photo there
3 is a vertical line. That was the trachea, and then it branched
4 into two conduits, which is the left main stem bronchus and the
5 right main stem bronchus. So you can see that the trachea is
6 branching.

7 And it shows that there was foam emanating from the lungs
8 on both sides. The next photo showed me making an incision, a
9 cross-section, into the lung tissue. So the branches of the
10 trachea, the bronchi, the bronchials go down to even smaller
11 areas called air sacs. That's where gas exchange occurs.

12 That cut that I made into the lung tissue showed different
13 colors. One was red dots, dark dots. That was blood to
14 exchange carbon dioxide with oxygen. The foam was where the
15 alveolar spaces were, where the gas exchange is to reoxygenate
16 or deoxygenate the blood. And that foam is showing that it
17 emanated and started from those smaller areas of the lung tree.

18 And as I manipulated the lungs, the pressure of me
19 compressing the lung tissue, more foam was being produced and
20 it went up into the respiratory airways, going from the lower
21 airways to the upper airways, and it emanated and came out of
22 her nostril, which is part of the respiratory system.

23 So based on that, that is a sign of the characteristics of
24 drowning.

25 Q. And based on that analysis, were you able to come to a

1 determination about cause of death in this case?

2 A. Yes.

3 Q. Okay. So I want to talk about that determination. And
4 just to start, do you always have just one cause or are there
5 things that can contribute? How do you describe what causes
6 someone to die?

7 A. Yes. So when it comes to an autopsy report or a death
8 certificate, a medical examiner is trained to be able to put in
9 the pertinent information to explain how a person died.

10 Excuse me.

11 So the cause of death is the easy part. That's the
12 proximal event that led to a person's death. That's easy. The
13 second part is what we have -- so the first part is the cause
14 of death. The second part of the death certificate is called
15 contributory causes, meaning that the contributory cause, in
16 and of itself, wouldn't cause death, but it contributed and
17 didn't make things any better. It made things worse. But
18 contributory cause by itself is not enough to cause death.

19 So that also gives a context of the picture of the
20 circumstances that led to the cause of death. And then there
21 is a manner of death, which is based on investigation with law
22 enforcement and scene investigation. And that's for every
23 case.

24 Q. And did you end up authoring a report memorializing your
25 findings?

1 A. Yes.

2 Q. And, actually, I apologize.

3 Before you authored this report, did you also write down
4 weights and measurements, as you did your internal examination?

5 A. Yes. That's required in order for me to document what
6 weights, measurements that were seen at autopsy, because that
7 information is important for providing context in the external
8 and internal examination of the autopsy report to support my
9 conclusions.

10 MR. KELLER: And publishing to the witness and to the
11 jury what's been admitted as Government's Exhibit 109N.

12 BY MR. KELLER:

13 Q. Dr. Tops, do you recognize this?

14 A. Yes.

15 Q. What is this?

16 A. These are my notes from the weights and measurements that I
17 was able to gather as I was performing the autopsy. And as you
18 can see, there are two columns. On the right column, in the
19 middle, I have a plus symbol circled with the word "foam," and
20 I have areas where the foam is found.

21 The nares is another way to describe the nostrils. The
22 trachea, which is abbreviated, and bilateral bronchi, where
23 it's going from the external environment, the nostrils, to the
24 internal, which is going to be the trachea, to the lower
25 branches of the airway, which are the bronchi.

1 That's a sign that this is a drowning. And what organs or
2 organ is important to determine that a person drowned? That's
3 going to be the lungs. And so on the top of the second column
4 on the right --

5 Q. Can you circle that, just to make sure the jurors see where
6 you're talking about.

7 A. Yes (indicating.) So the lungs are always a pair, the
8 right and left lung fields. And what's really important, and
9 what I circled, is that normally, for an adult male or female,
10 the weight of the lungs should not be more than 550 grams,
11 normally. But as you can see for the right lung, it's
12 1012 grams, 1 kilogram.

13 why or how is it possible for the right lung field to be
14 almost twice as much as a normal lung weight? The reason why
15 is because she aspirated water. That's what gave it extra
16 weight.

17 THE COURT: Next question.

18 MR. KELLER: Yes, Your Honor.

19 BY MR. KELLER:

20 Q. And, Dr. Tops, moving to the report you authored, does the
21 report memorialize your cause of death and contributing
22 factors?

23 A. Yes.

24 MR. KELLER: And, Your Honor, at this time, the
25 government will publish what's been admitted into evidence as

1 Government's Exhibit 70.

2 BY MR. KELLER:

3 Q. Dr. Tops, do you recognize this document?

4 A. Yes.

5 Q. And what is it?

6 A. This is the first page of the autopsy report, which
7 summarizes the findings related to the decedent, Mollie
8 Ghiz-Flynn, and the case number, M, as in Mary, 20-00611. And
9 it has the medical examiner report with Roman numerals of what
10 the findings were, the cause of death, and the contributory
11 cause, along with the opinion that supports the cause and
12 contributory causes.

13 Q. And what was the finding of the cause of death here?

14 A. The cause of death is drowning.

15 Q. And what were the contributory causes?

16 A. Chop wounds of lower extremities.

17 Q. And why did you determine -- or why did you list the chop
18 wounds as contributory causes?

19 A. Because those injuries are not natural, and the reason why
20 she had those injuries was because her scuba outfit or suit was
21 entangled by the rudder. That caused her not to resurface, and
22 as a result, she aspirated fluid in her airways, leading to the
23 drowning.

24 Q. And let me just ask at this point: when it comes to those
25 facts that you are basing this on, when did you get those

1 facts?

2 A. Can you --

3 Q. Sure.

4 So you conducted this autopsy on March 30th of 2020. Did
5 you receive the -- do you receive the facts the same day, or is
6 it later?

7 A. It's the same day, in the morning meeting from the
8 investigator that is employed by the Palm Beach County Medical
9 Examiner's Office. Their role is to go to the scene,
10 communicate with law enforcement, which was, I believe, the
11 Florida Fish and wildlife, to find out the circumstances. That
12 information is then written in terms of notes and presented in
13 front of the staff at the medical examiner's office.

14 And that information helps guide me towards looking for
15 certain types of injuries or abnormalities that would be
16 associated with that condition or circumstances.

17 Q. And so the information you have, is it roughly equivalent
18 to what FWC had the day they gave it to you?

19 A. The day of -- on the day of March the 29th, 2020.

20 Q. And turning your attention to page 3 of Government's
21 Exhibit 70. Do you list the injuries one by one for the
22 extremities that you observed?

23 A. Yes. Every injury that I see, whether it's blunt force
24 injuries or sharp force injuries, I am able to organize it and
25 be able to put it in written form, based on the body diagrams

1 that I use to help me organize what injuries were found on the
2 decedent.

3 Q. And we will move to page 4 --

4 MR. KELLER: Nothing further, Your Honor.

5 THE COURT: okay, then. Are you all done?

6 MR. KELLER: (Nods head.)

7 THE COURT: okay.

8 Mr. O'Sullivan or Ms. Francis?

9 MR. O'SULLIVAN: I have no questions, Your Honor.

10 THE COURT: okay. Thank you, Doctor. You may be
11 excused.

12 THE WITNESS: Thank you, Your Honor.

13 THE COURT: All right. Mr. Koffsky, please call your
14 next witness.

15 MR. KOFFSKY: Your Honor, the United States calls
16 Althea Harris to the stand.

17 THE COURT: Good afternoon, ma'am. Mr. Creary, here,
18 will swear you in once you step over here. Thank you.

19 COURTROOM DEPUTY: Please raise your right hand.

20 Do you solemnly swear or affirm that the testimony you
21 are about to give is the truth, the whole truth, and nothing
22 but the truth, so help you God?

23 THE WITNESS: Yes, sir.

24 COURTROOM DEPUTY: Please be seated. State and spell
25 your first and last name, for the record.

1 THE WITNESS: Thank you. Okay. Althea Harris. A-L-T,
2 like Tom, H-E-A. Last name, H-A-R-R-I-S, like Sam.

3 ALTHEA HARRIS,
4 having been sworn, testified as follows:

5 DIRECT EXAMINATION

6 BY MR. KOFFSKY:

7 Q. Ms. Harris, good afternoon.

8 A. Hi, there.

9 Q. And let me thank you on the record for rearranging your
10 schedule to be in court this afternoon. I want to start with
11 some background information.

12 Please tell the jury where you work.

13 A. I work for the U.S. Small Business Administration in the
14 South Florida district office.

15 Q. And the jury has not yet heard much about that
16 organization. Please tell the jury what that organization does
17 and what you do specifically.

18 A. Thank you.

19 The SBA is a federal agency whose sole mission is to
20 support small businesses and entrepreneurs to start, grow, and
21 succeed in business, and recover after disasters. We do that
22 in four primary ways. We provide access to capital, access to
23 the federal marketplace, access to high quality counseling,
24 mentoring, and training, and we provide direct financial
25 assistance in times of disaster.

1 And I am the deputy district director, and I lead a team
2 that puts that message out there and helps small businesses in
3 the 24 counties south of Orlando.

4 Q. Thank you for that.

5 And how long have you been with the SBA?

6 A. I just started my 27th year this month -- last month. Last
7 month.

8 Q. You testified that you help put the message out there. Can
9 you explain a little more, kind of, what your day-to-day
10 responsibilities are?

11 A. Sure. My specific responsibilities is to manage the team
12 of people in my office. And they are responsible for meeting
13 with the public, going out to chamber events and collaborating
14 with organizations that support small businesses so that we can
15 talk about who we are, what we do to support small businesses.
16 And I do a lot of that as well as administrative tasks.

17 Q. So as you've promoted SBA's services, so to speak, is it
18 fair to say that you have become familiar with the services
19 that the organization provides?

20 A. Oh, yes.

21 Q. Is one of those services -- or was one of those services
22 the Paycheck Protection Program?

23 A. Yes.

24 Q. Is that known as the "PPP" for short?

25 A. Yes.

1 Q. And let's talk about that program. Please explain to the
2 jury what that program was.

3 A. The PPP, the Paycheck Protection Program, was created by
4 Congress in 2020, at the onset of the pandemic to help small
5 businesses keep their employees on the payroll by giving them
6 funds to do just that.

7 Q. And I want to start with kind of the context as to how that
8 program was created and why it was created.

9 A. Uh-huh.

10 Q. What was the cause for creating the Paycheck Protection
11 Program?

12 A. With the beginning of the pandemic in early 2020, it became
13 very clear, with the country shut down, that the people were
14 not able to go to work. So Congress created the CARES Act and
15 funded it, and that legislation provided the moneys so that
16 business owners could get a loan to pay their employees.
17 Because -- and then as it dragged on, as the pandemic dragged
18 on, Congress appropriated more money because the first batch
19 ran out very quickly.

20 And so over the course of 2020, through about May 2021, the
21 Paycheck Protection Program was in place and business owners
22 were able to apply for and get those loans to keep their
23 employees on the payroll.

24 Q. And so I just want to follow up on that, just to make sure
25 that I understand. Was this program in existence at all prior

1 to the pandemic?

2 A. No, no. This was specially created because of the
3 pandemic.

4 Q. Was it Congress's legislation that actually created the
5 program?

6 A. Yes.

7 Q. Is the program still in existence today?

8 A. No.

9 Q. When did it end, approximately?

10 A. Approximately May 2021.

11 Q. And what was the SBA's role specifically in the Paycheck
12 Protection Program?

13 A. Well, SBA was very involved in the PPP program. We were
14 responsible for not only making sure the public knew about it.
15 We were -- excuse me -- we were taking -- excuse me. We were
16 using our lending framework to get the money out to the public,
17 to those small business owners. Because one of the elements of
18 the legislation was that it be done quickly.

19 So SBA, under normal circumstances and even today, we
20 provide that access to capital in the form of a loan guarantee
21 because we already have the relationships with banks. And so
22 the banks delivered on the PPP program for us, and then came to
23 us for a loan number, so that they could know that they were
24 going to be reimbursed for those loans that they were making.

25 Q. And I will ask a couple of follow-up questions about that.

1 You mentioned the SBA's lending framework.

2 A. Uh-huh.

3 Q. What were -- what were traditional loans that the SBA was
4 making primarily before the Paycheck Protection Program?

5 A. We have two primary loan programs, the 7A and the 504, and
6 those programs allow business owners to purchase real estate,
7 heavy machinery and equipment, and also fund all kinds of
8 business needs. Like, you could use it to acquire a business,
9 to buy inventory, to pay your rent, et cetera.

10 So because that's what we have been doing since 1953,
11 Congress gave that task, of getting PPP moneys out to small
12 business owners, to SBA.

13 So that framework has been in existence for decades, and we
14 just used it to put PPP money out to small businesses.

15 Q. You also mentioned a need to do this quickly. If you could
16 explain why that was the case.

17 A. Well, there was such urgency at the time because of the
18 pandemic. And so Congress, knowing that the country had been
19 shut down and people weren't able to go to work, that, of
20 course, eventually means that people aren't going to be able to
21 pay their rent, buy milk for their children, et cetera, pay
22 their bills.

23 So Congress mandated that the moneys be distributed quickly
24 and gotten out to small businesses as fast as possible. And
25 that's, again, part of why SBA was chosen, because we would be

1 able to do that because we had the setup already. The banks
2 already knew how to make loans that we would approve, and they
3 had the ability and the -- you know, the technology and the
4 infrastructure to do all of that.

5 Q. Thank you for that.

6 And so we've talked about, kind of, the program at a high
7 level. I want to shift to, kind of, who the players are with
8 getting the program to work.

9 Part of your testimony has been about banks that, I guess,
10 the SBA had relationships with. What was the banks' position
11 with regard to the Paycheck Protection Program? What did they
12 do?

13 A. The banks were the first place the business owner would go
14 if they wanted the loan. So a business owner would choose a
15 lender who was participating in the PPP program and make
16 application to that bank.

17 Q. How many banks participated in the Paycheck Protection
18 Program?

19 A. When it was all said and done, about 5400-and-change banks
20 were involved.

21 Q. And do all of those banks -- do they all have relationships
22 with your organization?

23 A. Not now and not before. But they had a relationship with
24 us for the PPP.

25 Q. And I should have specified. That was my question.

1 with regard to the Paycheck Protection Program?

2 A. Yes. Yes. Any -- that 5400-plus lenders were specifically
3 engaged with us at that time to make PPP loans.

4 Q. And more specifically as to these lenders, what type of
5 lenders are we talking about? Are these all different types of
6 banks?

7 A. Yes. It's going to be your national banks, the one you
8 know, maybe you even bank with, but it's also credit unions,
9 regional banks, and, later, credit -- I said credit unions --
10 CDFIs. And then -- that's community development financial
11 institutions which are nonprofit lenders.

12 And eventually fintechs got into the mix, too, because
13 there was concern that smaller small businesses were not able
14 to access the funds. So we allowed in the fintechs so that
15 folks -- smaller small businesses could get access to the
16 funds.

17 Q. Is "fintech" financial technology?

18 A. Yes. Thank you.

19 Q. Okay. Just wanted to make sure that was clear.

20 when someone applied for a loan, where was the application
21 actually sent to?

22 A. So they would get the application from the lender on a
23 portal somewhere online, and then they -- the borrower would
24 submit that loan application into the portal to the lender.

25 And then, eventually, the lender would send the application to

1 SBA in order to get an SBA loan number so that we could track
2 the loans and know who made which loans and who would get the
3 reimbursements and where the forgiveness would happen.

4 Q. And we will talk more about all of those things.

5 But just to make sure I'm understanding your testimony, the
6 actual application would go to the lender?

7 A. Correct.

8 Q. Okay. And where would the proceeds come from? Let's say a
9 loan was approved. Where does that money come from?

10 A. It comes from the bank they borrow from.

11 Q. And were those loans secured in any way or guaranteed in
12 any way?

13 A. Yes, they were guaranteed by the federal government.

14 Q. And if you could explain what that means and how that
15 worked.

16 A. So the federal government pretty much does everything --
17 all of its lending in a guarantee way -- in a guaranteed way.
18 So even if you -- maybe you got a loan to go to college, it was
19 guaranteed by the government that, if you don't pay back your
20 student loan, the government will pay back the lender, and then
21 eventually try to get that money back from you.

22 So same thing happens with SBA loans. The borrower gets
23 the money from the bank, and the bank asks us to guarantee it.
24 we do. And hopefully the borrower just pays that money back,
25 but if they don't, they can come to the federal government

1 to -- to recoup some of those funds. And then the federal
2 government attempts to get -- collect the debt from the
3 business owner.

4 Q. And I think you mentioned a loan number.

5 A. Uh-huh.

6 Q. What was the loan number used for?

7 A. The loan number was used to track specific loans; right?
8 we ultimately did something like 12 million loans. So the loan
9 number helped us keep track of all of those loan applications
10 and the loans themselves.

11 Q. Now I want to shift gears. We talked about the lenders.
12 we've talked about your agency's relationship with them. I
13 want to talk about now who the borrowers were.

14 what were the guidelines or the guardrails as to who could
15 apply for a loan?

16 A. Well, existing businesses that were small, meaning they had
17 under 500 employees. They had to be U.S. companies that had
18 been in existence prior to the pandemic.

19 Yeah, that's -- that's who was eligible.

20 Q. And for the purpose of these loans, what were -- in broad
21 terms, like, what did -- what had to be shown by a borrower in
22 order for a loan to be approved?

23 A. Borrowers had to show they had payroll, first and foremost;
24 right? So if you're a small business, but you don't have
25 payroll, then you're not really eligible for the PPP. But

1 also, you would have to show documentation that supported that
2 you were a business in the United States. You have a tax ID
3 number; you have paid taxes; and, again, that you had payroll.

4 Q. And, generally speaking, how did a borrower show a lender
5 or the SBA that those things were true?

6 A. Well, they would, on the application, put, for example,
7 their tax ID number. They could -- in order to demonstrate
8 they have payroll, they could use a statement from, like, a
9 payroll company, like, Paychex, and that generated a report.
10 They could show that.

11 They could show bank statements that indicated that -- the
12 inflows and outflows of payroll. They could show tax returns
13 that listed their employee expenses. And they could also show
14 the employer contribution to an employee's wages, their taxes,
15 those 941 deposits.

16 Q. And we will get into some of the documentation shortly.

17 At the height of the pandemic, say, in 2020, how many
18 borrowers a month were applying for a PPP loan, if you had to
19 estimate?

20 A. Literally millions. By SBA's standards, right now there
21 are over 34 million small businesses in America. Back then, it
22 was about 32 million. So the -- the first batch of PPP money
23 ran out in about six weeks. So there were literally, you know,
24 probably millions of people who were applying. As I said, in
25 total, there were almost 12 million PPP loans made.

1 Q. I'm not trying to make you do too much math.

2 A. Thank you.

3 Q. In a day, though, are we talking thousands of applications
4 coming in?

5 A. For sure.

6 Q. Okay.

7 A. Thousands, yes.

8 Q. And would these lenders and the SBA -- were you able to
9 closely review these applications to determine the accuracy of
10 a borrower's representations?

11 A. Well, not really. Right? Because we were endeavoring to
12 meet the congressional mandate to get the money out quickly.
13 So the banks and SBA relied on what the person wrote on the
14 application, relied on the truthfulness of the documents they
15 offered. You know, better loans were made with banks who knew
16 their customers, right? So those were better. But, you know,
17 there were literally millions of applications. So banks who
18 knew their customers weren't always able to make loans to
19 their -- all of their customers.

20 If you think about a big national bank like Bank of
21 America, who has millions of customers, they were not going to
22 be able to give every single one of their customers a loan. So
23 people had to go to other financial institutions, who may not
24 know them as well.

25 And so there were -- we did want to rely on that -- those

1 representations, and we did because we had no choice.

2 Q. Generally speaking, what were the results of relying on
3 representations made by borrowers or applicants?

4 A. Well, if the bank thought something was fishy, they
5 wouldn't make the loan. And that happened frequently as well.
6 But if everything looked on the up and up, they asked us for
7 the loan number and we gave it to them, and they proceeded to
8 disburse the moneys to the borrower.

9 MR. KOFFSKY: Now I'm going to show the witness and the
10 jury what's already been admitted as Government's Exhibit 91,
11 and I want to go to page 3 of that exhibit.

12 BY MR. KOFFSKY:

13 Q. Are you able to see the screen there, Ms. Harris?

14 A. Yes.

15 Q. What is -- and without talking about the details of the
16 document at this point, just, generally speaking, what is this
17 document?

18 A. This is the SBA Form 2483 for the Paycheck Protection
19 Program. And it's a borrower application form.

20 Q. And was this the standard form that would be filled out by
21 a borrower for the PPP program?

22 A. Yes.

23 Q. I want to start at the top of the screen. And I will note
24 that you can use your finger to mark on the screen.

25 A. Okay.

1 Q. I note right at the top it says "Second Draw Borrower
2 Application Form."

3 what does that mean?

4 A. That means that the borrower got a PPP loan before, and now
5 they're asking for another one.

6 Q. Was that common?

7 A. Yes.

8 Q. How many -- the word "draw," what does the word "draw"
9 mean?

10 A. Just that they're taking a draw, a portion of the funds
11 that were made available for the PPP program.

12 Q. Was there a limit to how many draws that could be taken?

13 A. Yes. Only two.

14 Q. Only two. I see.

15 And let's make our way down the document here. Just at the
16 upper third of the document, it seems to solicit some basic
17 information. What would a lender look for as far as basic
18 information for an application?

19 A. Well, they would want to know what type of business
20 formation the business has for -- that's what these are at the
21 top, whether you're a sole proprietor, a C-corp, an S-corp, an
22 independent contractor; of course, the name of the business;
23 I -- the tax identification number would be really important;
24 and how to contact the borrower.

25 Q. And if you could just read, for the record, which business

1 does this document pertain to?

2 A. Florida Scuba Charters, Incorporated.

3 Q. Who is listed as the primary contact for the business?

4 A. Oh, Dustin McCabe.

5 Q. And if you can just read into the record, what is the email
6 address associated with the primary contact?

7 A. Dmccabe1075@gmail.com.

8 Q. Thank you.

9 And we will keep moving down the first page of this
10 document. I want to direct your attention to the left side of
11 the screen where it says "Average monthly payroll." What is
12 that asking for?

13 A. That's asking how much the business spends on average in a
14 month on payroll.

15 Q. This may be an obvious question. What is payroll?

16 A. Payroll is the payment a business gives to an employee in
17 exchange for their services.

18 Q. Is there -- was there a definition of payroll that the SBA
19 followed or that lenders followed?

20 A. I think we just went with the common understanding of what
21 payroll is.

22 Q. Okay. And then back to the exhibit here, the Government's
23 Exhibit 91 on the third page. What's the amount that's filled
24 into this document?

25 A. The average monthly payroll is listed as \$8,154, and

1 rounding up to 17 cents.

2 Q. who would have put that amount into this document?

3 A. The borrower would have put that in there.

4 Q. And the borrower, as listed in this form, is who?

5 A. Dustin McCabe.

6 Q. How would a lender or the SBA have verified that amount?

7 A. we would have looked at the documents that the borrower
8 would offer to the bank, the payroll -- maybe that payroll
9 statement from a Paychex payroll company. Again, the tax
10 returns, the bank statements, 941 deposits, tax returns.

11 Q. would those supporting documents confirm that that number
12 was accurate?

13 A. It should.

14 Q. Did it happen in certain cases where that number turned out
15 to not be accurate?

16 A. It has, yes.

17 Q. was that a problem in administering the Paycheck Protection
18 Program?

19 A. well, that's where the banks would come in, and they would
20 either correct the form -- not for the borrower, but say, "Hey,
21 this -- you're not showing that this number is correct," or
22 they may just ditch the borrower and their application and move
23 on to the next one in hopes of helping as many people as
24 possible.

25 Q. But as far as a borrower saying to the lender or the SBA,

1 "This is -- this is my payroll," are you limited to relying on
2 that representation?

3 A. Yes. And -- and the supporting documents that make that
4 representation as well.

5 Q. Understood. And I want to shift your attention. Moving to
6 the right on the screen, it looks like there is a calculation
7 of sorts right next to that payroll figure.

8 Could you explain what that calculation is?

9 A. Sure.

10 You take the average monthly payroll number, multiplied by
11 2 1/2, to get -- excuse me -- excuse me. Yes. Yes, I'm sorry.
12 Math isn't my thing. Hold on.

13 Average monthly payroll is determined, okay, by taking the
14 monthly -- no.

15 The total loan amount is determined by taking the average
16 monthly payroll, multiply it times 2.5, and you get the result,
17 which here is listed as \$20,385.42.

18 Q. So that 20,000-and-change figure would be the 8,154 times
19 2 1/2?

20 A. Correct.

21 Q. Okay. And is that a standard calculation that was applied
22 for these loans?

23 A. Yes, for all of the loans.

24 Q. I see.

25 And moving further, right, on Government's Exhibit 91,

1 page 3, it says "Number of employees."

2 who would have put in that information?

3 A. The borrower.

4 Q. Okay. Moving just lower to the row that says "Purpose of
5 the Loan," could you read, for the record, the different
6 categories in that section of the document?

7 A. Sure.

8 "Payroll, rent or mortgage interest, utilities, covered
9 operations, expenditures, covered property damage, covered
10 supplier costs, covered worker protection expenditures, other.
11 Explain."

12 Q. And with regard to all of these different options,
13 generally speaking, what were those?

14 A. Those were approved uses of the loan proceeds. So you
15 could use PPP for these categories of expenses, but you
16 couldn't spend less than 60 percent on payroll. You could
17 pay -- you could use 60 percent or more, but not less than
18 60 percent on paying your employees.

19 Q. And, just to be clear, if 60 percent, at least, needed to
20 be used on payroll, what would the other 40 percent be used on?

21 A. Anything in the -- any of these other items --

22 Q. Could --

23 A. -- only.

24 Q. Could any loan proceeds be used for something not included
25 in this list?

1 A. No.

2 Q. So everything had to be used for one of these --

3 A. Right.

4 Q. -- categories?

5 A. Correct.

6 Q. And all the way on the right side of the document, there
7 are "Covered Operations, Expenditures, Or Other."

8 A. Uh-huh.

9 Q. What are some examples, if you know, of things that would
10 fall under that category -- or those categories?

11 A. Sure. Later on, during the pandemic, you could use PPP to
12 buy, like, masks and things to keep the virus down, you know,
13 to protect yourself and your employees. That was one of them.

14 Q. So let's -- well, actually, let's scroll down to --

15 MR. KOFFSKY: If you could zoom out to the entire of
16 page 3, and if we can zoom in on the bottom of page 3 of
17 Government's Exhibit 91.

18 BY MR. KOFFSKY:

19 Q. Before I go to the bottom of Government's Exhibit 91, and I
20 know the document is zoomed out at this point, with regard to
21 what's in the middle of the document --

22 A. Uh-huh.

23 Q. -- it starts as, "Reduction in gross receipts." Can you
24 explain what that section of the document is?

25 A. Generally, as the pandemic wore on, business owners had to

1 demonstrate that they were losing business. And this is what
2 that gets at, that they had to show that their business was
3 declining in -- because -- and attributing that to the
4 pandemic.

5 Q. And why was it significant to show a decline in business?
6 why did that matter?

7 A. Well, SBA wanted to make sure -- I mean, the whole point
8 was to keep businesses going, and not just to have people who
9 didn't need the money ask for the money because it was
10 available, but to really get the money to those who needed it
11 most.

12 Q. And these figures that are listed in the document, not the
13 bolded print, but -- but the numbers and the quarters that are
14 referenced, who would have put in that information?

15 A. The borrower.

16 Q. And similar question. Are these all figures that a lender
17 or the SBA would have relied on in deciding whether to approve
18 the loan?

19 A. Yes. And so, just by way of a little explanation.

20 Remember, the PPP, you had to be in business in 2019. You
21 had to be in business before the pandemic. And so these
22 numbers are representing how much the business was making
23 before the pandemic, and then after the pandemic during the
24 same quarter to show the decline. And, therefore, also
25 substantiated that the person -- the borrower, the business,

1 needed the money to keep the business going.

2 Q. I see. And then all the way on the right, still within
3 this row or this part of the document, what does -- what does
4 the document say about gross receipts for 2019 in this
5 application?

6 A. It says that the business made \$68,400.

7 Q. And how about for the 2020, same quarter?

8 A. Down to \$3,800.

9 Q. And so based on those representations, would that have been
10 the reduction that is sought for granting this loan?

11 A. Yes. That would be a substantial reduction in the business
12 receipts.

13 Q. Okay. I want to cycle down to the bottom of page 3 of
14 Government's Exhibit 91. And there is a chart with some
15 questions.

16 Generally speaking, what are these questions getting at?

17 A. Eligibility.

18 Q. And when you say "eligibility," what do you mean?

19 A. Making sure that the applicant/borrower is eligible to
20 receive the loan.

21 Q. And by -- what are the -- what are the different
22 components, I guess, of eligibility? Are all of these
23 questions geared towards eligibility?

24 A. Yes, they are. So, for example, if you look right above
25 the word "question," the government is letting you know that if

1 you answer "yes" to questions 1, 2, 4, or 5, the loan will not
2 be approved.

3 And that -- just by way of example, the first question is
4 asking if you are, right now, not allowed to -- you're excluded
5 from this loan, this opportunity, by any federal agency or
6 department, or if you're involved in bankruptcy. Because if
7 you're in bankruptcy, then your business is not going anywhere,
8 and so we are not going to make the loan to you.

9 So in that sense, you're not eligible because the
10 government -- you're either in bankruptcy or you are in trouble
11 with the Government, and the government is not going to give
12 you more money.

13 Q. And going down to the rows of questions 4 and 5, it looks
14 like there are some initials in those rows. Whose initials are
15 those?

16 A. That would be the borrower/applicant.

17 Q. And why are initials there? What is the purpose of those
18 initials, based on your experience with the SBA?

19 A. The SBA is asking the applicant to affirm, with their
20 initials, that the statements they are making are true and
21 accurate and correct.

22 Q. And in putting in those initials, is that what an applicant
23 is doing, certifying that these representations are true?

24 A. Yes.

25 Q. And I just wanted to flip to page 4 of Government's

1 Exhibit 91. And towards the bottom of this page, what do you
2 see there, Ms. Harris, on the bottom of page 4?

3 A. Right. So these are more certifications that the applicant
4 is saying is true and correct about themselves and the
5 application.

6 Q. And if I can direct your attention to where the first set
7 of initials are. The text is slightly cut off, but what does
8 that -- what does that first sentence that you can see reads?
9 Not the top sentence on the page, but the one right under it.

10 A. You mean the one about, "The economic uncertainty makes
11 this loan request necessary to support the ongoing operations
12 of the applicant"?

13 Q. Let me see if I can mark to direct where I'm asking.
14 (Indicating).

15 A. Oh, that right there?

16 Q. Yup.

17 A. Okay. So read that line?

18 Q. Yeah, if you don't mind, for the record.

19 A. Okay. It's a little cut off, but it says, "Or sole
20 proprietorship with no employees, or had employees for whom it
21 paid salaries and payroll taxes, or paid independent
22 contractors," something, "on forms 1099 MISC."

23 Q. I didn't mark accurately enough. The top line of that
24 paragraph.

25 A. Oh.

1 Q. My apologies.

2 A. Okay. "The applicant was in operation on February 15th,
3 2020, and has not permanently closed, and was either an
4 eligible, self-employed individual, independent contractor, or
5 sole proprietorship with no employees, or had employees for
6 whom it paid salaries and payroll taxes or paid independent
7 contractors."

8 Q. And I want to focus on the phrase "not permanently closed."
9 what does that mean? what's the purpose of that?

10 A. That it is an ongoing, operating business; that it has not
11 been shut down, shuttered. It is actively engaged in commerce.

12 Q. If a business was shut down, would it be eligible for a PPP
13 loan?

14 A. No.

15 Q. It had to be in existence and operating?

16 A. In existence and operating.

17 Q. I see.

18 And are all of these initials that you see on page 4 of
19 Government's Exhibit 91, are those similar certifications, as
20 you previously testified about?

21 A. Yes.

22 Q. Got it.

23 MR. KOFFSKY: I want to shift gears, and I will ask for
24 Government's Exhibit 91 to be taken off the screen.

25 ///

1 BY MR. KOFFSKY:

2 Q. One of the words you mentioned earlier in your testimony is
3 "forgiveness." What is forgiveness?

4 A. A very unique quality of the PPP loans was that it was a
5 forgivable loan. So if a borrower received a PPP loan and used
6 it appropriately, they could apply for forgiveness and they
7 would not have to repay that loan at all.

8 Q. Was forgiveness sought through a separate application?

9 A. Yes.

10 Q. Would that application necessarily come after the
11 application for the initial loan?

12 A. Yes. You would have to get a loan for -- to have it
13 forgiven, yes.

14 Q. Were loans, in your experience, often forgiven?

15 A. Yes. The majority of them have been forgiven.

16 Q. And why is that?

17 A. Because that was a hallmark of the legislation, that
18 Congress wanted to be -- the PPP to be a relief for business
19 owners and employees alike, so that they would not have the
20 burden of repaying that loan, even as we were all trying to
21 recover from the pandemic, and business owners included.

22 Q. And, generally speaking, what needed to be shown to
23 actually obtain forgiveness?

24 A. The borrower had to demonstrate with documents that they
25 actually spent the money as prescribed. That is, at least

1 60 percent on payroll. And then the expenses -- the
2 other -- if you didn't use all of it on payroll, then the other
3 40 percent, you would demonstrate how you used that. And as
4 long as they could do that and made the application, the loans
5 were forgiven.

6 Q. And how would a lender or the SBA determine whether a
7 borrower had, in fact, done that?

8 A. Right. Well, the easiest way would be to show the money on
9 a bank statement; where the money went in and then where the
10 money went out.

11 Q. Would the lender and the SBA, in the same way as for a loan
12 application, rely on representations made by a borrower with
13 regard to forgiveness?

14 A. Yes.

15 Q. Same process, so to speak?

16 A. Yes, sir.

17 Q. Okay.

18 MR. KOFFSKY: I now would like to show the witness and
19 the jury what's been admitted as Government's Exhibit 98.

20 BY MR. KOFFSKY:

21 Q. And without yet getting into the details of this document,
22 generally, what is this?

23 A. This -- oh, I'm sorry.

24 This is the loan -- PPP loan forgiveness application,
25 Form 3508S.

1 Q. Is this a standardized form that was used for forgiveness
2 applications?

3 A. Yes.

4 Q. Okay. And we will work our way down this document,
5 Government's Exhibit 98.

6 If I can start at the top with the chart area, can you
7 identify, for the record, what business is being referenced in
8 this forgiveness application?

9 A. Florida Scuba Charters, Inc.

10 Q. And the primary contact?

11 A. Dustin McCabe.

12 Q. And you spelled it last time, but if you could just read,
13 for the record, the email address as well?

14 A. Sure. Dmccabe1075@gmail.com.

15 Q. Thank you.

16 And moving down to the next section, what does this section
17 talk about?

18 A. This is going to -- this is where you see the value of the
19 loan number. So we know that this -- with this loan number, it
20 refers to this business, and the lender also has its own loan
21 number. It tells us the loan amount that was disbursed at this
22 business and when it was disbursed, along with some other
23 information about the number of employees that were in the
24 business at the time and how many business -- excuse
25 me -- employers -- employees are still on the payroll at the

1 time of forgiveness.

2 Q. And who filled out all of this information?

3 A. This would be the borrower.

4 Q. How many employees does it say were present at the time of
5 the loan application?

6 A. Five.

7 Q. And how about at the time of forgiveness?

8 A. Five.

9 Q. And so what does that mean, as you look at this
10 application?

11 A. That means that this PPP loan did what it was supposed to
12 do. It provided funds for five employees to stay on payroll
13 and be retained in their jobs; and at the time of forgiveness,
14 they were still working in the business.

15 Q. For that first question, for employees at time of loan
16 application, would -- typically, in your experience, would that
17 number match the number that was listed in the original loan
18 application?

19 A. Yes.

20 Q. It's asking the same thing?

21 A. It's asking the same thing, yes.

22 Q. Okay. How about the covered period? What does that mean?

23 A. That means that these are the dates that the funds were
24 used on payroll.

25 Q. Okay. I will zoom out from the top portion of Government's

1 Exhibit 98 and go to the bottom. And, generally speaking, what
2 is the second -- the bottom part of Government's Exhibit 98
3 asking the borrower to do?

4 A. Well, the top part is asking about representations and
5 certifications again by adding the initial. And they're saying
6 that they did what they were supposed to do with the PPP loan
7 proceeds, they followed the rules, and that the information
8 that they're submitting, along with this application, is true
9 and accurate.

10 Q. And with regard to forgiveness specifically, was the lender
11 and was the SBA relying on these certifications from borrowers?

12 A. Yes.

13 Q. And noting the signature at the bottom of Government's
14 Exhibit 98, would all of these application need to be signed by
15 the borrowers?

16 A. Yes, for sure.

17 Q. And why is that, from your experience?

18 A. Well, the signature, you know, binds the person to the
19 document and saying that they applied and everything in it's
20 true and, "Here is my signature," that says that for me.

21 THE COURT: I would like to take a break in about five
22 minutes, so please find a natural stopping point.

23 MR. KOFFSKY: Understood. Just a couple more
24 questions, and then I should be done.

25 THE COURT: Okay.

1 BY MR. KOFFSKY:

2 Q. I want to direct your attention back up to the middle
3 paragraph there. If you could just read into the record what
4 that says.

5 A. Sure.

6 "The information provided in this application is true and
7 correct in all material respects. I understand that knowingly
8 making a false statement to obtain forgiveness of an SBA
9 guaranteed loan is punishable under the law" --

10 THE COURT: Excuse me. Our court reporter is taking
11 down everything you say. So when you read, if you could be
12 especially slow. Thank you.

13 THE WITNESS: Yeah, sure. Thank you.

14 -- "including 18 U.S.C. 1001 and 3571, by imprisonment
15 of not more than five years and/or a fine of up to \$250,000;
16 under 15 U.S.C. 645, by imprisonment of not more than two years
17 and/or a fine of not more than \$5,000; and, if submitted to a
18 federally insured institution, under 18 U.S.C. 1014 by
19 imprisonment of not more than 30 years and/or a fine of not
20 more than \$1 million."

21 BY MR. KOFFSKY:

22 Q. And why is a paragraph like that contained in this
23 document, based on your experience with the SBA?

24 A. Well, first and foremost, we want to have them acknowledge
25 that this -- all of this information is true. We're not

1 interested in little mistakes, but we are interested in --
2 that the items that they're putting in there are true and
3 correct, and then -- so that they will know and be put on
4 notice what would happen if they were giving false information.

5 MR. KOFFSKY: I have no further questions, Your Honor.
6 Thank you.

7 THE COURT: All right. We will take a 15- to 20-minute
8 break, ladies and gentlemen.

9 Ms. Harris, you remain under oath. We will resume your
10 testimony after the break. Please do not discuss the substance
11 of your testimony during the break.

12 All rise for the jury.

13 (The jury exited the courtroom at 2:57 p.m.)

14 THE COURT: All right. Thank you. We will see you
15 after the break, Ms. Harris.

16 Please return to the courtroom at 3:15.

17 (A recess was taken from 2:58 p.m. to 3:23 p.m.)

18 THE COURT: All right. Let's call in the jury.

19 (The jury entered the courtroom at 3:24 p.m.)

20 THE COURT: Please be seated. Mr. O'Sullivan or
21 Ms. Francis, any cross-examination?

22 MR. O'SULLIVAN: Thank you, Your Honor.

23 CROSS-EXAMINATION

24 BY MR. O'SULLIVAN:

25 Q. Good afternoon, Ms. Harris.

1 A. Good afternoon.

2 Q. I just have a couple questions about the PPP and the SBA --

3 A. Okay.

4 Q. -- just to kind of clarify a few things.

5 If you have a small business and part of it shuts down
6 because of the pandemic, are you still eligible for a PPP loan?

7 A. What do you mean by "shut" -- "part of it is shut down"?

8 Q. So let's say you have a business where you both charter
9 dive trips and you teach scuba diving individually, like at
10 a -- at a private pool or a public pool, just to an individual.
11 So because the pandemic shut down, your -- the dive trips,
12 because there is groups of people, that part of your business
13 is shut down. Are you still eligible for a PPP loan insofar
14 as, "Hey, I'm still doing private teaching lessons"?

15 A. Possibly.

16 Q. Okay. I guess --

17 A. If you're still -- I mean, that's an integral part of the
18 business.

19 Q. But it just -- you know, some of your business shuts down,
20 but the other part is still going, you are still eligible?

21 A. Yeah, I think so, potentially.

22 Q. I'm trying to think of another example. Like, maybe if you
23 have a pizza shop where you deliver pizzas, but you also have
24 dine-in service. Because of the pandemic, we can no longer
25 dine in the pizza shop, but I can still deliver them.

1 A. Right.

2 Q. Am I still eligible for a PPP loan?

3 A. Yes.

4 Q. Okay. And the "PPP," what does the "PPP" stand for?

5 A. Paycheck Protection Program.

6 Q. But it's -- the loan can be used for more than just a
7 paycheck; correct?

8 A. Correct.

9 Q. It can be used for rent?

10 A. Yes.

11 Q. It can be used for mortgage?

12 A. Interest.

13 Q. Interest.

14 utilities?

15 A. Yes.

16 Q. Operational expenses of a business?

17 A. Yes.

18 Q. And is that where the 60/40 percent comes in?

19 A. Correct.

20 Q. Okay. So 60 percent has to be payroll, but 40 percent can
21 be business expenses?

22 A. Yes. Yes. 60 percent on -- or more on payroll, and then
23 40 percent on approved, you know, uses of proceeds that
24 are -- that we articulated on the form.

25 Q. And that was, like, the normal operating expenses of a

1 small business?

2 A. Not all of them, no. Specific ones.

3 Q. But like the big ones, like rent and interest, mortgage?

4 A. Mortgage interest, yes --

5 Q. Okay.

6 A. -- on the business.

7 Q. Okay. And then you said -- or you testified, I should say,
8 that if your business is shut down, obviously you're not
9 eligible for a loan?

10 A. Correct.

11 Q. That makes sense. How do we define "shut down"?

12 A. Not operable. Not making sales. Not receiving income.

13 Q. Is there a differentiation between a temporary shutdown and
14 a permanent shutdown?

15 A. In terms of?

16 Q. Eligibility for the loan.

17 A. Well, I think the answer to the question is the -- about
18 whether the business is actually in operation. So does -- is
19 the business owner, with intention, working on the business to
20 generate sales and have income for the business?

21 Q. So let's say, like -- using the pizza example, again, let's
22 say, you know, I locked the pizza door. I don't buy any more
23 pizza crust or tomato sauce, whatever, and I just don't go back
24 to the building anymore.

25 A. Yes.

1 Q. I think we both agree that my business is shut down;
2 correct?

3 A. Correct.

4 Q. Okay. Using that same -- kind of a silly example, but
5 using that same example, let's say I sell a hundred pizzas a
6 day, but now the pandemic hit and now I'm only selling one
7 pizza a day. Obviously, I went from here to here (indicating),
8 super-slowed down.

9 Is that -- that's not considered shut down, if I'm making
10 an attempt; right? I'm still showing up at work. I'm still
11 trying to sell, but there is just -- business is slow, like
12 super-slow.

13 A. Yeah. That means -- we understood and anticipated that
14 businesses would be slow during the pandemic.

15 Q. So how do we figure out the difference between shut down,
16 or business is just really bad right now and trying to survive?

17 A. Right. I believe part of the answer is about intention to
18 stay open and operational and that conditions would appear to
19 be temporary.

20 Q. So it's not -- it's kind of subjective in a way?

21 A. In a way.

22 Q. There is not -- there is not, like, an equation that says,
23 "Your profits or your receipts or your receivables times this,
24 yes, you're good/no, you're not good"?

25 It's kind of "if I'm trying"?

1 A. Yeah, the government relied on the borrowers' claims about
2 effort.

3 Q. Okay. And I guess my last question then, is -- I think you
4 testified that there was about 5,400 banks --

5 A. Uh-huh.

6 Q. -- that were involved in the service -- or the servicing of
7 these loans.

8 A. Yes.

9 Q. Did these banks make a profit off any of the loans with
10 relation to this program?

11 A. They were compensated by the government to make the loans
12 and participate in the program.

13 Q. Aside from the guarantee, if the borrower defaulted -- so
14 we know that they were guaranteed; correct?

15 A. Yeah, the loans were guaranteed, yes.

16 Q. But then they also separately make a profit for their
17 service?

18 A. Yes, they were -- they were compensated for their efforts
19 during the program.

20 Q. Were they compensated at, like, a government rate or at a
21 free market rate?

22 A. There was a prescribed rate, and I don't remember what it
23 was.

24 Q. Okay.

25 MR. O'SULLIVAN: I don't have any other questions for

1 you, Ms. Harris. I thank you for your time, ma'am.

2 THE WITNESS: Thank you.

3 MR. KOFFSKY: Your Honor, no redirect from the
4 government.

5 THE COURT: All right. Thank you very much,
6 Ms. Harris. You may be excused.

7 we will hear from the government's next witness.

8 MR. KELLER: Thank you, Your Honor.

9 The United States calls Kristy Kelly.

10 THE COURT: Good afternoon, ma'am. If you could please
11 walk over here to the witness stand.

12 Yes, ma'am. And then when you get here, just stay
13 standing for a few moments while you're sworn in.

14 COURTROOM DEPUTY: Please raise your right hand.

15 Do you solemnly swear or affirm that the testimony you
16 are about to give is the truth, the whole truth, and nothing
17 but the truth, so help you God?

18 THE WITNESS: Yes, sir.

19 COURTROOM DEPUTY: Please be seated. State and spell
20 your first and last name, for the record.

21 THE WITNESS: Kristy, K-R-I-S-T-Y, Kelly, K-E-L-L-Y.

22 MR. KELLER: And can we try to publish to the -- okay.
23 Perfect. Thank you.

24 KRISTY KELLY,
25 having been sworn, testified as follows:

1 DIRECT EXAMINATION

2 BY MR. KELLER:

3 Q. Good afternoon, Ms. Kelly.

4 A. Good afternoon.

5 Q. And, Ms. Kelly, can -- or where do you live right now?

6 A. In Port St. Lucie, Florida.

7 Q. And your last name is Kelly right now, but was that your
8 last name in 2019?

9 A. No, sir.

10 Q. And what was your last name back in 2019?

11 A. McCabe.

12 Q. And why was your last name McCabe?

13 A. I was married to the defendant, Dustin McCabe.

14 Q. And are you still married to Mr. McCabe?

15 A. No, sir.

16 Q. And when did you and Mr. McCabe split?

17 A. In March of 2020.

18 Q. And just to note off the bat, would you describe the
19 divorce as having been an easy process?

20 A. No, sir.

21 Q. Was it acrimonious?

22 A. Yes.

23 Q. And just make sure to speak into the microphone.

24 A. Yes, sir.

25 Q. Okay.

1 And how long were you married to the defendant, Mr. McCabe,
2 before March of 2020?

3 A. I believe 14 years.

4 Q. And did you also work with the defendant while you were
5 married to him?

6 A. We co-owned a business together.

7 Q. And what type of business did y'all operate?

8 A. Florida Scuba Charters, a scuba diving charter.

9 Q. And you know you're here to testify about the business?

10 A. Yes, sir.

11 Q. So I want to talk about Florida Scuba Charters, the
12 business.

13 MR. KELLER: And to do so, I want to begin by
14 publishing to the witness and to the jury what's already been
15 admitted into evidence as Government's Exhibit 104.

16 BY MR. KELLER:

17 Q. Ms. Kelly, can you see the document in front of you?

18 A. Yes, sir.

19 MR. KELLER: And -- oh, the jury is not able to see?

20 A JUROR: It's flashing.

21 COURTROOM DEPUTY: One minute.

22 MR. KELLER: Good? Okay.

23 BY MR. KELLER:

24 Q. And so, Ms. Kelly, now that the jury can see this document,
25 what is this?

1 A. It's the articles of incorporation for Florida Scuba
2 Charters.

3 Q. And what year were these articles of incorporation filed?

4 A. 2014.

5 Q. And drawing your attention to the bottom of this page,
6 page 1 of Government's Exhibit 104, who is the registered agent
7 of the company?

8 A. Myself, Kristy McCabe.

9 Q. And moving to page 2 of Government's Exhibit 104, who is
10 the incorporator of the business?

11 A. Kristy McCabe.

12 Q. And what is your title at the company as an officer?

13 A. The secretary.

14 Q. And in 2014, when this business was first incorporated,
15 what was your role in the business?

16 A. So my role would have been as his spouse, as a support
17 person of getting the business together, up and running. And I
18 did, at that time, also help Mr. McCabe crew the vessel.

19 Q. And did that change?

20 A. Yes. In approximately March of 2015, I had a pretty
21 serious injury, shattered my calcaneus and went through a
22 series of surgeries over approximately two years, which landed
23 me on predominantly bedrest during that time.

24 Q. And as you were -- after you were injured -- and I'm sorry
25 to hear that. That sounds awful.

1 But after you were injured, what role did you play with
2 Florida Scuba?

3 A. For some time, I was just at home, kind of as a support
4 person for, like, the books or financial keeping. Later, I was
5 able to come back and, you know, visit the people who had
6 become our family who were our customers there and make some
7 appearances at the boat.

8 But from that point, me crewing the vessel was pretty much
9 over due to my injury, for the most part.

10 Q. Yes, ma'am.

11 And as you were doing the paperwork, keeping the books, did
12 you -- were you generally aware of Florida Scuba Charters'
13 general income levels and like?

14 A. For the most part, yes, sir.

15 Q. And did Florida Scuba Charters have a business bank
16 account?

17 A. Yes, sir.

18 Q. And what bank was that with?

19 A. Knoxville TBA Employees Credit Union.

20 MR. KELLER: And now publishing to the witness and to
21 the jury what's been admitted as Government's Exhibit 100.

22 BY MR. KELLER:

23 Q. Ms. McCabe -- or Ms. Kelly, I'm sorry, do you recognize
24 this document?

25 A. Yes, sir.

1 Q. And what is this?

2 A. This is the application for the Florida Scuba Charters
3 business banking account.

4 Q. And focusing on the center of this exhibit, who are the two
5 authorized signers for the account?

6 A. Dustin Sean McCabe and myself, Kristy M. McCabe.

7 Q. And is this the first business account you recall being
8 open for Florida Scuba Charters?

9 A. It's the first one that I recall.

10 Q. And, just to be clear, focusing on the top of this page, is
11 this account for Florida Scuba Charters?

12 A. Yes, sir.

13 Q. And did you conduct any business on this account?

14 A. Yes, sir, I would imagine I did.

15 Q. And -- but were you ultimately removed from the account?

16 A. Yes. When we separated in early March -- this is very
17 specific, only because my birthday is also in March. We
18 separated on March the 15th.

19 Very shortly after or around that time, I would have been
20 removed from both the business and the business bank accounts.

21 Q. Yes, ma'am.

22 MR. KELLER: And turning to Government's Exhibit 113,
23 which has been admitted into evidence and which I'm publishing
24 to the jury and to the witness.

25 ///

1 BY MR. KELLER:

2 Q. Ms. Kelly, do you recognize this document?

3 A. Yes, sir.

4 Q. And what is this?

5 A. It's the notice to terminate joint ownership.

6 Q. And what is this doing as to the account?

7 A. This is removing me from all ownerships of that bank
8 account and reassigning them solely to Dustin McCabe.

9 Q. And what date is listed here as when you were removed?

10 A. March 25th, 2020.

11 Q. And as this was happening, in March of 2020, were you also
12 removed from Florida Scuba Charters' corporate documentation as
13 well?

14 A. Yes, sir.

15 Q. And, Ms. Kelly, I'm going to show you and the jury --

16 MR. KELLER: I'm going to publish what's been admitted
17 into evidence as Government's Exhibit 105.

18 BY MR. KELLER:

19 Q. Do you recognize Government's Exhibit 105?

20 A. Yes, sir.

21 Q. And what is this document?

22 A. It's the Florida amendment of the articles of
23 incorporation. So this document is required to remove anyone
24 from business ownership.

25 Q. And turning your attention to page 4 of this document, what

1 date did you execute this document?

2 A. March 25th, 2020.

3 Q. So the same day as the removal from the bank account?

4 A. Yes, sir.

5 Q. And just to ask one more question about this document.

6 What is this -- and turning your attention to page 3 of
7 Government's Exhibit 105. What are these statements here
8 reflecting?

9 A. It says, "Kristy McCabe has been removed from the
10 corporation," and, "Kristy McCabe has transferred all shares to
11 Dustin S. McCabe."

12 Q. And past this date, were you an employee, or did you have
13 any affiliation with Florida Scuba?

14 A. No, sir.

15 Q. Now, Ms. Kelly, I'm going to turn your attention and the
16 jury's to what has been admitted into evidence as Government's
17 Exhibit 106, and I'm going to show you page 1 and page 2.

18 What are these, Ms. Kelly?

19 A. So these are the annual reports that are filed for
20 corporations in the state of Florida. It looks like, perhaps,
21 it was a 2019 and then a revised 2020 annual report.

22 Q. And on the 2019 one, is your name still listed there?

23 A. Yes, sir.

24 Q. Were you still doing the books for the business in 2019?

25 A. Yes, sir.

1 Q. Okay. So now that we've looked at some of the corporate
2 paperwork -- and I'm going to clear the screen. I want to ask
3 a few questions, Ms. Kelly, about the company operating as you
4 knew it as you were doing the books and the paperwork.

5 When you worked for Florida Scuba with Mr. McCabe, the
6 defendant, did y'all have any formal employees?

7 A. No, sir.

8 Q. Were people working out on the boat?

9 A. We did have people who helped crew the charter; those
10 typically were just receiving tips from the customers as pay.
11 A lot of them were friends or peers, maybe they got free scuba
12 charters for helping out, et cetera.

13 Q. And did you, as Florida Scuba, ever pay out a normal
14 payroll?

15 A. No, sir.

16 MR. KELLER: And at this time, the government is going
17 to publish to the witness and to the jury what has been
18 admitted as Government's Exhibit 85. And I'm going to zoom in
19 on the top portion.

20 BY MR. KELLER:

21 Q. Ms. Kelly, do you see where it says "Florida Scuba
22 Charters, Inc."?

23 A. Yes, sir.

24 Q. And do you see where it says "Average monthly payroll," and
25 says "\$7,500"?

1 A. Yes, sir.

2 Q. To your knowledge, did Florida Scuba Charters ever pay
3 anything like \$7,500 monthly in payroll?

4 A. Not while I was involved, no, sir.

5 MR. KELLER: And moving -- and showing to the witness,
6 Ms. Kelly, and to the jury what has been admitted as
7 Government's Exhibit 91.

8 BY MR. KELLER:

9 Q. And directing your attention, Ms. Kelly, to page 3, and the
10 same top portion.

11 was -- and I'm going to direct your attention to where it
12 says "Average monthly payroll, \$8,154.16." was Florida Scuba,
13 to your knowledge, ever paying \$8,154.66 per month --

14 A. No, sir.

15 Q. -- in payroll?

16 A. No, sir.

17 Q. And going down and directing your attention to the bottom
18 right-hand corner of this exhibit as it's portrayed in
19 the -- on the screen, because I'm zooming in on the top
20 portion.

21 Do you see where it says "Reference quarter, third quarter
22 of 2019," and "Gross receipts, \$68,400"?

23 A. Yes, sir.

24 Q. Do you recall Florida Scuba Charters making \$68,400 during
25 the third quarter of 2019?

1 A. No, sir.

2 Q. Did Florida Scuba Charters make anywhere close to that?

3 A. In a quarter, no, sir.

4 Q. And during this period that you worked with Mr. McCabe, the
5 defendant -- and I will clear the screen of this exhibit -- who
6 handled the filing of tax returns between you and him?

7 A. I would probably take the majority lead on that while we
8 were together, but it was a joint effort.

9 MR. KELLER: And publishing to the witness and to the
10 jury what's been admitted as Government's Exhibit 121.

11 BY MR. KELLER:

12 Q. Ms. Kelly, I'm going to start by zooming in on the top of
13 the screen. Do you see what document this is?

14 A. Yes, sir.

15 Q. And what is it?

16 A. It's a Schedule C profit and loss for Florida Scuba
17 Charters from 2019.

18 Q. And I want to start by looking at line Item 1, "Gross
19 receipts or sales." How much does it say of gross receipts and
20 sales from 2019?

21 A. \$134,000.

22 Q. Do you recall making \$134,000 through Florida Scuba
23 Charters in 2019?

24 A. Not that I recall, no, sir.

25 Q. And have you ever seen this document before?

1 A. I believe Mr. McCabe may have filed this document after our
2 separation.

3 Q. But you don't know whether it was ever filed?

4 A. No -- no, sir.

5 MR. KELLER: And then moving to Government's
6 Exhibit 93, which I'm -- which has been admitted into evidence,
7 and which I'm publishing to the witness and to the jury.

8 BY MR. KELLER:

9 Q. Ms. Kelly, can you see what document this is?

10 A. Yes, sir.

11 Q. And what is it?

12 A. It's the 2020 U.S. corporations income tax return for
13 Florida Scuba Charters.

14 Q. And do you see on the line Item 13 where it says "salaries
15 and wages, \$90,000"?

16 A. Yes, sir.

17 Q. Do you recall Florida Scuba Charters paying anywhere close
18 to \$90,000 in wages?

19 A. No, sir.

20 Q. And do you recognize this document?

21 A. No, sir.

22 Q. Okay. So now I want to talk about the vessels y'all used
23 for Florida Scuba. So I'm going to move us from finances to
24 talk about the vessels.

25 And when the business first started, when Florida Scuba

1 first began, what type of vessel did y'all have for the
2 business?

3 A. We had an Island Hopper. It was a typical dive vessel.

4 Q. And what type of propeller structure did it have, if you
5 know?

6 A. A single-engine propeller.

7 Q. And was this vessel inspected by the Coast Guard?

8 A. Yes, sir.

9 Q. Was it an inspected passenger vessel?

10 A. Yes, sir.

11 Q. Were you and Mr. McCabe running -- as running this
12 business, knowledgeable about Coast Guard inspections and those
13 sorts of things?

14 A. Yes, sir.

15 Q. Now, as far as the Island Hopper goes, did that change what
16 boat y'all had in 2020?

17 A. So in 2020, we had discussed -- or leading up to 2020, we
18 had discussed purchasing a sport fish vessel to run trips to
19 the Bahamas, to -- Mr. McCabe wanted to have a more luxury dive
20 experience for the customers and offer high-end scuba diving.

21 So he proceeded to purchase a vessel with angel investors,
22 a friend; I'm not really sure of the specifics. Again, this is
23 in the middle of us separating, not -- not a great marital
24 relationship time.

25 But this vessel was purchased and retrofit began for the

1 vessel to make it a scuba vessel.

2 Q. And were those discussions about this new type of business
3 in late 2019, you said?

4 A. Yes, sir.

5 MR. KELLER: And publishing to the witness and to the
6 jury what's been already admitted as Government's Exhibit 2,
7 what's already been admitted as Government's Exhibit 3 and 4.

8 BY MR. KELLER:

9 Q. Do you recognize this vessel?

10 A. Yes, sir.

11 Q. And what vessel is this?

12 A. This is the Southern Comfort that was purchased.

13 Q. And you said a little bit about how this vessel differed
14 from the old one, but can you expand on that a little bit?

15 A. So in the nontechnical terms, this would be considered more
16 of, like, a sport fish boat, like, where people would do
17 fishing charters rather than diving charters. There are -- I
18 believe there are other dive charters that have vessels similar
19 of nature. It's a little larger. Smaller capacity for
20 benching, of course. It is a dual-engine, dual-propeller
21 vessel as well.

22 Q. And between 2014, when the business began, and then 2020,
23 is this the only vessel that the defendant, Mr. McCabe, had
24 purchased aside from the Island Hopper?

25 A. To my knowledge, yes, sir.

1 Q. And for this Southern Comfort vessel, did the defendant buy
2 equipment to refit it?

3 A. Yes, sir.

4 Q. And in your years running Florida Scuba with -- alongside
5 him, had the defendant ever refit a vessel in this way?

6 A. We had refit the Sea Scout; you know, dive benches,
7 remodelling, et cetera, but not a sport fish vessel, no, sir.

8 MR. KELLER: And now publishing to the witness and to
9 the jury what's been admitted already as Government's
10 Exhibit 76.

11 BY MR. KELLER:

12 Q. And, Ms. Kelly, I'm going to zoom in on the check. What is
13 Government's Exhibit 76, Ms. Kelly?

14 A. It's a check to Big Head Aluminum, and the memo is stated
15 "For dive benches."

16 Q. And what is the date of the check?

17 A. February 25, 2020.

18 Q. And who signed it?

19 A. Dustin McCabe.

20 Q. And are you familiar with Big Head Aluminum?

21 A. I actually am, yes, sir.

22 Q. And who is Big Head Aluminum?

23 A. He is a gentleman, I believe, that predominantly does
24 welding for swamp buggies, but he also is known in the dive
25 industry for swim platforms, dive ladders, benches, et cetera.

1 MR. KELLER: And now publishing to the witness and to
2 the jury what's been admitted as Government's Exhibit 75. And
3 I'm going to, again, zoom in on the check.

4 BY MR. KELLER:

5 Q. Ms. Kelly, what is Government's Exhibit 75?

6 A. It's a check to Big Head Aluminum for a ladder and platform
7 maybe.

8 Q. And can you tell the jury why it is you would say "ladder
9 and platform"?

10 A. There is a memo noted in the bottom of the check.

11 Q. And what is the date of this check?

12 A. March the 16th, 2020.

13 Q. And who signed it?

14 A. Dustin McCabe.

15 Q. And we just looked at checks for ladder and platform and
16 dive benches. Do you know about other modifications Mr. McCabe
17 made to the vessel?

18 A. Yes, sir. I believe there was, like, painting of the
19 inside, remodelling of the kitchen. Granite was added. Wood
20 flooring was added for a more luxury experience, and water
21 repellent on the inside.

22 MR. KELLER: And publishing to the witness and to the
23 jury what's been already admitted into evidence as Government's
24 Exhibit 66.

25 ///

1 BY MR. KELLER:

2 Q. Ms. Kelly, what does Government's Exhibit 66 depict?

3 A. It would actually show the remodels that I just spoke
4 about.

5 MR. KELLER: And then moving to Government's
6 Exhibit 67, which has already been admitted into evidence, and
7 that I'm publishing to the witness and the jury.

8 BY MR. KELLER:

9 Q. What does Government's Exhibit 67 depict?

10 A. It appears to be the engine hatch.

11 Q. And were you aware of the removal of any throttle controls?

12 A. It was a discussion.

13 MR. KELLER: And moving to Government's Exhibit 68,
14 which has been admitted into evidence, and I'm publishing this
15 to the witness and the jury.

16 BY MR. KELLER:

17 Q. Ms. Kelly, did this look different when you saw it?

18 A. It did. The last time I saw the vessel, the throttle
19 controls were there, but I'm very unfamiliar with this vessel.

20 Q. And about when would you say that you saw them?

21 A. February, March. I'm not sure.

22 Q. And was Mr. McCabe planning to have this vessel become a
23 Coast Guard-inspected vessel?

24 MR. O'SULLIVAN: Objection. Calls for speculation.

25 THE COURT: Overruled.

1 BY MR. KELLER:

2 Q. You can answer.

3 A. To my knowledge, yes, sir.

4 Q. And what was the purpose of getting it inspected?

5 A. To be able to add more divers.

6 Q. And did y'all end up doing so?

7 A. I separated from Mr. McCabe before that happened.

8 Q. And were you aware, on March 28, 2020, that the defendant
9 was taking passengers out on this vessel?

10 A. After Mr. McCabe and I separated, what he did was not my
11 concern. So, not really.

12 Q. And did you become aware later of the vessel killing
13 someone?

14 A. I did. I actually received a phone call from Mr. McCabe
15 himself.

16 Q. And what happened during that phone call?

17 A. He was very distraught, obviously. Someone was just
18 injured, someone had died. I believe he was being questioned
19 or taken into Coast Guard custody. Mr. McCabe was very
20 distraught. He was talking about committing suicide.

21 Of course, there was some hostility there from our divorce,
22 but I did reach out to a few people that I knew and said, "Hey,
23 look, this is going on. Can you check on him?"

24 Q. And after that day, after that conversation, as the divorce
25 proceedings progressed, as you were continuing to deal with

1 Mr. McCabe, did you have any indication that the defendant,
2 Mr. McCabe, was still operating his scuba charter business?

3 A. No. It was my understanding that the Coast Guard had shut
4 the vessel down.

5 MR. KELLER: Nothing further, Your Honor.

6 THE COURT: Mr. O'Sullivan?

7 MR. O'SULLIVAN: Thank you, Your Honor.

8 CROSS-EXAMINATION

9 BY MR. O'SULLIVAN:

10 Q. Good afternoon, Ms. Kelly.

11 A. Good afternoon.

12 Q. I just have a couple of questions for you.

13 You're listed on the articles of incorporation for Florida
14 Scuba Charters in 2014 as the registered agent. Could you tell
15 the jury what the duties of a registered agent are?

16 A. So the registered agent would be served any legal
17 documentation on behalf of the corporation.

18 Q. Okay. Prior to Florida Scuba Charters, did you do payroll
19 or bookkeeping for any other companies?

20 A. That was not a specific job title, no, sir.

21 Q. Okay. I know it wasn't your specific title, but you
22 testified that you took the lead, I think, on doing the
23 bookkeeping and the accounting for Florida Scuba Charters.

24 Previous to this business that you shared with your former
25 husband, did you have any other type of bookkeeping experience?

1 A. Mr. McCabe and I also owned a real estate company
2 previously, and I would have helped keep the books for that as
3 well.

4 Q. Okay. Was it kind of the same, husband and wife, "we're
5 going to do it together" team?

6 A. Yes, sir.

7 Q. Okay. Prior -- what years did you have the real estate
8 company?

9 A. I have no idea. Maybe like --

10 Q. Generally.

11 A. -- 2006 to 2008, maybe.

12 Q. Okay. And then before that -- we're going back pretty far
13 now. I guess my question is: Did you have formal training in
14 bookkeeping or accounting?

15 A. No, sir.

16 Q. Do you have an accounting degree or anything like that?

17 A. No, sir.

18 Q. Is this something that you just learned by, kind of, being
19 a team and doing it together?

20 A. Yes, sir.

21 Q. Okay. You testified that you had an accident and you were
22 kind of out of commission from 2015 to 2017?

23 A. Yes, sir.

24 Q. I think you testified that you were on bedrest for those
25 two years?

1 A. I was on bedrest a lot of that time.

2 Q. I'm sorry to hear that.

3 was -- during that two-year period, was Mr. McCabe then in
4 charge of doing the books and basically running the business?

5 A. For the most part, yes, sir.

6 Q. So that you could heal?

7 A. Yes, sir.

8 Q. Okay. Looking forward from March of the year 2020, you
9 were removed from the articles of incorporation; correct?

10 A. Yes, sir.

11 Q. So you were no longer the registered agent?

12 A. Correct.

13 Q. And you were -- no longer had the title of secretary of
14 Florida Scuba Charters; correct?

15 A. Correct.

16 Q. You had no access to the bank accounts; correct?

17 A. No, sir.

18 Q. Okay. So you don't know what the gross receipts were
19 post-March 2020?

20 A. Correct.

21 Q. And you don't know what the receivables were or what the
22 expenses were; correct?

23 A. Correct.

24 Q. Don't know what the profit-and-loss statements would be for
25 anything after March of 2020; correct?

1 A. Correct.

2 Q. During the time that you were doing the books for the
3 business, what was the average monthly gross?

4 A. It's a very variable industry. The weather controls your
5 industry a lot. Divers, charters, like, you kind of control
6 that yourself. And I honestly don't recall.

7 Q. Just, generally speaking, what would be an average?

8 A. For a month --

9 Q. Uh-huh.

10 A. -- for a quarter?

11 For a month? You're talking about you could make maybe up
12 to \$600 a charter, perhaps. You're typically going to run
13 those on Friday, Saturday, Sunday, maximum. Sometimes you
14 would have some small weekday charters.

15 Q. Was there a fluctuation between summer and winter months?

16 A. To some degree, yes. You would have an influx in the
17 summer.

18 Q. So how many -- what would you say that your -- your average
19 amount of divers that you would have per month, what would you
20 put that number at?

21 A. Sir, I'm not sure. That would be a better question for
22 Mr. McCabe.

23 Q. Well, if you're doing the books, I mean, it's a dive
24 business. You have to know how many divers you have; right?

25 A. It's very variable, sir.

1 Q. Is it, like, ten a month? Is it a thousand a month? What
2 would be your best guess? What's my -- I mean, you're doing
3 the books; right?

4 A. So the Coast Guard vessel certified, I believe it was,
5 14-plus crew. So you could have a maximum of 14 paying people
6 on there, if that was, indeed, the number, I believe it was.

7 Q. Well, I'm not asking the maximum number on the boat. I'm
8 just asking for your particular business because you're doing
9 the books. You have to know, "How many customers did I have
10 this month?"

11 A. Sir, I don't know.

12 Q. How do you not know how many customers you have if you were
13 doing the books?

14 A. As I said, it was a joint effort, and I was mostly removed
15 from that part of the industry after my injury.

16 Q. So you weren't really doing the books, if you don't know
17 how many customers you had. That's, like, 99 percent of doing
18 the books, is knowing how many customers I have.

19 A. Sir, I keep the books for a corporation now, and I don't
20 know how many -- how many customers that we have in a day or a
21 week or a month.

22 Q. Okay. But in this particular business, the entire business
23 is customer based. If we have one customer, that's line
24 Item 1, 60 bucks per trip or a hundred bucks per trip.

25 You have no idea how many customers you had?

1 A. No, sir.

2 Q. Did you go out on the boat at all?

3 A. Sometimes.

4 Q. Okay. You don't remember how many people were on the boat
5 that month?

6 A. No, sir.

7 Q. Okay. Let's talk a little bit about expenses.

8 what was your average monthly expenses?

9 A. Again, that's going to vary on how many charters that you
10 run because I would say that that's strictly driven by fuel.
11 It's going to be your biggest expense in the charter, would be
12 diesel fuel to run that charter. Above and beyond that, you
13 have snacks, things for your divers, towels, et cetera.

14 Q. So let's kind of break it down by how much did you,
15 average, spend a month on fuel?

16 A. Sir, we're talking about a lot of years ago. I honestly
17 don't know.

18 Q. Okay. And was this business the sole way that you guys
19 supported yourself?

20 A. For some time, it was.

21 Q. Okay. So this is how you paid your mortgage?

22 A. In 2017, I went back to employment income full-time, as
23 this charter did not support our bills.

24 Q. Okay. But this was a big chunk of your income; correct?

25 A. It was some of our income, yes, sir.

1 Q. Okay. It put a roof over your head, it put food on the
2 table?

3 A. It was a joint effort, yes, sir.

4 Q. Okay. And you have no idea how much the expenses are, and
5 you're the bookkeeper for this business?

6 A. Sir, this was many years ago; so, no, I don't recall.

7 Q. It's -- really, it's only, like, five years ago.

8 A. Oh, okay.

9 Q. Okay. If you don't remember, you don't remember.

10 How much is the slip fee to the marina per month?

11 A. I honestly don't know.

12 Q. You don't know. Do you know how much you charged a
13 customer to go on a dive trip?

14 A. It used to be \$50.

15 Q. Used to be \$50.

16 Is that for one dive or for two dives?

17 A. A dive charter would consist of two dives, typically.

18 Q. How much does it cost to fill up a tank, an air tank?

19 A. We don't fill air tanks, sir. I don't know.

20 Q. Oh. Well, I'm assuming you don't give your customers an
21 empty tank. So, yes, you do fill air tanks.

22 How much does it cost to fill an air tank?

23 A. Sir, Florida Scuba Charters does not fill air tanks.

24 Q. How do you get air on the boat?

25 A. Customers typically would bring their own tanks, or they

1 would rent tanks.

2 Q. Okay. You didn't provide any tanks to paying customers?

3 A. We did have tanks available for customers to rent.

4 Q. Okay. So you guys separated about the time that the
5 Southern Comfort was kind of coming into play, so to speak?

6 A. Correct.

7 Q. Did you actually ever go out on the Southern Comfort?

8 A. I do not believe I have ever been on that vessel while it
9 was running navigable waterways.

10 Q. Like, you never, like, took a cruise on the ocean on the
11 Southern Comfort; is that a fair statement?

12 A. Correct.

13 Q. Okay. So you don't know if the throttles on the Southern
14 Comfort were electric or cable, do you?

15 A. I wouldn't know that, no, sir.

16 MR. O'SULLIVAN: Okay. I don't have any other
17 questions. I thank you for your time, ma'am.

18 THE WITNESS: Thank you.

19 THE COURT: Any redirect?

20 MR. KELLER: Just brief, Your Honor.

21 REDIRECT EXAMINATION

22 BY MR. KELLER:

23 Q. So, Ms. Kelly, if I understood you on cross, I think you
24 were saying that \$600 per day for three days is, like, the
25 best-case scenario for Florida Scuba back then?

1 A. I would say that that would be a good average, from my
2 recollection. But, again, this has been a very long time, and
3 actually a chapter of my life that I have tried to block out.

4 Q. Understood.

5 And just to do a little math here, a tiny amount of math.
6 So if we're talking \$1,800 for a week per weekend, four weeks
7 in a month, we're talking roughly 7,200 bucks, best case, per
8 month?

9 A. You could throw in some weekday trips and round that up a
10 little bit. You know, weekdays are not your predominant
11 business, but there could be some private trips or some weekday
12 trips in there, and maybe round that up a little bit.

13 Q. Okay. And then when you have -- let's say you make \$600
14 bucks on a day. What are the -- roughly, you know, what's the
15 profit there?

16 A. We are going to have to minus out any snacks that you
17 purchased, any supplies that you provided for divers, any trips
18 that you comp for a crew or friends or other reasons, and
19 subtract out your fuel.

20 And I don't recall, but diesel fuel is around \$4-plus a
21 gallon at the marinas. So you are talking about -- again,
22 Mr. McCabe would be better to testify -- but maybe a hundred
23 gallons.

24 Q. And moving to Government's Exhibit -- so we're talking
25 \$7,200 plus that, minus the -- plus small trips, minus the

1 expenses?

2 A. Yes, sir.

3 MR. KELLER: And so I will publish Government's
4 Exhibit 85 first. And again, go back to the payroll amount on
5 this PPP loan application --

6 MR. O'SULLIVAN: Your Honor, I'm going to respectfully
7 object. This is outside the scope.

8 THE COURT: I will overrule this for now. Please
9 continue. And if you have other objections, raise them.

10 MR. O'SULLIVAN: Yes, ma'am.

11 BY MR. KELLER:

12 Q. And my question is simply: Is this \$7,500 figure for just
13 payroll more or less than the \$7,200 figure that we were just
14 talking about?

15 A. It's more than the number that you came up with.

16 MR. KELLER: And going to Government's Exhibit 91,
17 which has been admitted into evidence. And, again, zooming in
18 on the second --

19 THE JURY: We can't see.

20 MR. KELLER: -- PPP loan application -- oh.

21 THE COURT: We will just wait a moment. This exhibit
22 is which one?

23 MR. KELLER: I'm sorry. They must -- and they didn't
24 see with -- I got it.

25 I will just go back briefly and publish Government's

1 Exhibit 85 again and show what I was -- the \$7,500 I was making
2 reference to. And then I will move to publish what's been
3 admitted as Government's Exhibit 91, and move to page 3 of
4 Government's Exhibit 91, which is the second PPP loan
5 application.

6 BY MR. KELLER:

7 Q. And, Ms. Kelly, I just have the same question again. Is
8 this \$8,100 average monthly payroll figure more or less than
9 the \$7,200 rough amount that we talked about?

10 A. More.

11 Q. And you talked about the number of customers that -- and
12 about how you didn't remember the specific number of customers
13 that you had.

14 But going back to Government's Exhibit 121, which has been
15 admitted into evidence, and this is the 2019 form about y'all's
16 income that year. And, again, drawing your attention to the
17 \$134,000 gross receipts number.

18 And then I want to also draw your attention to the \$90,000
19 profit number at line item 31. Would you have remembered
20 making \$91,000 in profit in 2019?

21 A. I certainly would have remembered paying the taxes on it.

22 Q. And do you remember paying the taxes on \$90,000 of profit?

23 A. No, sir.

24 MR. KELLER: Nothing further, Your Honor.

25 THE COURT: Thank you, Ms. Kelly. You may be excused.

1 THE WITNESS: Thank you.

2 THE COURT: Mr. Keller, any other witnesses for today?

3 MR. KELLER: No, Your Honor.

4 THE COURT: Okay. Ladies and gentlemen, we are moving
5 a bit more quickly than initially anticipated, and so we are
6 going to end early today. I will go ahead and remind you of
7 the usual instructions.

8 You are not to discuss this case with anyone or permit
9 anyone to discuss it with you. Until you retire to the jury
10 room at the end of the case to begin your deliberations, you
11 shall not talk about this case.

12 Remember not to read or listen to anything about this
13 case on the internet or in any news media. The only evidence
14 in the case is the testimony that you hear in the courtroom,
15 along with the exhibits that are introduced in the official
16 proceedings.

17 Remember not to have any contact with any of the
18 attorneys, parties, or witnesses in the case. They're
19 forbidden to talk to you, and you are forbidden to talk to them
20 or to engage with them at all. And, finally, please remember
21 not to form any opinion about this case until the end of the
22 case and all of the evidence has been presented. You must keep
23 an open mind until you start your deliberations at the end of
24 the case.

25 with respect to scheduling, due to another court

1 hearing that I have in the morning, we will not start tomorrow
2 until 9:40. So please arrive to the courthouse tomorrow a
3 little bit later. But 9:40 will be our start time.

4 Have a very nice evening.

5 All rise for the jury.

6 (The jury exited the courtroom at 4:10 p.m.)

7 THE COURT: All right. Let's be seated.

8 All right. Looking at the witness list now,
9 Mr. Keller, if you could walk me through your sequence for
10 tomorrow.

11 MR. KELLER: Yes, Your Honor.

12 So tomorrow the first witness will be Andrea Walker,
13 then it will be Captain -- I'm sorry. I should be noting the
14 numbers. Captain Chris Cederholm, who is witness number 4.
15 Then it will be Josh Steib -- Joshua Steib, who is witness
16 number 18. Then it will be Sandra Brammeier, who is witness
17 number 25. Then it will be Avi Pollock, who is witness
18 number 15.

19 And this is on the most recent witness exhibit that I
20 filed last night, because he's the new --

21 THE COURT: So Avi Pollock is the replacement for
22 Spencer Lord?

23 MR. KELLER: Yes, sir.

24 THE COURT: Okay. And her name, again, is Abbie?

25 MR. KELLER: Oh, no, Your Honor. I'm sorry. It's

1 actually Adam, and he goes by Avi, A-V-I.

2 THE COURT: Oh, A-V, as in Victor, I?

3 MR. KELLER: Yes, Your Honor.

4 THE COURT: Okay. Avi. And what did you say his last
5 name is?

6 MR. KELLER: Pollack, P-O-L-L-A-C-K.

7 THE COURT: Okay.

8 MR. KELLER: And then the final witness tomorrow will
9 be Justin Masterman.

10 THE COURT: Okay. Heather Spurlock, is she still in
11 the mix?

12 MR. KELLER: No, Your Honor. She is the witness who
13 was going to testify about drug testing.

14 THE COURT: Okay. And Carter Honesty is no longer
15 testifying; correct?

16 MR. KELLER: Correct. We're going to cut him.

17 THE COURT: Okay, then. So that would leave, for
18 Friday, just Agent King?

19 MR. KELLER: Also April Seward from the Internal
20 Revenue Service. We were not able to get her here on Thursday.
21 We are going to have her here for Friday morning.

22 THE COURT: Okay. All right. In terms of the exhibit
23 list, it appears, I think, that, with the exception of
24 Government's Exhibit 52 and 71, that all the exhibits have been
25 admitted or ruled upon and excluded; is that correct?

1 MR. KELLER: It is, Your Honor. With respect to those
2 two exhibits, I may use them if he testifies, but I'm not
3 planning to introduce them during our case in chief.

4 THE COURT: Okay. All right, then. Any questions as
5 far as witnesses or exhibits from the defense at this point?

6 MR. O'SULLIVAN: No, ma'am. No, Your Honor.

7 THE COURT: Okay, then. Any issues anticipated for
8 tomorrow, Mr. Keller?

9 MR. KELLER: No, Your Honor.

10 THE COURT: Okay. All right, then. Please plan on
11 having our charge conference, as I said, tomorrow after trial
12 concludes, and that's all I have for today.

13 So I have a hearing in the morning. The courtroom will
14 be occupied, but you should be here no later than 9:15 so that
15 you can get situated right after the hearing concludes.

16 Thank you. Have a nice evening.

17 (These proceedings concluded at 4:14 p.m.)

18

19

20

21

22

23

24

25

C E R T I F I C A T E

I hereby certify that the foregoing is an accurate transcription of the proceedings in the above-entitled matter.

DATE: 05-04-2025 /s/Laura Melton
LAURA E. MELTON, RMR, CRR, FPR
Official Court Reporter
United States District Court
Southern District of Florida
Fort Pierce, Florida

172:11_, 177:1_, 178:16_, 180:13_, 203:6_, 205:9_, 209:7_, 224:3	5400-plus [1]_ - 167:2	188:1_, 188:2_, 188:14	93:16
30 [2]_ - 80:5_, 189:19	550 [1]_ - 157:10	99 [1]_ - 218:17	absorbing [1]_ - 84:6
300 [1]_ - 107:1	58 [1]_ - 17:2	9:00 [2]_ - 145:8_, 150:21	accelerator [2]_ - 121:8 _, 124:10
30th [1]_ - 159:4	6	9:03 [1]_ - 6:4	access [9]_ - 87:11_, 137:10_, 161:22_, 161:23 _, 164:20_, 167:14_, 167:15_, 216:16
31 [1]_ - 224:19	6 [3]_ - 68:2_, 146:1_, 146:2	9:15 [1]_ - 228:14	accident [4]_ - 22:12_, 50:2_, 50:3_, 215:21
32 [2]_ - 46:19_, 170:22	6-inch [1]_ - 146:4	9:40 [2]_ - 226:2_, 226:3	accidents [6]_ - 47:6_, 48:18_, 89:2_, 89:7_, 90:13_, 136:11
34 [5]_ - 53:14_, 53:21_, 54:7_, 55:13_, 170:21	60 [8]_ - 177:16_, 177:17_, 177:18_, 177:19_, 185:1_, 192:20_, 192:22_, 218:24	9:44 [1]_ - 67:20	accordance [2]_ - 21:15 _, 95:9
35 [2]_ - 54:12_, 56:3	60/40 [1]_ - 192:18	9:44:13 [1]_ - 67:24	according [1]_ - 18:15
3508S [1]_ - 185:25	600 [1]_ - 106:24	9:44:47 [1]_ - 67:24	account [11]_ - 38:18_, 200:16_, 201:3_, 201:5_, 201:7_, 201:11_, 201:13_, 201:15_, 202:6_, 202:8_, 203:3
3571 [1]_ - 189:14	611th [1]_ - 145:2	A	accountability [1]_ - 78:8
360 [1]_ - 55:20	645 [1]_ - 189:16	A-L-B-E-R [1]_ - 46:8	accounting [3]_ - 214:23 _, 215:14_, 215:16
3:00 [1]_ - 150:20	66 [2]_ - 211:24_, 212:2	A-V-I [1]_ - 227:1	accounts [2]_ - 201:20_, 216:16
3:15 [1]_ - 190:16	67 [2]_ - 212:6_, 212:9	a.m [5]_ - 6:4_, 70:25_, 71:3_, 71:6	accumulated [1]_ - 84:19
3:23 [1]_ - 190:17	68 [5]_ - 18:22_, 19:13_, 19:15_, 119:22_, 212:13	Abbie [1]_ - 226:24	accuracy [2]_ - 68:1_, 171:9
3:24 [1]_ - 190:19	69 [1]_ - 113:23	abbreviated [1]_ - 156:22	accurate [4]_ - 175:12_, 175:15_, 181:21_, 188:9
4	7	abdominal [2]_ - 137:11 _, 152:5	accurately [2]_ - 54:24_, 182:23
4 [11]_ - 90:18_, 110:9_, 160:3_, 181:1_, 181:13_, 181:25_, 182:2_, 183:18_, 202:25_, 209:7_, 226:14	7 [5]_ - 72:9_, 72:11_, 73:2 _, 114:19_, 114:20	ability [3]_ - 111:19_, 117:21_, 166:3	acknowledge [1]_ - 189:24
4-foot [2]_ - 126:4_, 126:13	7,200 [1]_ - 222:7	able [66]_ - 9:3_, 17:16_, 23:3_, 23:16_, 24:18_, 29:19_, 33:20_, 34:13_, 34:24_, 35:22_, 35:24_, 36:2_, 36:25_, 37:4_, 37:12_, 38:16_, 41:8_, 41:21_, 42:2_, 55:2_, 81:9 _, 85:24_, 93:18_, 94:9_, 94:21_, 123:16_, 123:19_, 128:8_, 136:2_, 136:4_, 136:5_, 136:8_, 136:14_, 136:15_, 137:2_, 137:9_, 137:11_, 137:23_, 138:7_, 141:19_, 144:7_, 149:5_, 149:7_, 151:12_, 151:20_, 154:25_, 155:8_, 156:17_, 159:24_, 159:25_, 163:14 _, 163:22_, 165:19_, 165:20_, 166:1_, 167:13_, 171:8_, 171:18_, 171:22_, 172:13_, 198:19_, 200:5_, 213:5_, 227:20	acquire [1]_ - 165:8
4-plus [1]_ - 222:20	70 [2]_ - 158:1_, 159:21	abnormalities [3]_ - 137:4_, 152:9_, 159:15	acrimonious [1]_ - 197:21
40 [4]_ - 177:20_, 185:3_, 192:20_, 192:23	71 [1]_ - 227:24	aboard [3]_ - 18:19_, 29:23_, 84:24	act [1]_ - 8:6
45 [2]_ - 66:25	72 [1]_ - 95:16	abrasion [1]_ - 146:10	Act [1]_ - 163:14
45-foot [3]_ - 34:10_, 34:21_, 36:2	75 [2]_ - 211:2_, 211:5	abrasions [1]_ - 147:19	action [5]_ - 20:19_, 82:4 _, 93:21_, 111:1_, 111:2
46 [5]_ - 90:18_, 110:9_, 112:10_, 112:17_, 112:19	76 [2]_ - 210:10_, 210:13	absolutely [9]_ - 19:25_, 21:25_, 36:3_, 72:15_, 85:8_, 90:11_, 91:16_,	actions [3]_ - 20:14_, 110:18_, 113:9
48 [4]_ - 34:8_, 34:9_, 126:18_, 126:22	7A [1]_ - 165:5		activated [1]_ - 106:3
4:10 [1]_ - 226:6	8		active [1]_ - 99:10
4:14 [1]_ - 228:17	8,154 [1]_ - 176:18		actively [1]_ - 183:11
5	835 [1]_ - 94:8		activities [1]_ - 25:1
	85 [3]_ - 204:18_, 223:4_, 224:1		activity [2]_ - 80:23_, 81:1
	9		actual [7]_ - 23:19_, 32:3 _, 64:2_, 64:13_, 68:10_,
5 [2]_ - 181:1_, 181:13	91 [13]_ - 172:10_, 174:23_, 176:25_, 178:17_, 178:19 _, 180:14_, 182:1_, 183:19_, 183:24_, 205:7_, 223:16_, 224:3_, 224:4		
5,400 [1]_ - 195:4	93 [1]_ - 207:6		
50,000 [1]_ - 60:11	941 [2]_ - 170:15_, 175:10		
500 [2]_ - 103:10_, 169:17	98 [5]_ - 185:19_, 186:5_,		
504 [1]_ - 165:5			
52 [1]_ - 227:24			
5400-and-change [1]_ - 166:19			

123:22_, 168:6
Adam [1]_ - 227:1
adapter [1]_ - 58:20
add [2]_ - 140:3_, 213:5
added [2]_ - 211:19_,
 211:20
adding [1]_ - 188:5
additional [8]_ - 4:2_,
 14:10_, 49:7_, 61:23_,
 88:11_, 88:22_, 131:3_,
 136:8
additionally [6]_ - 8:25_,
 12:7_, 12:16_, 38:23_,
 82:13_, 94:13
address [4]_ - 3:22_,
 130:11_, 174:6_, 186:13
addressed [1]_ - 5:18
addressing [1]_ - 91:3
adequately [4]_ - 122:5_,
 122:6_, 122:11_, 122:12
adjusted [2]_ - 120:22_,
 121:10
adjustment [1]_ - 125:4
adjustments [3]_ -
 124:19_, 125:7_, 125:11
administering [1]_ -
 175:17
Administration [1]_ -
 161:13
administrative [1]_ -
 162:16
admissible [1]_ - 31:21
admitted [50]_ - 17:1_,
 17:4_, 18:7_, 18:22_,
 19:13_, 31:17_, 52:20_,
 53:14_, 54:12_, 58:10_,
 62:24_, 65:3_, 67:7_,
 69:12_, 95:15_, 105:15_,
 113:23_, 114:7_, 115:24_,
 119:22_, 144:14_, 144:15_,
 150:6_, 150:8_, 152:24_,
 153:3_, 156:11_,
 157:25_, 172:10_, 185:19_,
 198:15_, 200:21_,
 201:23_, 202:16_, 203:16_,
 204:18_, 205:6_,
 206:10_, 207:6_, 209:6_,
 209:7_, 210:9_, 211:2_,
 211:23_, 212:6_, 212:14_,
 223:17_, 224:3_, 224:15_,
 227:25
adult [1]_ - 157:9
advance [1]_ - 77:4
advanced [4]_ - 50:3_,

75:7_, 100:9_, 103:14
adverse [1]_ - 125:8
adversely [1]_ - 90:21
advertisements [1]_ -
 89:25
advertising [1]_ - 89:25
advised [4]_ - 29:7_, 35:2_,
 41:19_, 42:5
advisory [1]_ - 110:23
aerial [2]_ - 56:20_, 114:3
affairs [2]_ - 46:23_, 47:14
affect [8]_ - 102:25_,
 120:23_, 121:10_, 121:19_,
 124:19_, 124:24_,
 126:23_, 145:17
affected [5]_ - 91:8_,
 124:19_, 125:20_, 126:9
affecting [2]_ - 124:22_,
 124:25
affects [1]_ - 90:21
affiliation [1]_ - 203:13
affirm [9]_ - 6:20_, 18:15_,
 45:23_, 71:17_, 98:10_,
 135:2_, 160:20_, 181:19_,
 196:15
affixed [1]_ - 79:9
aft [1]_ - 108:8
after-the-fact [1]_ -
 62:17
aftermath [1]_ - 15:11
afternoon [13]_ - 134:21_,
 135:15_, 135:16_,
 160:17_, 161:7_, 161:10_,
 190:25_, 191:1_, 196:10_,
 197:3_, 197:4_, 214:10_,
 214:11
afterwards [3]_ - 9:18_,
 125:19_, 143:5
agencies [5]_ - 49:11_,
 49:15_, 74:18_, 78:21_,
 89:6
agency [4]_ - 50:3_, 50:4_,
 161:19_, 181:5
agency's [1]_ - 169:12
agent [5]_ - 199:6_,
 214:14_, 214:15_, 214:16_,
 216:11
Agent [1]_ - 227:18
aggressive [1]_ - 126:21
ago [5]_ - 3:20_, 49:16_,
 219:16_, 220:6_, 220:7
agree [2]_ - 125:25_,
 194:1

agreements [1]_ - 74:18
aground [5]_ - 28:15_,
 29:3_, 35:20_, 91:17_,
 117:20
ahead [2]_ - 83:6_, 225:6
aid [1]_ - 90:20
air [21]_ - 78:9_, 81:7_,
 81:9_, 84:6_, 100:18_,
 108:12_, 108:13_, 152:13_,
 152:18_, 153:13_,
 153:15_, 153:18_, 153:19_,
 154:11_, 220:18_,
 220:19_, 220:21_, 220:22_,
 220:23_, 220:24
airlifted [1]_ - 149:5
airway [4]_ - 152:18_,
 152:19_, 153:17_, 156:25
airways [6]_ - 152:16_,
 152:22_, 154:20_, 154:21_,
 158:22
Alber [15]_ - 45:17_, 46:8_,
 46:13_, 51:12_, 51:21_,
 52:24_, 54:15_, 55:2_,
 58:17_, 59:16_, 63:2_,
 67:10_, 69:15_, 70:13_,
 70:20
ALBER [1]_ - 46:9
alcohol [1]_ - 88:19
alerts [1]_ - 93:10
alike [1]_ - 184:19
Allan [2]_ - 98:4_, 98:16
ALLAN [2]_ - 98:16, 98:17
alleged [2]_ - 113:16_,
 114:22
allegedly [1]_ - 119:18
allisions [2]_ - 11:24_,
 90:19
allow [3]_ - 34:1_, 84:18_,
 165:6
allowed [11]_ - 10:10_,
 22:16_, 23:10_, 23:20_,
 83:13_, 85:13_, 96:6_,
 96:13_, 97:10_, 167:14_,
 181:4
allows [1]_ - 55:22
almost [14]_ - 29:4_,
 29:13_, 39:18_, 42:1_,
 47:4_, 49:2_, 56:15_,
 64:21_, 65:16_, 67:20_,
 138:14_, 157:14_, 170:25
alongside [2]_ - 49:7_,
 210:4
ALT [1]_ - 161:1
Althea [3]_ - 131:18_,

160:16_, 161:1
ALTHEA [1]_ - 161:3
Aluminum [4]_ - 210:14_,
 210:20_, 210:22_,
 211:6
alveolar [1]_ - 154:15
amendment [1]_ -
 202:22
America [2]_ - 170:21_,
 171:21
amount [17]_ - 14:9_,
 18:1_, 34:21_, 93:18_,
 115:17_, 116:12_, 149:22_,
 151:5_, 174:23_, 175:2_,
 175:6_, 176:15_,
 186:21_, 217:19_, 222:5_,
 223:4_, 224:9
analyses [1]_ - 93:8
analysis [12]_ - 15:4_,
 50:22_, 50:25_, 51:12_,
 51:17_, 60:22_, 62:17_,
 64:17_, 65:10_, 69:2_,
 132:21_, 154:25
analyze [5]_ - 15:6_, 56:2_,
 57:13_, 60:20_, 64:17
analyzed [2]_ - 54:8_,
 59:4
analyzing [2]_ - 50:16_,
 60:22
anatomic [1]_ - 139:7
anchor [2]_ - 66:9_, 79:12
anchored [4]_ - 66:9_,
 78:4_, 79:6_, 79:11
Andrea [1]_ - 226:12
Andrew [2]_ - 71:11_,
 71:23
ANDREW [2]_ - 71:24_,
 72:1
angel [1]_ - 208:21
angle [1]_ - 108:9
angled [1]_ - 108:6
ankle [1]_ - 148:3
ankles [1]_ - 143:24
annual [2]_ - 203:19_,
 203:21
answer [9]_ - 23:25_,
 42:18_, 43:12_, 126:12_,
 141:19_, 181:1_, 193:17_,
 194:17_, 213:2
answered [1]_ - 43:2
antenna [1]_ - 55:19
Anthony [1]_ - 7:1
anticipate [1]_ - 45:7

anticipated [3] - 194:13
 -, 225:5, 228:7
anyhow [1] - 5:13
anytime [3] - 35:6, 35:9
 -, 124:20
apart [2] - 64:5, 89:24
apologies [3] - 74:12, 144:5, 183:1
apologize [10] - 5:1, 9:13, 27:10, 28:12, 28:24, 33:15, 33:23, 37:21, 74:11, 156:2
appear [1] - 194:18
appearance [1] - 3:6
appearances [1] - 200:7
applicable [4] - 48:18, 72:20, 73:18, 95:9
applicant [5] - 181:19, 181:22, 182:3, 182:12, 183:2
applicant/borrower [1] - 180:19
applicants [1] - 172:3
application [32] - 101:21, 166:16, 167:20, 167:22, 167:24, 167:25, 168:6, 170:6, 171:14, 172:19, 173:18, 175:22, 180:5, 182:5, 184:8, 184:10, 184:11, 185:4, 185:12, 185:24, 186:8, 187:5, 187:10, 187:16, 187:18, 188:8, 188:14, 189:6, 201:2, 223:5, 223:20, 224:5
Application [1] - 173:2
applications [5] - 169:9, 171:3, 171:9, 171:17, 186:2
applied [6] - 96:12, 102:24, 146:13, 167:20, 176:21, 188:19
applies [1] - 50:19
apply [8] - 18:4, 88:11, 88:12, 101:9, 130:6, 163:22, 169:15, 184:6
applying [2] - 170:18, 170:24
appointment [1] - 100:25
apprentice [1] - 100:7
apprenticeship [1] -

102:8
approach [3] - 21:10, 58:14, 59:11
approaching [2] - 36:19, 65:14
appropriate [2] - 118:4, 149:2
appropriated [1] - 163:18
appropriately [1] - 184:6
approve [2] - 166:2, 179:17
approved [8] - 17:25, 18:4, 96:14, 168:9, 169:22, 177:14, 181:2, 192:23
April [3] - 20:23, 22:11, 227:19
area [15] - 8:12, 8:17, 9:17, 11:13, 36:22, 39:25, 51:9, 65:1, 69:22, 114:2, 142:5, 145:8, 147:15, 151:8, 186:6
areas [4] - 104:24, 154:11, 154:17, 156:20
argue [1] - 134:8
argument [2] - 130:24, 131:4
arrangements [1] - 81:15
arrival [3] - 6:8, 10:1, 66:18
arrive [2] - 92:6, 226:2
arrived [2] - 38:5, 67:1
arrow [1] - 65:16
arteries [3] - 148:25, 149:16, 149:17
artery [1] - 151:9
articles [5] - 199:1, 199:3, 202:22, 214:13, 216:9
articulated [1] - 192:24
artificial [1] - 65:1
aside [3] - 59:18, 195:13, 209:24
aspect [1] - 22:20
aspects [1] - 136:25
aspirated [3] - 153:17, 157:15, 158:22
aspirates [1] - 152:16
assess [3] - 137:23,

148:22, 152:9
assigned [2] - 72:9, 100:22
assist [6] - 78:5, 79:19, 79:21, 79:24, 80:8, 142:23
assistance [3] - 49:11, 117:17, 161:25
Assistant [3] - 3:8, 3:9, 3:10
assisting [1] - 75:12
associated [9] - 19:8, 75:10, 80:20, 80:23, 81:25, 118:13, 118:20, 159:16, 174:6
assuming [1] - 220:20
astern [2] - 109:1, 116:25
Atlantic [2] - 12:21, 87:13
attach [2] - 20:9, 98:23
attached [1] - 66:15
attain [2] - 17:16, 18:5
attaining [1] - 18:2
attempt [1] - 194:10
attempted [2] - 42:7, 42:9
attempts [1] - 169:2
attend [1] - 102:21
attention [18] - 66:19, 70:6, 81:8, 113:24, 159:20, 174:10, 176:5, 182:6, 189:2, 199:5, 202:25, 203:6, 203:15, 205:9, 205:11, 205:17, 224:16, 224:18
Attorney [2] - 3:9, 3:10
attorneys [2] - 6:9, 225:18
attributing [1] - 179:3
authored [2] - 156:3, 157:20
authoring [1] - 155:24
authority [3] - 86:25, 89:4, 109:24
authorized [1] - 201:5
autopsies [1] - 138:12
autopsy [17] - 4:22, 136:25, 137:6, 138:4, 139:20, 141:23, 142:12, 142:20, 143:13, 144:5, 148:21, 155:7, 156:6, 156:8, 156:17,

158:6, 159:4
AV [1] - 227:2
available [7] - 4:5, 31:16, 36:20, 39:7, 173:11, 179:10, 221:3
Average [3] - 174:11, 204:24, 205:12
average [12] - 174:13, 174:25, 176:10, 176:13, 176:15, 217:3, 217:7, 217:18, 219:8, 219:15, 222:1, 224:8
Avi [4] - 226:17, 226:21, 227:1, 227:4
avoid [1] - 91:17
avoiding [1] - 55:24
aware [17] - 11:3, 11:7, 11:12, 20:14, 21:6, 25:20, 25:22, 33:4, 62:12, 85:5, 121:16, 126:1, 140:3, 200:12, 212:11, 213:8, 213:12
awareness [2] - 16:24, 131:7
awful [1] - 199:25

B

backed [1] - 36:4
background [6] - 7:10, 51:3, 54:5, 83:10, 101:8, 161:11
backside [1] - 151:3
backward [4] - 105:24, 106:13, 108:4, 109:12
bad [1] - 194:16
bag [3] - 47:7, 142:6, 142:25
Bahamas [1] - 208:19
ball [1] - 79:9
band [1] - 114:14
Bank [1] - 171:20
bank [17] - 166:16, 167:8, 168:10, 168:23, 170:11, 171:20, 172:4, 175:8, 175:10, 185:9, 200:15, 200:18, 201:20, 202:7, 203:3, 216:16
banking [1] - 201:3
bankruptcy [3] - 181:6, 181:7, 181:10
banks [17] - 164:21, 164:22, 166:1, 166:9,

166:13_, 166:17_, 166:19_, 166:21_, 167:6_, 167:7_, 167:9_, 171:13_, 171:15_, 171:17_, 175:19_, 195:4_, 195:9

banks' [1]_ - 166:10

barrier [2]_ - 153:22

base [3]_ - 21:4_, 150:17_, 150:22

based [29]_ - 12:7_, 14:14_, 27:23_, 33:4_, 34:15_, 34:16_, 37:14_, 41:13_, 43:16_, 81:22_, 83:15_, 93:13_, 104:8_, 110:11_, 116:2_, 122:2_, 122:8_, 123:11_, 139:17_, 149:8_, 149:12_, 154:23_, 154:25_, 155:21_, 159:25_, 180:9_, 181:18_, 189:23_, 218:23

basic [8]_ - 77:6_, 99:25_, 100:17_, 102:10_, 111:16_, 128:2_, 173:16_, 173:17

basics [2]_ - 79:2_, 91:24

basing [5]_ - 128:3_, 128:5_, 128:11_, 129:16_, 158:25

basis [3]_ - 13:21_, 136:6_, 136:19

bat [1]_ - 197:18

batch [2]_ - 163:18_, 170:22

batteries [2]_ - 121:21_, 121:22

battery [4]_ - 121:13_, 121:18_, 121:25

Baylor [1]_ - 139:9

Beach [31]_ - 8:12_, 9:17_, 46:14_, 46:22_, 47:1_, 47:10_, 47:25_, 50:5_, 51:9_, 52:2_, 52:16_, 52:17_, 54:25_, 55:11_, 70:11_, 72:7_, 73:12_, 87:15_, 92:2_, 92:4_, 104:2_, 113:21_, 114:3_, 115:19_, 125:23_, 135:18_, 135:20_, 136:18_, 144:25_, 150:18_, 159:8

became [6]_ - 48:13_, 52:1_, 100:7_, 103:4_, 139:11_, 163:12

become [13]_ - 11:7_, 44:18_, 44:21_, 50:11_, 100:4_, 100:6_, 101:12_, 101:18_, 138:21_, 162:18_, 200:6_, 212:22_, 213:12

becoming [2]_ - 100:10_, 124:22

bedrest [3]_ - 199:23_, 215:24_, 216:1

began [6]_ - 36:20_, 77:23_, 151:24_, 208:1_, 208:25_, 209:22

begin [7]_ - 7:3_, 15:17_, 77:18_, 77:22_, 82:24_, 198:13_, 225:10

beginning [5]_ - 67:14_, 77:2_, 107:3_, 143:20_, 163:12

begins [1]_ - 83:14

behalf [5]_ - 3:8_, 3:14_, 8:6_, 8:17_, 214:17

behind [5]_ - 53:22_, 108:24_, 117:1_, 125:3_, 129:9

below [1]_ - 67:23

belt [1]_ - 149:3

bench [2]_ - 30:6_, 32:22

benches [4]_ - 210:6_, 210:15_, 210:25_, 211:16

benching [1]_ - 209:20

benchmarks [1]_ - 139:18

bend [7]_ - 116:3_, 116:13_, 116:14_, 128:10_, 129:9_, 129:11_, 129:15

benign [1]_ - 92:11

bent [3]_ - 114:13_, 129:6_, 129:13

best [6]_ - 18:16_, 50:18_, 218:2_, 221:25_, 222:7

best-case [1]_ - 221:25

better [11]_ - 48:15_, 65:13_, 86:18_, 93:12_, 93:19_, 148:8_, 155:17_, 171:15_, 171:16_, 217:21_, 222:22

between [14]_ - 12:5_, 13:13_, 14:2_, 14:10_, 27:18_, 75:16_, 78:11_, 88:5_, 137:19_, 193:13_, 194:15_, 206:6_, 209:22_, 217:15

beyond [4]_ - 10:23_, 90:20_, 146:22_, 219:12

bicycle [1]_ - 124:6

big [9]_ - 14:25_, 60:9_, 82:6_, 82:10_, 88:17_, 97:4_, 171:20_, 193:3_, 219:24

Big [4]_ - 210:14_, 210:20_, 210:22_, 211:6

biggest [1]_ - 219:11

bikes [1]_ - 120:18

bilateral [1]_ - 156:22

bills [2]_ - 165:22_, 219:23

binds [1]_ - 188:18

birthday [1]_ - 201:17

birthmarks [1]_ - 143:3

bit [35]_ - 7:10_, 7:23_, 10:11_, 26:2_, 37:1_, 57:16_, 72:13_, 74:9_, 78:15_, 79:7_, 79:16_, 82:11_, 82:17_, 83:22_, 85:16_, 87:7_, 90:12_, 92:10_, 95:11_, 99:13_, 107:25_, 109:2_, 109:3_, 112:7_, 126:21_, 135:24_, 142:10_, 209:13_, 209:14_, 219:7_, 222:10_, 222:12_, 225:5_, 226:3

blade [2]_ - 105:12_, 108:11

blades [1]_ - 108:12

bleed [1]_ - 146:16

bless [1]_ - 4:25

block [1]_ - 222:3

blocking [5]_ - 43:8_, 43:12_, 43:15_, 43:20

blood [22]_ - 92:25_, 112:3_, 137:21_, 146:15_, 146:16_, 147:13_, 148:13_, 148:14_, 148:18_, 148:23_, 148:25_, 149:17_, 149:18_, 149:19_, 151:6_, 151:9_, 152:14_, 154:13_, 154:16

blowing [2]_ - 69:24_, 108:21

blown [1]_ - 65:8

blue [2]_ - 64:3_, 146:18

blunt [7]_ - 145:17_, 146:6_, 146:14_, 146:22_, 146:23_, 147:12_, 159:23

BMX [1]_ - 120:18

board [26]_ - 9:24_, 10:8_, 10:12_, 13:9_, 14:7_, 14:9_, 19:16_, 21:1_, 26:9_, 26:10_, 28:20_, 36:24_, 38:21_, 81:12_, 81:17_, 82:8_, 85:3_, 94:7_, 95:8_, 110:2_, 111:22_, 111:24_, 139:11_, 139:18_, 139:23_, 139:24

board-certified [4]_ - 139:11_, 139:18_, 139:23_, 139:24

boarded [1]_ - 53:9

boarding [1]_ - 81:25

boards [1]_ - 139:16

boat [73]_ - 24:5_, 33:14_, 34:10_, 34:22_, 34:25_, 35:3_, 35:13_, 36:2_, 37:19_, 37:20_, 38:2_, 41:11_, 47:17_, 52:5_, 52:12_, 52:16_, 53:6_, 53:9_, 54:24_, 55:9_, 55:19_, 55:20_, 61:16_, 64:6_, 64:8_, 64:18_, 64:23_, 65:14_, 65:18_, 65:19_, 66:9_, 66:11_, 66:14_, 66:16_, 67:1_, 67:18_, 68:13_, 68:15_, 68:16_, 68:17_, 69:5_, 69:21_, 69:25_, 70:1_, 70:8_, 77:20_, 78:11_, 79:8_, 79:21_, 80:9_, 82:4_, 82:20_, 82:23_, 85:13_, 85:24_, 88:10_, 89:23_, 105:4_, 112:17_, 118:25_, 119:6_, 145:19_, 149:14_, 200:7_, 204:8_, 208:16_, 209:16_, 218:7_, 219:2_, 219:4_, 220:24

boating [14]_ - 47:5_, 47:6_, 47:21_, 47:23_, 47:24_, 48:2_, 48:6_, 48:18_, 49:13_, 50:1_, 50:3_, 52:3_, 93:12

boats [10]_ - 49:2_, 51:6_, 55:24_, 56:1_, 81:14_, 81:21_, 81:22_, 81:24_, 82:21_, 128:21

bodily [2]_ - 137:20_, 137:24

body [32]_ - 4:22_, 5:3_, 84:6_, 84:7_, 84:8_, 84:15_, 84:18_, 137:2_, 137:15_, 137:16_, 139:4_, 141:24_, 142:1_, 142:4_, 142:5_, 142:20_, 142:23_, 142:25_, 143:1_, 143:3_, 143:4_, 143:6_, 143:10_, 145:17_, 146:15_, 146:20_, 146:25_, 149:16_, 150:16_, 152:2_, 159:25

bolded [1]_ - 179:13

bone [2]_ - 146:24_, 148:5

bones [2]_ - 147:25_,

148:2
bookkeeper^[1] - 220:5
bookkeeping^[4] -
 214:19, 214:23, 214:25
 -, 215:14
books^[14] - 200:4,
 200:11, 203:24, 204:4,
 215:2, 216:4, 217:2,
 217:23, 218:3, 218:9,
 218:13, 218:16, 218:18
 -, 218:19
born^[1] - 51:5
borrow^[1] - 168:10
Borrower^[1] - 173:1
borrower^[26] - 167:23,
 168:22, 168:24, 169:21
 -, 170:4, 172:8, 172:19
 -, 172:21, 173:4,
 173:24, 175:3, 175:4,
 175:7, 175:20, 175:22,
 175:25, 177:3, 179:15,
 179:25, 184:5, 184:24,
 185:7, 185:12, 187:3,
 188:3, 195:13
borrower's^[1] - 171:10
borrower/applicant
^[1] - 181:16
borrowers^[6] - 169:13
 -, 169:23, 170:18,
 172:3, 188:11, 188:15
borrowers'^[1] - 195:1
Boston^[1] - 73:6
bottle^[3] - 84:10, 84:11
 -, 84:14
bottom^[15] - 35:7, 35:9
 -, 144:24, 151:2,
 178:16, 178:19, 180:13
 -, 182:1, 182:2, 188:1,
 188:2, 188:13, 199:5,
 205:17, 211:10
bound^[3] - 112:16,
 120:23, 124:22
boy^[1] - 131:10
brake^[1] - 120:19
Brammeier^[1] - 226:16
branched^[1] - 154:3
branches^[4] - 152:20,
 153:24, 154:9, 156:25
branching^[1] - 154:6
brand^[2] - 57:3, 120:17
brand-new^[1] - 57:3
brands^[1] - 50:12
break^[17] - 45:13, 61:24
 -, 70:23, 72:13, 78:11,

78:14, 120:20, 130:4,
 130:7, 142:10, 146:23,
 188:21, 190:8, 190:10,
 190:11, 190:15, 219:14
breastplate^[1] - 137:10
breathe^[5] - 152:12,
 153:12, 153:13, 153:21
breathing^[1] - 84:6
bridge^[16] - 11:24, 29:4
 -, 29:13, 29:18, 36:21,
 36:22, 36:25, 39:18,
 39:21, 40:5, 40:6, 42:1
 -, 43:22, 90:19, 91:18,
 124:2
brief^[9] - 43:25, 77:25,
 78:1, 78:2, 83:21,
 84:22, 98:7, 150:3,
 221:20
briefed^[1] - 10:7
briefly^[8] - 4:18, 9:19,
 11:22, 17:21, 88:15,
 88:25, 90:15, 223:25
briefs^[2] - 16:22, 84:20
bring^[3] - 30:15, 36:24
 -, 220:25
bringing^[1] - 109:1
brings^[1] - 141:25
broad^[3] - 62:21,
 135:25, 169:20
broadly^[2] - 9:21, 20:5
broken^[3] - 114:14,
 117:3, 118:3
bronchi^[3] - 154:10,
 156:22, 156:25
bronchials^[1] - 154:10
bronchus^[2] - 154:4,
 154:5
brother^[1] - 131:12
brought^[2] - 142:5,
 142:16
bruise^[3] - 114:21,
 114:23, 117:10
brute^[1] - 132:20
bubbles^[3] - 84:12,
 84:14, 84:17
bucks^[4] - 218:24,
 222:7, 222:14
buggies^[1] - 210:24
build^[2] - 15:20, 81:24
building^[2] - 13:19,
 193:24
built^[3] - 57:22, 81:21,
 86:15

bump^[1] - 35:6
bunch^[2] - 34:15, 86:9
buoy^[3] - 66:15, 66:17,
 79:10
burden^[1] - 184:20
business^[99] - 22:20,
 22:24, 23:4, 23:12,
 23:14, 25:1, 75:17,
 161:21, 163:16, 163:21
 -, 164:17, 165:6, 165:8
 -, 165:12, 166:13,
 166:14, 169:3, 169:24,
 170:2, 173:19, 173:20,
 173:22, 173:25, 174:3,
 174:13, 174:16, 178:25
 -, 179:1, 179:2, 179:5,
 179:20, 179:21, 179:22
 -, 179:25, 180:1, 180:6
 -, 180:11, 181:7,
 183:10, 183:12, 184:18
 -, 184:21, 186:7,
 186:20, 186:22, 186:24
 -, 187:14, 191:5, 191:8
 -, 191:12, 191:18,
 191:19, 192:16, 192:21
 -, 193:1, 193:6, 193:8,
 193:18, 193:19, 193:20
 -, 194:1, 194:11,
 194:16, 198:6, 198:7,
 198:9, 198:12, 199:10,
 199:14, 199:15, 199:17
 -, 200:15, 201:3, 201:7
 -, 201:13, 201:20,
 202:24, 203:24, 207:25
 -, 208:2, 208:12, 209:2
 -, 209:22, 214:2,
 214:24, 216:4, 217:3,
 217:24, 218:8, 218:22,
 219:18, 220:5, 222:11
Business^[1] - 161:13
businesses^[13] -
 161:20, 162:2, 162:14,
 162:15, 163:5, 165:14,
 165:24, 167:13, 167:15
 -, 169:16, 170:21,
 179:8, 194:14
butt^[1] - 114:24
buttocks^[1] - 150:20
buy^[6] - 56:19, 165:9,
 165:21, 178:12, 193:22
 -, 210:1
BY^[76] - 7:7, 17:10,
 18:9, 19:14, 22:3, 24:2
 -, 33:1, 39:4, 42:23,
 43:5, 44:10, 46:12,
 51:20, 52:23, 53:15,
 54:14, 58:16, 59:17,
 62:1, 63:1, 63:8, 65:4,

67:9, 69:14, 72:4, 74:20
 -, 76:7, 95:17, 98:20,
 99:2, 104:20, 105:17,
 106:9, 114:1, 114:9,
 116:1, 119:23, 122:24,
 135:14, 141:5, 144:18,
 150:10, 151:16, 153:7,
 156:12, 157:19, 158:2,
 161:6, 172:12, 178:18,
 184:1, 185:20, 189:1,
 189:21, 190:24, 197:2,
 198:16, 198:23, 200:22,
 202:1, 202:18, 204:20,
 205:8, 206:11, 207:8,
 209:8, 210:11, 211:4,
 212:1, 212:8, 212:16,
 213:1, 214:9, 221:22,
 223:11, 224:6

C

C-corp^[1] - 173:21
C-O-L-E^[1] - 71:24
cable^[10] - 120:17,
 120:19, 120:21, 121:4,
 121:6, 124:6, 124:9,
 124:12, 124:21, 221:14
cables^[16] - 20:9,
 120:24, 121:9, 121:15,
 123:20, 124:3, 124:4,
 124:5, 124:8, 124:16,
 124:18, 124:22, 124:25
 -, 125:16, 125:18
calcaneus^[1] - 199:21
calculate^[1] - 61:9
calculation^[3] - 176:6,
 176:8, 176:21
calculations^[2] - 34:14
 -, 34:17
Caleb^[1] - 3:10
calipers^[2] - 120:20,
 124:7
call-out^[1] - 65:16
calm^[6] - 115:19,
 125:22, 126:6, 126:7,
 126:15, 126:16
cameras^[1] - 106:2
cannot^[1] - 35:20
capability^[1] - 111:8
capable^[1] - 110:1
capacities^[2] - 24:19,
 132:13
capacity^[20] - 17:13,
 19:3, 22:16, 23:2, 23:5
 -, 23:9, 23:15, 23:16,

24:5_, 24:12_, 25:10_,
25:13_, 60:17_, 75:19_,
89:24_, 95:20_, 127:9_,
140:19_, 209:19
capillaries [1]_ - 146:16
capital [3]_ - 123:19_,
161:22_, 164:20
Captain [8]_ - 8:6_, 21:1_,
21:16_, 21:20_, 24:8_,
25:18_, 94:14_, 226:13
captain [45]_ - 16:9_,
17:14_, 19:4_, 53:22_,
54:18_, 55:22_, 67:4_,
67:12_, 68:23_, 79:23_,
80:8_, 80:12_, 80:19_,
83:4_, 84:24_, 85:2_, 85:4
, 85:5, 85:9_, 88:18_,
90:7_, 90:9_, 95:4_, 95:6
, 109:8, 109:13_,
109:16_, 109:22_, 110:4_,
110:16_, 110:19_, 110:20
, 111:5, 111:23_,
122:16_, 122:19_, 123:10
, 132:2, 132:10_, 133:4
, 133:10, 133:13_,
133:22_, 134:6_, 226:14
captains [4]_ - 16:17_,
90:3_, 90:4_, 112:17
capture [1]_ - 68:5
car [6]_ - 51:7_, 107:6_,
107:16_, 107:19_, 121:5_,
121:8
carbon [1]_ - 154:14
card [20]_ - 56:10_, 56:11
, 56:16, 56:18_, 57:1_,
57:3_, 57:6_, 57:10_,
57:11_, 57:20_, 57:24_,
57:25_, 58:2_, 58:4_, 58:5
, 58:19, 58:20_, 59:10
cards [3]_ - 57:19_, 58:24
_, 59:20
care [1]_ - 61:17
career [12]_ - 47:19_, 48:3
, 48:7, 48:8_, 50:13_,
92:21_, 100:15_, 100:21_,
127:8_, 127:9_, 128:12_,
128:20
CARES [1]_ - 163:14
cargo [1]_ - 19:5
Caribbean [1]_ - 72:12
Carolina [2]_ - 72:12_,
139:14
carry [3]_ - 18:18_, 58:1_,
66:15
carrying [2]_ - 13:7_,
94:3

cars [1]_ - 49:2
Carter [1]_ - 227:14
case [48]_ - 3:3_, 9:8_,
20:5_, 25:3_, 37:12_, 54:8
, 60:20, 61:15_, 62:6_,
62:20_, 76:10_, 76:23_,
103:24_, 106:15_, 110:6_,
116:18_, 122:16_, 123:4_,
123:12_, 124:8_, 124:11_,
132:7_, 132:9_, 133:12_,
133:19_, 139:24_, 140:8_,
140:9_, 140:11_, 150:18_,
152:1_, 155:1_, 155:23_,
158:8_, 165:16_, 221:25_,
222:7_, 225:8_, 225:10_,
225:11_, 225:13_, 225:14
, 225:18, 225:21_,
225:22_, 225:24_, 228:3
Case [1]_ - 3:5
cases [7]_ - 49:20_, 136:8
, 136:14, 141:14_,
141:16_, 141:17_, 175:14
casualties [15]_ - 9:15_,
11:12_, 11:22_, 12:2_,
14:24_, 15:3_, 16:5_, 89:3
, 90:13, 90:15_, 90:17_,
92:23_, 93:15_, 94:22_,
112:4
casualty [27]_ - 8:8_, 9:17
, 9:19, 9:24_, 10:18_,
13:2_, 14:21_, 15:12_,
15:16_, 15:23_, 15:25_,
16:11_, 37:23_, 38:3_,
51:13_, 51:17_, 73:22_,
74:5_, 74:13_, 76:13_,
86:20_, 87:2_, 87:5_,
91:22_, 103:17_, 104:3_,
118:24
categories [5]_ - 146:9_,
177:6_, 177:15_, 178:4_,
178:10
categorized [1]_ - 87:21
category [3]_ - 13:9_,
136:16_, 178:10
caused [10]_ - 91:6_,
114:23_, 116:2_, 117:10_,
119:8_, 124:17_, 127:25_,
128:1_, 128:2_, 158:21
causes [6]_ - 15:3_, 155:5
, 155:15, 158:12_,
158:15_, 158:18
causing [2]_ - 132:2_,
132:4
caves [1]_ - 75:21
CDFIs [1]_ - 167:10
Cederholm [1]_ - 226:14

cell [1]_ - 50:20
cellular [1]_ - 42:13
Center [1]_ - 76:18
center [11]_ - 9:14_, 9:16
, 11:17, 54:23_, 68:18_,
113:24_, 150:21_, 151:7_,
153:14_, 154:2_, 201:4
cents [1]_ - 175:1
certain [12]_ - 18:1_,
72:17_, 72:20_, 73:17_,
108:7_, 108:13_, 112:18_,
113:1_, 137:9_, 139:17_,
159:15_, 175:14
certainly [1]_ - 224:21
certificate [9]_ - 88:20_,
89:16_, 94:6_, 94:7_,
95:19_, 96:7_, 138:6_,
155:8_, 155:14
certificates [4]_ - 95:10
, 136:2, 136:17_,
136:21
certification [7]_ - 75:9_,
75:20_, 78:20_, 79:1_,
103:13_, 103:14_, 103:15
certifications [11]_ - 9:2
, 49:23, 75:6_, 77:12_,
78:17_, 78:18_, 103:11_,
182:3_, 183:19_, 188:5_,
188:11
certified [9]_ - 51:6_, 75:3
, 75:4, 139:7_, 139:11_,
139:18_, 139:23_, 139:24
_, 218:4
certifying [1]_ - 181:23
cetera [6]_ - 165:9_,
165:21_, 204:12_, 210:7_,
210:25_, 219:13
CFR [3]_ - 90:18_, 110:9_,
112:19
chain [1]_ - 93:7
challenge [3]_ - 30:9_,
32:8_, 32:9
chamber [1]_ - 162:13
chance [2]_ - 66:10_,
149:5
change [4]_ - 100:2_,
125:10_, 199:19_, 208:15
changed [1]_ - 102:21
changes [7]_ - 93:5_,
93:10_, 100:2_, 102:23_,
102:25_, 112:5_, 124:20
changing [1]_ - 102:19
channel [6]_ - 35:18_,
41:1_, 43:8_, 43:13_,

43:15
chapter [1]_ - 222:3
characteristics [1]_ -
154:23
charge [5]_ - 4:15_, 16:9_,
94:24_, 216:4_, 228:11
charged [2]_ - 133:11_,
220:12
chart [4]_ - 43:18_, 43:23
, 180:14, 186:6
charter [22]_ - 21:7_, 23:2
, 23:7, 75:17_, 77:1_,
78:19_, 79:15_, 85:17_,
87:18_, 109:4_, 109:9_,
111:18_, 132:4_, 191:8_,
198:8_, 204:9_, 214:2_,
217:12_, 219:11_, 219:12
, 219:23, 220:17
charters [9]_ - 75:25_,
76:5_, 204:12_, 209:17_,
209:18_, 217:5_, 217:14_,
219:9
Charters [23]_ - 20:20_,
174:2_, 186:9_, 198:8_,
198:11_, 199:2_, 200:15_,
201:2_, 201:8_, 201:11_,
204:22_, 205:2_, 205:24_,
206:2_, 206:17_, 206:23_,
207:13_, 207:17_, 214:14
, 214:18, 214:23_,
216:14_, 220:23
Charters' [2]_ - 200:12_,
202:12
check [12]_ - 77:11_,
77:12_, 118:5_, 118:12_,
210:12_, 210:14_, 210:16
, 211:3, 211:6_, 211:10
, 211:11, 213:23
checked [1]_ - 142:22
checking [1]_ - 78:9
checks [2]_ - 111:16_,
211:15
chest [1]_ - 137:10
chief [4]_ - 101:1_, 101:2_,
101:6_, 228:3
children [1]_ - 165:21
choice [1]_ - 172:1
choose [1]_ - 166:14
chop [13]_ - 143:21_,
144:1_, 144:8_, 145:18_,
147:2_, 147:6_, 147:8_,
148:4_, 148:5_, 148:8_,
149:15_, 158:16_, 158:17
chose [1]_ - 131:2
chosen [2]_ - 130:24_,

165:25
Chris [2] - 76:12, 226:14
Christopher [2] - 6:14, 7:1
CHRISTOPHER [1] - 7:4
chronological [1] - 46:17
chunk [1] - 219:24
circle [2] - 145:11, 157:5
circled [4] - 65:7, 68:21, 156:19, 157:9
circuit [1] - 121:22
circumstances [4] - 155:20, 159:11, 159:16, 164:19
civilian [3] - 68:1, 99:7, 99:11
claims [1] - 195:1
clarify [3] - 26:16, 95:2, 191:4
clarity [2] - 42:20, 53:20
clarity's [1] - 133:17
classes [1] - 101:12
classified [1] - 87:20
clean [1] - 57:8
clear [12] - 27:17, 63:6, 69:13, 107:14, 108:1, 132:16, 163:13, 167:19, 177:19, 201:10, 204:2, 206:5
clearly [1] - 23:23
click [1] - 56:23
close [9] - 65:8, 66:7, 67:25, 68:3, 82:22, 115:16, 143:23, 206:2, 207:17
close-up [1] - 65:8
closed [2] - 183:3, 183:8
closely [1] - 171:9
closer [3] - 43:21, 64:7, 67:11
closer-up [1] - 64:7
closest [1] - 66:7
clothing [6] - 137:2, 142:24, 143:1, 143:2, 143:24, 149:3
clutch [1] - 83:13
co [1] - 198:6
co-owned [1] - 198:6

Coast [93] - 3:10, 7:15, 7:16, 7:18, 8:19, 12:2, 12:9, 12:10, 12:11, 12:19, 12:23, 13:18, 13:20, 13:23, 14:23, 14:25, 15:11, 15:24, 16:6, 16:12, 17:25, 21:3, 72:9, 72:17, 72:21, 72:23, 73:1, 73:6, 73:14, 73:20, 74:1, 74:13, 74:15, 75:5, 76:1, 76:6, 78:1, 86:23, 86:25, 89:2, 89:12, 89:13, 89:19, 90:5, 90:7, 90:14, 91:2, 91:7, 91:20, 92:19, 92:22, 93:6, 93:14, 93:21, 93:24, 94:1, 94:5, 94:23, 95:19, 95:20, 99:5, 99:6, 99:8, 99:9, 99:11, 100:13, 100:16, 101:17, 101:18, 101:24, 102:5, 103:22, 104:12, 104:17, 110:3, 110:15, 112:7, 112:8, 112:9, 112:18, 113:8, 117:4, 117:12, 117:13, 117:22, 122:18, 123:7, 208:7, 208:12, 212:23, 213:19, 214:3, 218:4
coast [8] - 66:6, 96:20, 96:21, 96:24, 97:14, 97:16, 113:20, 114:3
coast-wise [5] - 96:20, 96:21, 96:24, 97:14, 97:16
Code [3] - 101:9, 101:22, 112:11
code [1] - 113:4
codified [2] - 112:9, 112:10
Coke [3] - 84:10, 84:14
COLE [1] - 72:1
Cole [6] - 71:11, 71:12, 71:23, 72:5, 75:25, 97:18
collaborated [1] - 29:12
collaborating [1] - 162:13
collaboration [1] - 38:20
collated [1] - 138:5
colleagues [2] - 136:14, 140:5

collect [2] - 15:8, 169:2
collected [2] - 92:14, 137:22
collection [2] - 50:19, 92:17
collectively [1] - 29:1
College [1] - 139:9
college [1] - 168:18
colloquially [1] - 92:22
colors [1] - 154:13
column [2] - 156:18, 157:3
columns [1] - 156:18
combined [1] - 143:22
combining [1] - 62:3
combustion [1] - 107:19
Comfort [21] - 11:4, 14:15, 16:14, 19:19, 19:22, 20:20, 34:6, 51:23, 52:25, 53:24, 54:17, 59:4, 62:12, 113:12, 113:14, 209:12, 210:1, 221:5, 221:7, 221:11, 221:14
comfortability [1] - 78:25
coming [25] - 16:11, 29:3, 29:14, 29:19, 31:12, 36:14, 39:11, 40:1, 40:20, 65:14, 69:24, 74:3, 76:14, 80:3, 80:8, 82:3, 82:10, 83:19, 84:7, 85:23, 105:13, 152:10, 171:4, 221:5
command [4] - 9:14, 9:16, 11:17, 93:7
Commander [6] - 71:11, 71:13, 72:5, 75:25, 97:18, 97:24
commander [1] - 47:13
commanders [1] - 99:24
commands [1] - 80:10
commerce [1] - 183:11
commercial [24] - 8:8, 12:6, 12:25, 14:24, 17:13, 19:3, 22:16, 23:5, 23:9, 23:16, 24:12, 25:10, 25:12, 38:5, 44:13, 74:6, 74:17, 88:8, 97:3, 99:21, 101:19, 101:22,

104:13, 104:19
commercially [7] - 19:6, 73:21, 87:4, 89:15, 89:21, 96:21, 97:16
commercially-operated [1] - 73:21
Commission [2] - 46:21, 47:1
commission [1] - 215:22
committing [1] - 213:20
common [5] - 96:23, 136:17, 139:23, 173:6, 174:20
commotion [3] - 36:16, 39:6, 39:18
communicate [1] - 159:10
communicated [1] - 140:9
communicating [1] - 39:14
community [1] - 167:10
comp [1] - 222:18
companies [2] - 169:17, 214:19
company [9] - 77:5, 78:23, 170:9, 175:9, 199:7, 199:12, 204:3, 215:1, 215:8
comparative [1] - 126:18
compare [2] - 107:4, 141:12
compared [1] - 14:1
compensated [3] - 195:11, 195:18, 195:20
competency [3] - 111:4, 111:8, 125:18
complete [5] - 64:21, 65:17, 67:20, 150:2
completed [3] - 122:14, 139:11, 151:17
complex [1] - 102:13
compliance [6] - 21:21, 24:6, 25:17, 94:20, 101:10, 101:21
complied [1] - 25:23
component [2] - 121:7, 121:11
components [2] - 121:16, 180:22

compressing [1] - 154:19
compression [1] - 107:20
computer [9] - 50:7, 50:19, 56:12, 57:12, 58:4, 59:25, 60:5, 86:5, 86:8
computers [1] - 98:25
concealment [1] - 18:16
conceivable [1] - 133:7
concept [3] - 115:3, 115:5, 116:21
conceptual [1] - 131:23
concern [3] - 17:7, 167:13, 213:11
concerned [1] - 67:15
concerning [1] - 30:7
concerns [2] - 91:4, 132:1
conclude [3] - 122:4, 122:6, 122:10
concluded [2] - 32:22, 228:17
concludes [2] - 228:12, 228:15
conclusion [2] - 38:21, 151:21
conclusions [1] - 156:9
concur [2] - 4:14, 5:10
condition [6] - 19:19, 20:13, 56:15, 90:21, 109:6, 159:16
conditioning [1] - 100:18
conditions [4] - 80:25, 81:3, 82:9, 194:18
conduct [6] - 37:18, 50:21, 86:25, 99:21, 125:18, 201:13
conducted [9] - 28:19, 29:2, 37:14, 49:24, 53:4, 76:12, 128:6, 143:15, 159:4
conducting [4] - 38:18, 74:22, 97:16, 128:17
conduit [1] - 153:12
conduits [1] - 154:4
confer [3] - 5:11, 43:25, 130:14
conference [1] - 228:11
Conference [2] - 30:6, 32:22
conferring [1] - 131:1
configuration [1] - 53:19
confined [1] - 62:17
confirm [1] - 175:11
confirmed [2] - 25:6, 26:15
confirming [1] - 79:23
confusion [3] - 5:3, 5:5, 38:4
Congress [7] - 163:4, 163:14, 163:18, 165:11, 165:18, 165:23, 184:18
Congress's [1] - 164:4
congressional [1] - 171:12
connected [2] - 56:14, 107:7
connecting [2] - 64:9, 120:9
connection [1] - 49:8
connects [1] - 106:20
connivance [2] - 132:4, 134:3
CONNIVANCE [1] - 132:5
conscious [1] - 149:10
Conservation [3] - 10:3, 46:21, 47:1
considered [12] - 9:24, 19:6, 35:7, 35:9, 35:18, 36:1, 91:18, 117:8, 117:25, 147:6, 194:9, 209:15
consist [1] - 220:17
consistent [5] - 64:23, 65:19, 69:7, 69:21, 143:8
constantly [2] - 102:19, 102:20
constitute [1] - 134:10
consult [2] - 99:23, 136:5
consults [1] - 100:1
consuming [1] - 81:7
contact [8] - 42:6, 42:7, 42:9, 173:24, 174:3, 174:6, 186:10, 225:17
contacted [3] - 42:11, 42:14, 52:6
contacting [2] - 40:12, 41:22
contain [1] - 60:25
contained [1] - 189:22
containers [1] - 8:10
contemporaneous [1] - 4:2
contents [1] - 142:7
context [3] - 155:19, 156:7, 163:7
continue [17] - 10:23, 15:21, 15:22, 17:9, 36:21, 40:4, 42:17, 45:13, 45:14, 51:21, 58:13, 102:17, 106:8, 117:18, 130:6, 142:15, 223:9
continued [5] - 39:17, 39:24, 40:8, 40:23, 49:20
continues [1] - 113:10
continuing [2] - 42:15, 213:25
continuously [1] - 61:12
contractor [2] - 173:22, 183:4
contractors [2] - 182:22, 183:7
contribute [1] - 155:5
contributed [1] - 155:16
contributing [1] - 157:21
contribution [1] - 170:14
contributory [7] - 155:15, 155:18, 158:10, 158:12, 158:15, 158:18
Control [3] - 72:10, 72:14, 72:15
control [11] - 28:2, 28:10, 28:13, 28:14, 29:4, 29:19, 38:12, 39:19, 40:24, 42:3, 217:5
controlled [1] - 123:22
controllers [5] - 120:2, 120:16, 121:3, 123:22, 124:8
controls [14] - 19:17, 20:5, 20:9, 118:24, 119:18, 120:5, 120:8, 120:14, 121:1, 121:12, 124:4, 212:11, 212:19, 217:4
contusion [3] - 146:14, 147:13
conversation [1] - 213:24
conversations [1] - 43:17
conveying [1] - 27:20
cooperative [1] - 31:15
coordinate [1] - 60:18
copy [5] - 57:8, 57:12, 58:4, 133:18
corner [2] - 63:12, 205:18
corp [2] - 173:21
corporate [2] - 202:12, 204:1
corporation [3] - 203:10, 214:17, 218:19
corporations [2] - 203:20, 207:12
correct [86] - 5:7, 5:13, 20:16, 20:18, 23:4, 23:11, 24:17, 24:23, 24:24, 25:2, 25:4, 27:14, 29:22, 29:24, 30:13, 33:7, 33:8, 33:10, 33:11, 34:12, 41:2, 41:12, 41:17, 41:19, 42:6, 44:16, 45:2, 101:15, 101:20, 101:25, 102:3, 104:10, 109:18, 113:15, 117:5, 117:23, 118:21, 119:15, 120:12, 121:3, 123:2, 123:3, 123:6, 124:17, 127:3, 127:4, 127:25, 128:1, 128:15, 128:22, 128:23, 133:15, 134:6, 134:7, 168:7, 175:20, 175:21, 176:20, 178:5, 181:21, 182:4, 189:7, 190:3, 192:7, 192:8, 192:19, 193:10, 194:2, 194:3, 195:14, 216:9, 216:12, 216:14, 216:15, 216:16, 216:20, 216:22, 216:23, 216:25, 217:1, 219:24, 221:6, 221:12, 227:15, 227:16, 227:25
corrected [1] - 111:15
corrective [5] - 110:18,

111:1_, 111:2_, 111:10_,
113:9
correctly [6]_ - 27:20_,
56:14_, 118:18_, 120:23_,
125:6_, 142:19
cost [2]_ - 220:18_, 220:22
costs [1]_ - 177:10
cough [1]_ - 49:17
counsel [4]_ - 30:24_,
32:14_, 125:24_, 125:25
Counsel [2]_ - 3:6_,
42:20
counseling [1]_ - 161:23
Count [1]_ - 131:25
counter [1]_ - 138:1
counties [1]_ - 162:3
countries [1]_ - 96:20
country [5]_ - 49:15_,
93:9_, 136:4_, 163:13_,
165:18
county [1]_ - 136:20
County [12]_ - 72:7_,
87:16_, 92:4_, 113:21_,
114:3_, 115:19_, 135:18_,
135:20_, 136:18_, 144:25
, 150:18, 159:8
couple [8]_ - 9:1_, 62:4_,
106:18_, 131:22_, 164:25
, 188:23, 191:2_,
214:12
coupled [2]_ - 106:17_,
108:5
course [12]_ - 29:25_,
49:12_, 50:2_, 50:3_,
69:20_, 106:14_, 134:7_,
163:20_, 165:20_, 173:22
, 209:20, 213:21
courses [3]_ - 50:1_, 50:8
_, 50:10
court [8]_ - 74:9_, 140:18
, 144:16, 150:8_, 153:3
, 161:10, 189:10_,
225:25
Court [5]_ - 3:1_, 4:6_,
4:20_, 16:24_, 26:13
COURT [142]_ - 3:2_, 3:12
, 3:16, 4:2_, 4:8_, 4:16_,
4:23_, 5:2_, 5:6_, 5:9_,
5:11_, 5:15_, 5:18_, 5:21
, 5:23, 5:25_, 6:2_, 6:3_,
6:5_, 6:15_, 7:3_, 17:3_,
22:1_, 23:24_, 30:5_, 30:7
, 30:13, 30:17_, 30:23_,
31:22_, 32:2_, 32:6_,
32:20_, 32:23_, 39:2_,

42:17_, 43:3_, 44:1_, 44:5
, 44:7, 45:5_, 45:12_,
45:18_, 46:6_, 51:14_,
51:16_, 52:22_, 58:13_,
58:15_, 59:13_, 61:17_,
61:20_, 70:16_, 70:19_,
70:22_, 71:1_, 71:4_, 71:5
, 71:7, 71:12_, 74:8_,
76:2_, 76:4_, 97:20_,
97:23_, 98:1_, 98:5_,
104:14_, 104:16_, 106:2_,
106:6_, 106:8_, 122:22_,
129:23_, 129:25_, 130:3_,
130:10_, 130:17_, 130:21
, 130:23, 131:3_, 131:6
, 131:10, 131:14_,
131:16_, 131:21_, 132:14
, 132:23, 133:2_,
133:12_, 133:16_, 133:25
, 134:4, 134:11_,
134:14_, 134:15_, 134:17
, 134:21, 134:25_,
141:1_, 141:4_, 144:11_,
144:15_, 150:8_, 151:14_,
153:2_, 157:17_, 160:5_,
160:7_, 160:10_, 160:13_,
160:17_, 188:21_, 188:25
, 189:10, 190:7_,
190:14_, 190:18_, 190:20
, 196:5, 196:10_,
212:25_, 214:6_, 221:19_,
223:8_, 223:21_, 224:25_,
225:2_, 225:4_, 226:7_,
226:21_, 226:24_, 227:2_,
227:4_, 227:7_, 227:10_,
227:14_, 227:17_, 227:22
, 228:4, 228:7_, 228:10
Court's [3]_ - 4:11_, 32:11
_, 131:7
courthouse [1]_ - 226:2
COURTROOM [19]_ -
3:4_, 5:16_, 6:19_, 6:24_,
45:21_, 46:2_, 71:16_,
71:21_, 98:9_, 98:14_,
106:5_, 134:23_, 135:1_,
135:6_, 160:19_, 160:24_,
196:14_, 196:19_, 198:21
courtroom [12]_ - 6:4_,
70:25_, 71:6_, 130:9_,
130:17_, 134:16_, 190:13
, 190:16, 190:19_,
225:14_, 226:6_, 228:13
cover [1]_ - 133:4
covered [6]_ - 145:9_,
177:8_, 177:9_, 177:10_,
187:22
Covered [1]_ - 178:7
covers [1]_ - 8:14

crazy [1]_ - 56:22
Creary [3]_ - 6:17_, 61:21
_, 160:17
create [12]_ - 60:23_, 69:8
, 105:24, 105:25_,
107:17_, 107:21_, 108:20
, 108:23, 116:23_,
116:24_, 117:3_, 119:10
created [9]_ - 43:8_, 68:5
, 108:17, 163:3_, 163:8
, 163:14, 164:2_, 164:4
creates [1]_ - 108:8
creating [5]_ - 107:12_,
108:19_, 125:12_, 125:16
_, 163:10
credential [1]_ - 17:12
credentialed [1]_ -
88:18
credentialings [1]_ -
76:15
credit [3]_ - 167:8_, 167:9
Credit [1]_ - 200:19
crew [12]_ - 26:9_, 26:10_,
39:20_, 82:8_, 85:1_,
90:10_, 110:2_, 110:25_,
199:18_, 204:9_, 218:5_,
222:18
crewing [1]_ - 200:8
crime [1]_ - 104:5
cross [9]_ - 22:1_, 45:10_,
70:16_, 97:20_, 122:22_,
153:11_, 154:9_, 190:21_,
221:23
CROSS [4]_ - 22:2_,
122:23_, 190:23_, 214:8
cross-examination [6]
_ - 22:1_, 45:10_, 70:16_,
97:20_, 122:22_, 190:21
CROSS-
EXAMINATION [4]_ -
22:2_, 122:23_, 190:23_,
214:8
cross-section [2]_ -
153:11_, 154:9
crossed [1]_ - 31:14
cruise [3]_ - 19:3_, 126:19
_, 221:10
crust [1]_ - 193:23
cup [1]_ - 61:19
current [17]_ - 55:10_,
66:8_, 66:11_, 69:22_,
74:21_, 99:14_, 99:15_,
99:16_, 100:12_, 102:17_,
115:11_, 115:17_, 126:1_,

126:5_, 126:10_, 126:24_,
127:25
currents [3]_ - 81:5_,
115:9_, 116:11
curvatures [1]_ - 147:19
curve [1]_ - 69:8
curvy [1]_ - 147:18
custody [1]_ - 213:19
customer [3]_ - 218:23_,
220:13
customers [21]_ - 77:16
, 171:16, 171:18_,
171:19_, 171:21_, 171:22
, 200:6, 204:10_,
208:20_, 218:9_, 218:12_,
218:17_, 218:18_, 218:20
, 218:25, 220:20_,
220:25_, 221:2_, 221:3_,
224:11_, 224:12
cut [7]_ - 40:2_, 147:16_,
154:12_, 182:7_, 182:19_,
227:16
cutoff [1]_ - 13:16
Cutter [1]_ - 73:6
cyber [1]_ - 7:14
cycle [2]_ - 152:23_,
180:13

D

D.C [2]_ - 99:5_, 139:10
damage [6]_ - 47:22_,
90:22_, 128:1_, 128:4_,
151:5_, 177:9
damaged [1]_ - 129:3
danger [3]_ - 105:8_,
113:7_, 117:17
dangerous [1]_ - 80:22
dangers [3]_ - 80:20_,
80:23_, 81:11
dark [2]_ - 55:25_, 154:13
data [33]_ - 15:8_, 48:16_,
50:16_, 51:12_, 51:17_,
54:6_, 56:8_, 56:25_, 57:5
, 57:13, 59:20_, 59:22_,
59:23_, 60:2_, 60:15_,
60:20_, 60:23_, 60:25_,
61:1_, 61:2_, 61:4_, 61:14
, 62:2, 62:20_, 63:3_,
63:17_, 63:22_, 64:2_,
64:17_, 65:7_, 68:4
date [14]_ - 21:19_, 22:10_,
60:12_, 61:10_, 62:9_,
95:24_, 96:4_, 141:22_,

202:9_, 203:1_, 203:12_,
210:16_, 211:11
dates [2]_ - 60:7_, 187:23
Dave [1]_ - 52:8
day's [3]_ - 32:4_, 32:5_,
63:16
day-to-day [1]_ - 162:9
days [2]_ - 57:20_, 221:24
deal [2]_ - 130:15_, 213:25
dealing [2]_ - 57:22_,
92:9
deals [1]_ - 62:20
death [38]_ - 9:23_, 11:25
, 92:7, 132:2_, 132:4_,
133:5_, 136:2_, 136:3_,
136:9_, 136:11_, 136:16_,
136:17_, 136:21_, 136:24
, 137:5, 137:18_, 138:6
, 138:7, 140:25_,
141:10_, 151:19_, 151:21
, 151:25, 152:21_,
155:1_, 155:7_, 155:11_,
155:12_, 155:14_, 155:16
, 155:18, 155:20_,
155:21_, 157:21_, 158:10
, 158:13, 158:14
deaths [1]_ - 139:15
debt [1]_ - 169:2
decades [2]_ - 137:17_,
165:13
deceased [1]_ - 141:25
decedent [11]_ - 141:20_,
141:22_, 142:7_, 143:9_,
144:23_, 145:2_, 145:5_,
152:11_, 153:17_, 158:7_,
160:2
decelerate [1]_ - 107:9
decided [1]_ - 93:2
deciding [1]_ - 179:17
deck [2]_ - 73:5_, 120:3
declared [1]_ - 141:25
decline [2]_ - 179:5_,
179:24
declining [1]_ - 179:3
decompress [3]_ - 84:8
, 84:19, 86:16
decompression [4]_ -
80:4_, 80:6_, 84:3_, 84:18
deep [5]_ - 99:23_, 102:11
, 119:5, 126:22_,
147:11
deep-draft [2]_ - 99:23_,
102:11

deeper [1]_ - 147:1
Deerfield [1]_ - 8:16
defaulted [1]_ - 195:13
defect [1]_ - 145:25
defects [1]_ - 143:4
defendant [23]_ - 3:15_,
9:6_, 14:15_, 21:6_, 31:14
, 32:3, 32:17_, 44:25_,
62:6_, 76:8_, 103:25_,
132:9_, 132:19_, 197:13_,
198:1_, 198:4_, 204:6_,
206:5_, 209:23_, 210:1_,
210:5_, 213:8_, 214:1
defendant's [1]_ - 31:12
defense [9]_ - 3:14_, 5:22
, 30:11, 32:12_, 130:15
, 130:20, 131:2_, 141:2
_, 228:5
deficiencies [1]_ - 94:9
define [4]_ - 48:22_, 55:16
, 87:12, 193:11
defined [7]_ - 27:5_, 27:7
, 27:8, 27:9_, 27:10_,
90:17_, 90:24
definitely [2]_ - 20:12_,
38:16
definition [2]_ - 9:21_,
174:18
definitions [1]_ - 87:8
definitive [1]_ - 148:21
degree [5]_ - 56:20_,
138:23_, 138:25_, 215:16
_, 217:16
degrees [1]_ - 55:20
deliberations [2]_ -
225:10_, 225:23
delicate [2]_ - 146:15_,
147:13
deliver [4]_ - 3:24_, 4:10_,
191:23_, 191:25
delivered [1]_ - 164:22
demographics [1]_ -
142:18
demonstrate [4]_ -
170:7_, 179:1_, 184:24_,
185:3
deoxygenate [2]_ -
152:14_, 154:16
deoxygenated [1]_ -
149:18
Department [4]_ - 46:22
, 47:2, 47:25_, 52:2
department [3]_ - 46:24

, 49:10, 181:6
depict [5]_ - 105:18_,
114:12_, 114:20_, 212:2_,
212:9
depicted [1]_ - 53:21
depicting [1]_ - 105:19
depicts [2]_ - 114:13_,
114:21
deploy [2]_ - 50:21_,
66:14
deposits [2]_ - 170:15_,
175:10
depth [9]_ - 60:13_, 82:17
, 84:1, 84:2_, 86:13_,
87:7_, 145:25_, 146:2_,
146:4
depths [1]_ - 146:25
DEPUTY [19]_ - 3:4_, 5:16
, 6:19, 6:24_, 45:21_,
46:2_, 71:16_, 71:21_,
98:9_, 98:14_, 106:5_,
134:23_, 135:1_, 135:6_,
160:19_, 160:24_, 196:14
, 196:19, 198:21
deputy [1]_ - 162:1
describe [21]_ - 17:21_,
34:4_, 47:18_, 53:4_,
87:10_, 90:15_, 100:4_,
100:13_, 101:4_, 103:3_,
103:20_, 118:11_, 119:2_,
124:3_, 126:5_, 126:15_,
132:12_, 143:19_, 155:5_,
156:21_, 197:18
described [4]_ - 61:2_,
101:12_, 138:12_, 141:13
describing [3]_ - 83:11_,
83:23_, 112:1
design [1]_ - 125:10
designated [1]_ - 76:5
designed [3]_ - 82:21_,
125:12
detachment [4]_ - 7:21_,
11:11_, 73:11_, 76:11
detail [3]_ - 79:7_, 134:9_,
135:24
details [2]_ - 172:15_,
185:21
detective [1]_ - 47:13
determination [4]_ -
92:18_, 141:9_, 155:1_,
155:3
determine [11]_ - 27:24_,
89:14_, 89:20_, 136:15_,
136:24_, 141:14_, 151:19

, 157:2, 158:17_, 171:9
_, 185:6
determined [6]_ - 27:13
, 28:17, 28:21_, 87:9_,
176:13_, 176:15
determining [1]_ -
140:25
developed [2]_ - 48:9_,
48:20
developing [1]_ - 49:12
development [1]_ -
167:10
device [27]_ - 48:23_,
48:25_, 53:17_, 53:21_,
54:1_, 54:7_, 54:16_,
54:17_, 54:20_, 56:2_,
56:18_, 57:5_, 57:6_,
57:17_, 57:22_, 58:21_,
60:7_, 60:9_, 60:17_, 61:5
, 61:6, 61:7_, 61:13_,
63:4_, 63:17_, 64:3_, 89:1
devices [14]_ - 48:13_,
49:8_, 50:12_, 50:16_,
54:8_, 56:9_, 56:10_,
57:14_, 58:23_, 58:24_,
59:2_, 59:19_, 59:22_,
63:22
diagnose [2]_ - 136:4_,
148:22
diagrams [1]_ - 159:25
diaphragm [2]_ - 152:4
dictate [1]_ - 110:4
die [2]_ - 136:10_, 155:6
died [5]_ - 10:20_, 52:13_,
137:25_, 155:9_, 213:18
diesel [7]_ - 100:17_,
106:15_, 107:12_, 107:22
, 219:12, 222:20
Diesels [1]_ - 107:20
differed [1]_ - 209:13
difference [8]_ - 12:5_,
13:13_, 14:2_, 27:18_,
88:5_, 133:20_, 133:21_,
194:15
different [44]_ - 8:22_, 9:2
, 17:24, 20:4_, 34:14_,
34:15_, 34:18_, 35:5_,
48:14_, 50:12_, 57:13_,
57:16_, 58:1_, 61:1_, 75:9
, 79:3, 79:16_, 81:14_,
81:15_, 86:9_, 89:17_,
92:7_, 93:25_, 94:4_,
98:25_, 100:22_, 101:10_,
102:9_, 103:6_, 118:7_,
121:20_, 132:11_, 132:13
, 144:19, 145:16_,

146:7_, 154:12_, 167:5_,
177:5_, 177:12_, 180:21_,
212:17

differentiation [1]_ -
193:13

differently [1]_ - 79:17

digest [1]_ - 78:14

digital [5]_ - 48:9_, 50:8_,
50:18_, 54:22_, 56:11

digitally [1]_ - 60:6

dine [2]_ - 191:24_, 191:25

dine-in [1]_ - 191:24

dinghy [1]_ - 126:20

dioxide [1]_ - 154:14

DIRECT [7]_ - 7:6_, 46:11_,
, 72:3, 98:19, 135:13,
161:5, 197:1

direct [12]_ - 11:18_,
13:18_, 13:25_, 30:24_,
45:10_, 80:13_, 161:24_,
174:10_, 182:6_, 182:13_,
189:2_, 205:11

directed [1]_ - 80:19

directing [5]_ - 70:5_,
86:3_, 113:23_, 205:9_,
205:17

direction [10]_ - 56:1_,
64:6_, 64:19_, 64:23_,
65:14_, 68:10_, 68:15_,
68:17_, 70:11_, 116:21

directly [7]_ - 25:8_,
48:17_, 70:11_, 106:17_,
106:20_, 108:5_, 121:4

director [1]_ - 162:1

disaster [1]_ - 161:25

disasters [1]_ - 161:21

disburse [1]_ - 172:8

disbursed [2]_ - 186:21_,
186:22

discoloration [1]_ -
146:17

discovered [1]_ - 48:16

discrepancy [1]_ - 59:18

discuss [5]_ - 63:18_,
102:22_, 190:10_, 225:8_,
225:9

discussed [4]_ - 67:12_,
95:11_, 208:17_, 208:18

discussing [1]_ - 142:15

discussion [2]_ - 134:11_,
_, 212:12

discussions [1]_ - 209:2

diseases [3]_ - 136:4_,
139:4_, 139:12

disengaged [1]_ -
115:13

display [3]_ - 54:4_, 54:5_,
_, 63:3

distance [3]_ - 60:14_,
80:16_, 82:25

distances [1]_ - 55:25

distraught [2]_ - 213:17_,
_, 213:20

distributed [1]_ - 165:23

district [2]_ - 161:14_,
162:1

District [3]_ - 72:9_, 72:11_,
_, 73:2

disturbed [1]_ - 148:10

ditch [1]_ - 175:22

dive [64]_ - 23:18_, 47:11_,
52:12_, 64:13_, 64:14_,
64:19_, 65:21_, 66:9_,
66:14_, 66:17_, 66:18_,
75:17_, 75:25_, 76:5_,
76:25_, 77:1_, 77:5_,
77:18_, 77:22_, 77:25_,
78:2_, 78:7_, 78:8_, 78:10_,
, 78:12, 78:19_, 78:25_,
79:2_, 79:14_, 79:16_,
80:3_, 80:6_, 81:14_,
81:20_, 83:21_, 83:23_,
83:25_, 84:21_, 84:22_,
84:24_, 85:5_, 85:13_,
85:17_, 86:5_, 86:8_,
86:13_, 86:17_, 87:18_,
95:3_, 103:6_, 191:9_,
191:11_, 208:3_, 208:19_,
209:18_, 210:6_, 210:15_,
210:24_, 210:25_, 211:16_,
, 217:23, 220:13_,
220:16_, 220:17

dived [1]_ - 51:4

divemaster [9]_ - 75:4_,
75:5_, 75:7_, 75:11_,
75:20_, 75:21_, 75:22_,
77:24_, 83:1

diver [19]_ - 10:19_, 51:6_,
74:25_, 75:2_, 75:3_,
103:1_, 103:3_, 103:4_,
103:5_, 103:13_, 103:14_,
103:15_, 116:7_, 116:8_,
127:9_, 127:10_, 127:11_,
128:6_, 128:17

divers [23]_ - 65:22_,
65:25_, 66:14_, 66:17_,
67:4_, 67:5_, 67:13_, 77:3_,
, 78:6, 78:13_, 79:21_,

83:19_, 83:24_, 85:10_,
105:1_, 126:25_, 213:5_,
217:5_, 217:19_, 217:24_,
219:13_, 222:17

dives [9]_ - 75:6_, 75:13_,
75:14_, 77:23_, 86:15_,
103:8_, 103:9_, 220:16_,
220:17

divided [1]_ - 87:11

diving [36]_ - 23:7_, 24:13_,
, 24:14, 51:4_, 51:7_,
64:24_, 66:2_, 75:12_,
75:13_, 78:21_, 80:15_,
80:21_, 80:22_, 81:11_,
81:12_, 83:17_, 84:5_,
84:15_, 85:14_, 86:2_,
103:12_, 104:22_, 104:23_,
, 105:2, 105:8_, 113:3_,
117:8_, 118:24_, 127:3_,
127:8_, 127:9_, 127:20_,
191:9_, 198:8_, 208:20_,
209:17

divorce [3]_ - 197:19_,
213:21_, 213:24

Dmccabe1075@
gmail.com [2]_ - 174:7_,
_, 186:14

dock [8]_ - 13:23_, 36:18_,
40:25_, 41:1_, 54:25_,
55:10_, 63:17_, 118:8

Doctor [3]_ - 136:22_,
138:8_, 160:10

doctor [1]_ - 138:15

doctors [5]_ - 139:1_,
139:25_, 140:6_, 140:11_,
140:14

document [45]_ - 16:25_,
17:11_, 18:10_, 18:24_,
89:13_, 95:18_, 95:21_,
96:4_, 96:12_, 156:5_,
158:3_, 172:16_, 172:17_,
173:15_, 173:16_, 174:1_,
174:10_, 174:24_, 175:2_,
177:6_, 178:6_, 178:20_,
178:21_, 178:24_, 179:12_,
, 180:3, 180:4_, 185:21_,
, 186:4, 188:19_,
189:23_, 198:17_, 198:24_,
, 200:24, 202:2_,
202:21_, 202:23_, 202:25_,
, 203:1, 203:5_, 206:13_,
, 206:25, 207:1_, 207:9_,
_, 207:20

documentation [9]_ -
88:20_, 89:16_, 95:11_,
95:19_, 96:7_, 170:1_,
170:16_, 202:12_, 214:17

documents [5]_ - 171:14_,
, 175:7, 175:11_, 176:3_,
_, 184:24

domestic [3]_ - 72:11_,
72:14_, 72:19

done [17]_ - 47:3_, 49:14_,
50:24_, 51:4_, 81:2_,
83:17_, 89:4_, 111:17_,
113:9_, 118:5_, 125:19_,
127:6_, 160:5_, 164:18_,
166:19_, 185:7_, 188:24

door [4]_ - 30:19_, 31:11_,
56:16_, 193:22

DOs [1]_ - 139:1

dots [4]_ - 64:3_, 64:9_,
154:13

dove [2]_ - 33:17_, 78:24

down [61]_ - 7:22_, 36:10_,
, 36:21, 36:24_, 63:13_,
64:20_, 72:13_, 74:9_,
77:15_, 78:15_, 79:4_,
80:2_, 82:5_, 84:1_, 94:10_,
, 106:19, 107:9_,
108:14_, 108:21_, 108:24_,
, 116:10, 120:19_,
124:7_, 124:12_, 127:10_,
128:21_, 133:25_, 143:12_,
, 148:3, 153:23_,
154:10_, 156:3_, 163:13_,
165:19_, 173:15_, 174:9_,
178:12_, 178:14_, 180:8_,
180:13_, 181:13_, 183:11_,
, 183:12, 186:4_,
186:16_, 189:11_, 191:5_,
191:7_, 191:11_, 191:13_,
191:19_, 193:8_, 193:11_,
194:1_, 194:8_, 194:9_,
194:15_, 205:17_, 214:4_,
219:14

download [1]_ - 58:3

downloaded [1]_ - 57:11

dozen [3]_ - 127:12_,
127:16_, 127:17

Dr [18]_ - 130:12_, 131:18_,
134:20_, 135:15_, 135:17_,
, 139:19, 140:24_,
141:6_, 143:14_, 144:19_,
145:11_, 150:1_, 150:11_,
151:17_, 153:8_, 156:13_,
157:20_, 158:3

DR [1]_ - 135:11

draft [2]_ - 99:23_, 102:11

dragged [2]_ - 163:17

Draw [1]_ - 173:1

draw [4]_ - 173:8_, 173:10_,
_, 224:18

drawing [2] - 199:5_,
224:16
drawn [1] - 64:1
draws [2] - 55:22_,
173:12
drift [5] - 64:24_, 66:2_,
69:9_, 69:20_, 70:10
drifting [6] - 64:22_,
65:19_, 65:22_, 68:14_,
69:22_, 70:4
drifts [1] - 66:1
drive [6] - 51:7_, 52:17_,
56:11_, 107:7_, 121:6_,
124:9
driven [4] - 107:21_,
116:16_, 119:12_, 219:10
drives [1] - 121:7
driving [7] - 10:21_, 40:6
, 73:7, 108:8_, 108:19_,
115:8_, 115:13
drop [1] - 90:24
dropped [3] - 65:22_,
65:25_, 79:11
drops [1] - 67:23
drove [1] - 52:17
drowned [2] - 152:15_,
157:2
drowning [4] - 154:24_,
157:1_, 158:14_, 158:23
drug [3] - 18:1_, 88:19_,
227:13
drugs [2] - 137:25_,
138:1
dry [1] - 13:23
dual [2] - 209:20
dual-engine [1] -
209:20
dual-propeller [1] -
209:20
due [5] - 31:22_, 31:23_,
150:8_, 200:9_, 225:25
duration [2] - 84:1_,
84:2
during [25] - 4:1_, 4:12_,
4:15_, 38:23_, 46:25_,
47:1_, 47:19_, 47:24_,
48:7_, 50:12_, 103:6_,
130:7_, 138:20_, 178:11_,
179:23_, 190:11_, 194:14_,
195:19_, 199:23_,
205:24_, 206:4_, 213:16_,
216:3_, 217:2_, 228:3
Dustin [13] - 3:4_, 3:15_,

62:6_, 103:25_, 174:4_,
175:5_, 186:11_, 197:13_,
201:6_, 202:8_, 203:11_,
210:19_, 211:14
duties [7] - 16:16_, 18:17_,
84:24_, 94:25_, 132:3_,
133:24_, 214:15
duty [5] - 11:19_, 14:19_,
85:10_, 90:9_, 99:10

E

E-R-R-I-L-L [1] - 135:9
earliest [1] - 46:18
early [6] - 48:8_, 48:10_,
163:12_, 201:16_, 225:6
Earth [3] - 61:3_, 61:15_,
62:3
easiest [1] - 185:8
east [1] - 69:24
easy [4] - 87:12_, 155:11_,
155:12_, 197:19
economic [2] - 97:5_,
182:10
edges [1] - 147:21
education [4] - 104:9_,
138:25_, 139:2_, 139:7
effect [3] - 108:20_,
108:23_, 125:8
effects [1] - 137:16
efficiency [1] - 17:5
effort [4] - 195:2_, 206:8_,
218:14_, 220:3
efforts [1] - 195:18
either [15] - 11:17_,
33:17_, 79:8_, 82:10_,
83:12_, 86:9_, 94:19_,
110:2_, 111:7_, 117:15_,
118:6_, 129:3_, 175:20_,
181:10_, 183:3
elected [1] - 85:9
electric [1] - 221:14
electrical [1] - 121:16
element [3] - 132:1_,
132:17_, 132:21
elements [1] - 164:17
elicit [1] - 32:15
elicited [1] - 30:11
eliciting [2] - 30:25_,
31:13
eligibility [5] - 180:17_,
180:18_, 180:22_, 180:23

_, 193:16
eligible [11] - 169:19_,
169:25_, 180:19_, 181:9_,
183:4_, 183:12_, 191:6_,
191:13_, 191:20_, 192:2_,
193:9
email [3] - 25:8_, 174:5_,
186:13
emanated [2] - 154:17_,
154:21
emanating [1] - 154:7
embark [1] - 81:13
embarkation [1] -
82:15
embedded [1] - 151:6
emerged [1] - 153:20
employed [8] - 99:3_,
99:4_, 99:11_, 135:17_,
135:18_, 139:22_, 159:8_,
183:4
employee [3] - 170:13_,
174:16_, 203:12
employee's [1] - 170:14
Employees [1] - 200:19
employees [18] - 163:5_,
163:16_, 163:23_,
169:17_, 177:1_, 177:18_,
178:13_, 182:20_, 183:5_,
184:19_, 186:23_, 186:25_,
187:4_, 187:12_,
187:15_, 204:6
employer [1] - 170:14
employers [1] - 186:25
employment [1] -
219:22
empty [2] - 56:17_,
220:21
end [12] - 38:13_, 54:25_,
55:10_, 152:25_, 155:24_,
164:9_, 208:20_, 213:6_,
225:6_, 225:10_, 225:21_,
225:23
endeavoring [1] -
171:11
ended [2] - 43:15_,
140:17
ending [1] - 63:16
endorsement [3] - 97:6_,
97:7_, 97:10
endorsements [4] -
89:17_, 96:2_, 96:15_,
96:17
enforced [3] - 47:5_,
47:7_, 72:21

enforcement [9] - 10:2_,
46:19_, 47:5_, 49:8_,
89:9_, 92:3_, 141:19_,
155:22_, 159:10
enforcing [1] - 73:20
engage [6] - 57:14_,
91:6_, 108:19_, 121:13_,
121:24_, 225:20
engaged [8] - 83:3_,
83:8_, 83:11_, 116:20_,
116:25_, 119:13_, 167:3_,
183:11
engagement [1] -
76:19
engaging [2] - 118:6_,
121:2
engine [41] - 20:5_,
33:24_, 33:25_, 34:1_,
36:11_, 37:14_, 83:12_,
91:6_, 100:18_, 106:15_,
106:18_, 106:22_, 106:23_,
107:2_, 107:3_, 107:4_,
107:6_, 107:16_, 107:19_,
108:19_, 115:12_, 116:9_,
116:17_, 116:19_, 116:22_,
116:24_, 118:12_,
119:12_, 120:9_, 120:15_,
121:1_, 121:13_, 121:21_,
121:23_, 121:24_, 124:9_,
208:6_, 209:20_, 212:10
engine's [1] - 20:10
engineer [1] - 83:9
engineering [1] - 101:7
engineers [1] - 37:18
engines [11] - 28:1_,
28:14_, 29:13_, 35:24_,
36:4_, 36:13_, 37:11_,
70:3_, 83:15
enjoy [3] - 88:10_, 130:8_,
130:21
ensure [9] - 21:14_, 90:9_,
111:17_, 113:6_, 113:8_,
113:9_, 118:15_,
122:13_, 125:19
ensuring [1] - 72:21
entail [2] - 8:4_, 8:7
entangled [2] - 149:13_,
158:21
enter [2] - 80:1_, 105:3
entered [9] - 3:19_, 4:20_,
6:4_, 22:7_, 25:6_,
25:21_, 71:6_, 134:16_,
190:19
entering [1] - 79:13
enters [1] - 131:23

entire [4] - 63:16, 140:10, 178:15, 218:22
entirely [1] - 47:5
entrance [1] - 41:1
entrepreneurs [1] - 161:20
entry [1] - 102:10
environment [4] - 15:2, 90:24, 109:17, 156:23
equally [1] - 4:5
equation [1] - 194:22
equipment [7] - 77:17, 82:19, 85:20, 88:22, 118:13, 165:7, 210:2
equivalent [4] - 100:16, 121:5, 124:13, 159:17
errors [1] - 140:1
escalate [1] - 107:8
Escanaba [1] - 73:6
escape [1] - 149:11
esophagus [2] - 137:14, 152:17
especially [4] - 38:15, 55:25, 81:1, 189:12
essence [1] - 93:17
essentially [19] - 8:5, 8:10, 12:4, 12:15, 15:20, 16:19, 21:18, 29:17, 37:1, 37:15, 55:22, 57:2, 61:4, 64:10, 77:2, 86:12, 87:10, 90:24, 94:9
estate [3] - 165:6, 215:1, 215:7
estimate [4] - 34:9, 34:20, 103:10, 170:19
et [6] - 165:9, 165:21, 204:12, 210:7, 210:25, 219:13
evening [3] - 6:8, 226:4, 228:16
event [3] - 104:3, 136:12, 155:12
events [7] - 11:1, 32:4, 32:5, 45:1, 113:11, 122:2, 162:13
eventually [10] - 15:5, 33:20, 49:12, 100:10, 102:11, 124:19, 165:20, 167:12, 167:25, 168:21
ever-changing [1] - 102:19
everywhere [1] - 49:1
evidence [26] - 15:18, 31:20, 38:11, 38:19, 50:8, 50:18, 57:8, 91:23, 92:13, 92:17, 142:5, 150:7, 157:25, 198:15, 201:23, 202:17, 203:16, 207:6, 211:23, 212:6, 212:14, 223:17, 224:15, 225:13, 225:22
eviscerate [1] - 152:8
evolutions [1] - 102:17
evulsion [1] - 151:2
exacerbated [2] - 80:25, 81:4
exact [1] - 68:22
exactly [3] - 22:14, 39:9, 69:3
exam [2] - 139:6, 139:15
EXAMINATION [13] - 7:6, 22:2, 44:9, 46:11, 72:3, 98:19, 122:23, 135:13, 161:5, 190:23, 197:1, 214:8, 221:21
examination [26] - 22:1, 45:10, 70:16, 97:20, 122:22, 137:1, 137:7, 137:9, 137:20, 141:9, 141:12, 142:3, 142:13, 142:16, 143:13, 143:15, 150:2, 150:14, 151:18, 151:20, 151:23, 156:4, 156:8, 190:21
examiner [16] - 135:23, 135:25, 136:1, 136:7, 138:9, 138:10, 138:21, 139:18, 140:19, 140:24, 143:17, 144:21, 148:21, 150:13, 155:8, 158:9
Examiner [2] - 144:25, 150:18
examiner's [2] - 139:20, 159:13
Examiner's [3] - 135:19, 135:21, 159:9
examiners [1] - 136:20
examining [1] - 54:20
example [13] - 24:16, 90:22, 92:1, 94:16, 106:23, 148:8, 170:6, 180:24, 181:3, 191:22, 193:21, 194:4, 194:5
examples [1] - 178:9
exams [1] - 13:21
excellent [1] - 6:9
exception [2] - 30:12, 227:23
exchange [6] - 153:13, 153:22, 154:11, 154:14, 154:15, 174:17
exchanged [1] - 14:5
excluded [4] - 4:21, 5:4, 181:4, 227:25
exclusive [1] - 97:5
excuse [12] - 48:4, 49:16, 66:25, 72:25, 104:18, 155:10, 164:15, 176:11, 186:24, 189:10
excused [6] - 45:6, 97:24, 130:1, 160:11, 196:6, 224:25
execute [1] - 203:1
exhaustion [1] - 81:7
Exhibit [97] - 3:20, 17:2, 18:8, 18:22, 19:13, 19:15, 52:21, 52:24, 53:14, 53:21, 54:7, 54:12, 55:13, 56:3, 58:17, 62:24, 63:2, 63:9, 63:18, 63:24, 64:11, 65:3, 65:6, 66:20, 67:8, 67:10, 67:16, 68:19, 69:12, 69:15, 70:6, 95:16, 105:16, 113:23, 114:6, 114:7, 114:19, 114:20, 115:23, 115:24, 116:4, 119:22, 144:13, 150:6, 153:4, 153:5, 153:6, 156:11, 158:1, 159:21, 172:10, 174:23, 176:25, 178:17, 178:19, 180:14, 182:1, 183:19, 183:24, 185:19, 186:5, 188:1, 188:2, 188:14, 198:15, 199:6, 199:9, 200:21, 201:22, 202:17, 202:19, 203:7, 203:17, 204:18, 205:7, 206:10, 207:6, 209:6, 209:7, 210:10, 210:13, 211:2, 211:5, 211:24, 212:2, 212:6, 212:9, 212:13, 222:24, 223:4, 223:16, 224:1, 224:3, 224:4, 224:14, 227:24
exhibit [10] - 127:24, 144:11, 172:11, 174:22, 201:4, 205:18, 206:5, 223:21, 226:19, 227:22
Exhibits [3] - 58:11, 152:24, 152:25
exhibits [11] - 17:4, 17:5, 58:12, 59:12, 59:15, 63:19, 130:14, 225:15, 227:24, 228:2, 228:5
existence [6] - 163:25, 164:7, 165:13, 169:18, 183:15, 183:16
existing [1] - 169:16
exited [4] - 70:25, 130:9, 190:13, 226:6
exiting [1] - 79:13
expand [1] - 209:14
expect [2] - 96:15, 141:20
expectation [2] - 109:18, 109:19
expected [2] - 17:18, 90:6
expecting [1] - 111:23
expenditures [2] - 177:9, 177:10
Expenditures [1] - 178:7
expense [1] - 219:11
expenses [11] - 170:13, 177:15, 185:1, 192:16, 192:21, 192:25, 216:22, 219:7, 219:8, 220:4, 223:1
experience [29] - 17:24, 46:16, 46:20, 47:16, 64:25, 74:25, 75:2, 79:18, 83:1, 83:15, 83:17, 100:13, 103:3, 103:12, 104:9, 109:21, 109:25, 116:2, 116:7, 127:20, 144:1, 181:18, 184:14, 187:16, 188:17, 189:23, 208:20, 211:20, 214:25
experienced [4] - 103:1, 127:2, 127:5, 137:17
expert [12] - 48:21, 51:12, 75:25, 76:4, 76:5, 104:12, 104:16, 126:6, 139:17, 140:18, 140:24, 141:4
Expertise [1] - 76:18

expiry [1] - 95:24
explain [29] - 9:19, 16:8
 -, 20:1, 79:7, 82:17,
 86:6, 87:6, 102:5,
 105:25, 106:10, 108:2,
 108:16, 115:6, 137:25,
 140:12, 140:16, 144:6,
 144:7, 145:15, 153:1,
 155:9, 162:9, 163:1,
 165:16, 168:14, 176:8,
 177:11, 178:24
explaining [2] - 31:10,
 108:18
explanation [2] - 150:3
 -, 179:19
exposed [1] - 147:10
extensive [2] - 46:16,
 75:10
extent [4] - 76:16,
 106:11, 115:16, 133:22
external [14] - 137:1,
 137:7, 137:20, 142:2,
 142:13, 143:13, 143:15
 -, 145:6, 150:2, 150:11,
 -, 150:14, 151:17,
 156:7, 156:23
extra [2] - 85:19, 157:15
extract [1] - 56:8
extracting [1] - 50:15
extremely [1] - 49:4
extremities [9] - 143:22
 -, 144:3, 145:7, 148:6,
 148:14, 148:24, 158:16
 -, 159:22
extremity [5] - 144:3,
 145:10, 148:7, 150:24,
 151:1
eyes [3] - 137:21,
 137:23, 139:5

F

facilitate [1] - 76:17
facility [2] - 8:9, 145:3
facing [2] - 68:11, 68:15
fact [15] - 31:6, 31:14,
 31:15, 31:24, 32:1,
 32:11, 36:17, 62:17,
 85:22, 122:9, 132:9,
 132:20, 133:2, 185:7
factor [1] - 127:25
factors [1] - 157:22
factory [1] - 100:22

facts [9] - 76:22, 76:24,
 92:12, 112:1, 134:10,
 158:25, 159:1, 159:5
fair [3] - 30:22, 162:18,
 221:11
faithfully [2] - 18:15,
 18:18
fall [3] - 13:9, 13:16,
 178:10
falls [3] - 109:7, 122:15
 -, 122:19
false [2] - 189:8, 190:4
familiar [20] - 50:11,
 51:9, 51:10, 76:22,
 77:11, 101:18, 102:1,
 102:3, 113:13, 114:10,
 114:15, 115:3, 115:5,
 119:17, 119:24, 120:4,
 120:7, 162:18, 210:20
family [1] - 200:6
fan [2] - 108:10, 108:25
fancy [1] - 56:20
far [14] - 41:10, 54:21,
 67:15, 68:22, 69:2,
 70:1, 84:23, 86:2,
 122:25, 173:17, 175:25
 -, 208:15, 215:12,
 228:5
fast [1] - 165:24
fat [1] - 148:11
fatal [4] - 47:23, 52:3,
 148:19, 149:24
features [1] - 145:19
February [3] - 183:2,
 210:17, 212:21
Federal [2] - 101:9,
 101:22
federal [17] - 49:15,
 73:17, 73:25, 74:15,
 87:1, 87:6, 87:8, 89:16
 -, 95:22, 99:7, 161:19,
 161:23, 168:13, 168:16
 -, 168:25, 169:1, 181:5
federally [3] - 73:15,
 87:9, 189:18
fee [1] - 220:10
feet [11] - 34:8, 34:9,
 68:2, 80:5, 126:18,
 126:20, 126:22, 143:24
 -, 150:22
fellowship [1] - 139:13
female [1] - 157:9
femoral [1] - 151:9
few [17] - 3:18, 22:6,

28:23, 44:8, 46:15,
 49:6, 53:7, 53:12,
 61:12, 63:18, 91:10,
 100:7, 191:4, 196:13,
 204:3, 213:22
fewer [1] - 87:19
fibula [1] - 148:1
field [12] - 51:17, 76:5,
 92:21, 99:23, 99:24,
 100:19, 139:12, 139:17
 -, 152:10, 154:1, 154:2
 -, 157:13
fields [4] - 104:17,
 152:7, 152:8, 157:8
fighting [1] - 81:6
figure [9] - 34:18, 92:15
 -, 137:4, 176:7, 176:18
 -, 194:15, 223:12,
 223:13, 224:8
figured [1] - 48:14
figures [2] - 179:12,
 179:16
figuring [1] - 91:24
file [4] - 59:25, 103:24,
 123:4, 123:12
filed [5] - 199:3, 203:19
 -, 207:1, 207:3, 226:20
filing [1] - 206:6
fill [7] - 140:15, 220:18,
 220:19, 220:21, 220:22
 -, 220:23
filled [4] - 77:7, 172:20,
 174:23, 187:2
final [5] - 4:1, 4:11,
 146:22, 150:11, 227:8
finalize [1] - 139:24
finally [1] - 225:20
finances [1] - 207:23
financial [5] - 161:24,
 167:10, 167:17, 171:23
 -, 200:4
findings [5] - 60:23,
 62:4, 155:25, 158:7,
 158:10
fine [3] - 189:15, 189:17
 -, 189:19
finely [1] - 104:24
finger [3] - 55:3, 63:19,
 172:24
fingers [1] - 146:1
finish [2] - 63:12, 139:2
finished [1] - 139:9
fintech [1] - 167:17

fintechs [2] - 167:12,
 167:14
fire [2] - 9:22, 90:22
fires [1] - 11:24
first [47] - 6:25, 7:10,
 46:3, 61:7, 71:22,
 71:23, 73:5, 76:25,
 86:23, 90:20, 95:23,
 98:15, 117:16, 130:13,
 133:3, 135:7, 135:8,
 137:1, 137:6, 138:24,
 142:18, 144:22, 151:23
 -, 152:1, 152:6, 153:11
 -, 155:13, 158:6,
 160:25, 163:18, 166:13
 -, 169:23, 170:22,
 174:9, 181:3, 182:6,
 182:8, 187:15, 189:24,
 196:20, 199:14, 201:7,
 201:9, 207:25, 208:1,
 223:4, 226:12
firsthand [6] - 29:21,
 30:21, 38:14, 38:17,
 43:14, 76:10
fish [7] - 12:4, 129:3,
 129:8, 129:11, 208:18,
 209:16, 210:7
Fish [7] - 10:2, 38:6,
 46:20, 46:25, 47:4,
 52:3, 159:11
fished [1] - 51:3
fisheries [4] - 96:22,
 96:25, 97:2, 97:6
fishing [14] - 47:7,
 48:11, 48:12, 48:15,
 48:16, 51:7, 57:1, 97:3
 -, 127:5, 127:8, 127:16
 -, 127:19, 209:17
fishy [1] - 172:4
five [8] - 29:9, 75:16,
 187:6, 187:8, 187:12,
 188:21, 189:15, 220:7
fix [4] - 33:25, 85:6,
 111:7, 111:8
fixed [8] - 36:4, 79:10,
 79:12, 110:20, 111:12,
 111:15, 122:5, 122:7
flag [6] - 4:20, 12:14,
 12:16, 72:15, 72:19,
 130:12
flags [1] - 20:12
flash [2] - 56:11, 102:14
flashing [1] - 198:20
fleet [2] - 99:22, 101:11
flesh [1] - 145:22

flip [1] - 181:25
flipped [1] - 143:6
float [1] - 66:16
flooding [1] - 90:22
flooring [1] - 211:20
Florida [57] - 7:12, 8:16
 -, 10:2, 12:4, 20:20,
 38:6, 46:20, 46:25,
 47:4, 51:5, 52:3, 66:6
 -, 72:7, 72:10, 72:12,
 75:21, 75:22, 89:6,
 136:1, 159:11, 161:14,
 174:2, 186:9, 197:6,
 198:8, 198:11, 199:1,
 200:2, 200:12, 200:15,
 201:2, 201:8, 201:11,
 202:12, 202:22, 203:13
 -, 203:20, 204:5,
 204:13, 204:21, 205:2,
 205:12, 205:24, 206:2,
 206:16, 206:22, 207:13
 -, 207:17, 207:23,
 207:25, 210:4, 214:13,
 214:18, 214:23, 216:14
 -, 220:23, 221:25
flotation [1] - 89:1
flu [1] - 49:16
fluctuation [1] - 217:15
fluid [5] - 137:21, 137:22
 -, 152:16, 153:17,
 158:22
fluids [3] - 137:21,
 137:24, 152:17
flybridge [1] - 53:10
flying [1] - 124:2
Flynn [11] - 141:10,
 142:7, 143:16, 144:24,
 145:2, 145:5, 148:20,
 150:13, 150:19, 152:11
 -, 158:8
flywheel [1] - 106:17
foam [9] - 152:10,
 153:14, 153:19, 154:7,
 154:14, 154:16, 154:19
 -, 156:19, 156:20
focus [3] - 51:22, 68:18
 -, 183:8
focused [3] - 48:7,
 73:20, 75:11
focusing [2] - 201:4,
 201:10
folder [1] - 138:3
folks [1] - 167:15
follow [8] - 37:3, 66:16

-, 100:8, 112:12, 123:1
 -, 145:13, 163:24,
 164:25
follow-on [1] - 100:8
follow-up [2] - 123:1,
 164:25
followed [3] - 174:19,
 188:7
follows [9] - 7:5, 46:10,
 63:14, 72:2, 98:18,
 135:12, 153:10, 161:4,
 196:25
food [1] - 220:1
foot [1] - 148:4
forbidden [2] - 225:19
force [35] - 105:24,
 106:1, 106:12, 107:1,
 107:12, 107:21, 115:8,
 115:15, 116:12, 116:16
 -, 116:18, 119:10,
 128:9, 129:14, 129:15,
 145:17, 145:18, 145:20
 -, 146:7, 146:13,
 146:15, 146:20, 146:21
 -, 146:22, 146:23,
 147:1, 147:12, 147:14,
 147:15, 147:22, 147:24
 -, 159:23, 159:24
forces [1] - 107:17
foreign [1] - 72:15
foremost [2] - 169:23,
 189:24
forensic [1] - 135:22
forensics [4] - 48:9,
 48:21, 49:19, 50:7
Forest [1] - 139:13
forgivable [1] - 184:5
forgiven [4] - 184:13,
 184:14, 184:15, 185:5
forgiveness [15] -
 168:3, 184:3, 184:6,
 184:8, 184:23, 185:13,
 185:24, 186:1, 186:8,
 187:1, 187:7, 187:13,
 188:10, 189:8
forgot [2] - 27:1, 140:3
form [15] - 60:4, 84:14,
 86:9, 96:10, 97:8,
 159:25, 164:20, 172:19
 -, 172:20, 175:4,
 175:20, 186:1, 192:24,
 224:15, 225:21
Form [3] - 172:18, 173:2
 -, 185:25
formal [2] - 204:6,

215:13
format [2] - 59:23,
 59:25
formation [1] - 173:20
formed [1] - 112:1
former [1] - 214:24
forms [2] - 86:9, 182:22
formulation [1] -
 131:25
forth [1] - 38:12
fortunately [1] - 58:1
forward [15] - 21:19,
 40:24, 42:1, 83:12,
 105:24, 106:12, 108:3,
 108:8, 108:20, 108:24,
 109:1, 109:11, 117:1,
 118:6, 216:8
four [8] - 96:17, 100:8,
 102:8, 139:3, 139:6,
 146:9, 161:22, 222:6
four-year [1] - 102:8
Fowler [5] - 52:8, 52:9,
 57:7, 58:6, 58:25
fracture [2] - 146:23,
 147:24
fractures [1] - 119:6
frame [1] - 21:13
frames [1] - 95:25
framework [3] - 164:16
 -, 165:1, 165:13
Francis [3] - 30:20,
 160:8, 190:21
FRANCIS [20] - 22:3,
 24:2, 32:19, 33:1, 39:3
 -, 39:4, 42:22, 42:23,
 43:4, 43:5, 43:24, 44:2
 -, 44:6, 51:15, 70:17,
 76:3, 97:21, 104:15,
 122:24, 129:21
Francisco [1] - 73:10
fraud [4] - 132:4, 134:2
 -, 134:4, 134:8
free [4] - 63:19, 149:23,
 195:21, 204:11
freewheeling [3] -
 115:7, 115:12, 115:14
frequently [1] - 172:5
Friday [3] - 217:13,
 227:18, 227:21
friend [1] - 208:22
friends [3] - 14:5,
 204:11, 222:18
front [5] - 120:20, 143:4

-, 150:15, 159:13,
 198:17
fuel [10] - 36:18, 107:16
 -, 107:17, 107:22,
 121:7, 219:10, 219:12,
 219:15, 222:19, 222:20
fuels [1] - 102:14
full [5] - 4:22, 5:3, 28:10
 -, 47:21, 219:22
full-body [2] - 4:22, 5:3
full-time [1] - 219:22
fully [3] - 16:18, 16:21,
 35:20
fun [1] - 14:6
functional [1] - 111:17
functioning [3] - 54:20
 -, 118:16, 118:18
fund [1] - 165:7
funded [1] - 163:15
funds [7] - 163:6,
 167:14, 167:16, 169:1,
 173:10, 187:12, 187:23
Furuno [4] - 53:17,
 57:17, 60:1, 60:16
future [3] - 15:7, 15:10,
 74:3
FWC [6] - 10:6, 47:17,
 48:9, 49:21, 89:8,
 159:18

G

gain [1] - 37:7
gallon [1] - 222:21
gallons [1] - 222:23
gaps [1] - 140:15
Garmin [7] - 54:16,
 56:2, 60:1, 60:10,
 60:12, 61:6, 63:4
Garmins [1] - 60:10
gas [6] - 56:24, 102:12,
 153:13, 153:22, 154:11
 -, 154:15
gash [2] - 147:17, 148:9
gasoline [1] - 107:20
gassing [1] - 84:8
gather [3] - 15:8, 15:19
 -, 156:17
gathered [1] - 38:11
gathering [6] - 15:18,
 38:20, 91:23, 92:1,
 92:12

gauges [2] - 81:8, 86:10

gear [9] - 65:20, 70:4, 77:9, 77:11, 77:19, 106:16, 118:14, 121:5, 124:13

geared [1] - 180:23

gears [7] - 109:3, 123:14, 123:17, 123:18, 123:19, 169:11, 183:23

general [10] - 76:22, 76:24, 76:25, 77:24, 79:1, 80:17, 84:21, 86:4, 104:25, 200:13

generally [36] - 53:6, 64:22, 74:6, 74:16, 77:4, 77:15, 77:18, 77:23, 78:11, 79:1, 79:25, 80:3, 80:13, 81:13, 81:16, 82:8, 82:14, 82:22, 85:20, 86:7, 87:3, 94:14, 96:23, 136:24, 170:4, 172:2, 172:16, 177:13, 178:25, 180:16, 184:22, 185:22, 188:1, 200:12, 215:10, 217:7

generate [2] - 106:12, 193:20

generated [1] - 170:9

generating [1] - 54:6

genitalia [1] - 145:8

gentleman [2] - 33:16, 210:23

gentlemen [7] - 6:7, 17:3, 45:12, 70:22, 130:3, 190:8, 225:4

Georgetown [1] - 139:9

Georgia [1] - 72:12

Ghiz [11] - 141:10, 142:7, 143:16, 144:24, 145:2, 145:5, 148:20, 150:13, 150:19, 152:11, 158:8

Ghiz-Flynn [11] - 141:10, 142:7, 143:16, 144:24, 145:2, 145:5, 148:20, 150:13, 150:19, 152:11, 158:8

giant [1] - 82:18

gigabyte [2] - 58:19, 59:10

gigabytes [1] - 57:23

given [10] - 32:3, 32:11, 77:10, 80:12, 88:8, 103:23, 123:11, 126:13, 141:14

glad [1] - 108:16

global [1] - 48:25

goal [1] - 48:15

God [7] - 6:22, 45:25, 71:19, 98:12, 135:4, 160:22, 196:17

good/no [1] - 194:24

Goodman [2] - 14:18, 14:20

Google [3] - 61:3, 61:15, 62:3

Government [1] - 181:11

government [25] - 4:14, 73:17, 93:2, 132:1, 132:7, 133:2, 140:23, 144:12, 150:5, 152:23, 157:25, 168:13, 168:16, 168:19, 168:20, 168:25, 169:2, 180:25, 181:10, 181:11, 195:1, 195:11, 195:20, 196:4, 204:16

Government's [103] - 3:20, 17:1, 18:7, 18:22, 19:13, 19:15, 52:21, 52:24, 53:14, 53:21, 54:7, 54:12, 55:13, 56:2, 58:11, 58:17, 62:24, 63:2, 63:9, 63:18, 63:24, 64:11, 65:3, 65:5, 65:6, 66:20, 67:7, 67:10, 67:16, 68:19, 69:12, 69:15, 70:6, 95:15, 105:15, 113:23, 114:6, 114:7, 114:19, 114:20, 115:23, 115:24, 116:3, 119:22, 130:25, 144:13, 144:15, 150:6, 152:24, 152:25, 153:2, 153:4, 153:5, 153:6, 156:11, 158:1, 159:20, 172:10, 174:22, 176:25, 178:17, 178:19, 180:14, 181:25, 183:19, 183:24, 185:19, 186:5, 187:25, 188:2, 188:13, 198:15, 199:6, 199:9, 200:21, 201:22, 202:17, 202:19, 203:7, 203:16, 204:18, 205:7, 206:10, 207:5, 209:6, 209:7, 210:9, 210:13, 211:2, 211:5, 211:23, 212:2, 212:5, 212:9, 212:13, 222:24, 223:3, 223:16, 223:25, 224:3, 224:4, 224:14, 227:24

government's [2] - 32:7, 196:7

governor [2] - 121:7, 124:10

GPS [21] - 48:12, 48:20, 48:22, 49:1, 49:4, 49:8, 49:14, 49:19, 50:9, 50:12, 50:19, 51:12, 51:17, 54:1, 54:5, 54:22, 56:2, 63:17, 63:22, 68:1, 68:5

GPSS [2] - 48:10, 48:17

graduate [2] - 138:15, 138:18

graduated [2] - 138:19, 138:22

grammatical [1] - 140:1

grams [2] - 157:10, 157:12

granite [1] - 211:19

granted [3] - 59:13, 149:1, 151:4

granting [1] - 180:10

graphical [1] - 63:3

great [3] - 55:24, 92:2, 208:23

greater [2] - 94:3, 135:24

greatly [1] - 126:16

green [5] - 63:13, 63:25, 64:1, 64:9, 80:12

grew [1] - 51:5

gross [6] - 178:23, 180:4, 206:19, 216:18, 217:3, 224:17

Gross [2] - 205:22, 206:18

ground [5] - 28:2, 28:4, 28:7, 35:7, 35:17

grounded [13] - 26:12, 29:20, 35:4, 35:15, 35:19, 35:21, 42:4, 43:7, 43:10, 43:11, 43:19, 43:21, 43:22

grounding [44] - 11:8, 26:3, 26:4, 26:7, 26:14, 26:15, 26:18, 26:19, 26:22, 26:23, 26:24, 26:25, 27:4, 27:5, 27:6, 27:7, 27:8, 27:9, 27:11, 27:13, 27:15, 27:16, 27:23, 27:24, 27:25, 28:3, 28:9, 28:12, 28:13, 29:22, 30:20, 33:3, 33:13, 33:20, 35:8, 35:10, 35:19, 35:23, 36:1, 36:6, 37:2, 37:16, 110:12

groundings [4] - 11:24, 35:5, 90:18, 112:25

group [2] - 99:20, 140:12

groups [1] - 191:12

grow [2] - 49:10, 161:20

growing [1] - 140:5

guarantee [4] - 164:20, 168:17, 168:23, 195:13

guaranteed [7] - 168:11, 168:13, 168:17, 168:19, 189:9, 195:14, 195:15

Guard [89] - 3:10, 7:15, 7:16, 7:18, 8:19, 12:2, 12:9, 12:10, 12:11, 12:19, 12:23, 13:18, 13:20, 13:23, 14:23, 14:25, 15:11, 15:24, 16:6, 16:12, 17:25, 21:3, 72:9, 72:23, 73:1, 73:6, 73:14, 73:20, 74:1, 74:13, 74:15, 75:5, 76:1, 76:6, 86:23, 86:25, 89:2, 89:12, 89:13, 89:19, 90:5, 90:7, 90:14, 91:2, 91:7, 91:20, 92:19, 92:22, 93:6, 93:14, 93:21, 93:24, 94:1, 94:5, 94:23, 95:19, 95:20, 99:5, 99:6, 99:8, 99:9, 99:11, 100:13, 101:17, 101:18, 101:24, 102:5, 103:22, 104:12, 104:17, 110:3, 110:15, 112:7, 112:8, 112:9, 112:18, 113:8, 117:4, 117:12, 117:13, 117:22, 122:18, 123:7, 208:7, 208:12, 212:23, 213:19, 214:3, 218:4

Guard's [4] - 72:17, 72:21, 78:1, 100:16

Guard-approved [1] - 17:25

Guard-inspected [1] -

212:23
guardrails [1] - 169:14
guess [14] - 25:3, 42:24, 43:10, 75:4, 75:16, 77:2, 130:15, 132:12, 166:9, 180:22, 191:16, 195:3, 215:13, 218:2
guide [1] - 159:14
guided [1] - 75:12
guidelines [1] - 169:14
Gulfstream [2] - 66:7, 69:23
gun [25] - 85:20, 85:21, 114:13, 114:24, 115:21, 117:3, 118:3, 119:14, 127:5, 127:7, 127:16, 127:19, 128:2, 128:4, 128:10, 128:19, 128:23, 128:25, 129:2, 129:5, 129:7, 129:10, 129:12, 129:13, 129:18
gunning [1] - 127:21
guns [4] - 114:15, 127:10, 128:21, 129:19
guys [3] - 128:20, 219:18, 221:4
GXI [1] - 5:6

H

H-E-A [1] - 161:2
half [12] - 45:11, 47:14, 69:19, 127:12, 127:17, 133:3, 139:2, 144:23, 145:9, 150:23, 150:25, 151:2
halfway [1] - 138:24
hallmark [1] - 184:17
hand [21] - 6:19, 40:2, 45:22, 54:19, 63:12, 71:16, 80:13, 85:22, 85:23, 98:9, 107:11, 115:10, 116:11, 116:12, 128:8, 128:9, 135:1, 136:10, 160:19, 196:14, 205:18
handed [1] - 58:25
handful [1] - 127:11
handled [1] - 206:6
hands [2] - 16:21, 128:13
hang [1] - 5:25
hard [5] - 4:24, 35:19, 103:14, 114:17, 146:11

harm [1] - 90:23
Harris [11] - 131:18, 160:16, 161:1, 161:7, 172:13, 182:2, 190:9, 190:15, 190:25, 196:1, 196:6
HARRIS [2] - 161:2, 161:3
hat [1] - 103:15
hatch [1] - 212:10
hazard [4] - 43:8, 82:6, 83:19, 105:13
hazards [1] - 81:25
HDMI [2] - 98:23, 98:25
Head [4] - 210:14, 210:20, 210:22, 211:6
head [8] - 34:23, 78:12, 92:5, 134:14, 137:3, 143:5, 160:6, 220:1
head-to-toe [2] - 137:3, 143:5
heading [5] - 36:15, 60:13, 61:11, 77:22, 77:23
headings [1] - 60:8
headquarters [4] - 15:5, 99:5, 100:3, 102:24
heal [1] - 216:6
health [1] - 80:25
hear [5] - 4:8, 196:7, 199:25, 216:2, 225:14
heard [10] - 14:18, 32:7, 38:21, 104:22, 104:25, 105:22, 107:25, 112:8, 112:21, 161:15
hearing [5] - 76:21, 106:2, 226:1, 228:13, 228:15
hears [1] - 61:8
hearsay [15] - 30:4, 30:9, 30:11, 30:25, 31:5, 31:10, 31:11, 31:22, 31:23, 32:7, 32:8, 32:10, 32:23, 39:1, 42:16
heart [2] - 81:3, 152:7
heat [1] - 107:20
Heather [1] - 227:10
heavy [2] - 81:5, 165:7
height [1] - 170:17
held [4] - 103:5, 110:10

128:12, 128:13
helm [1] - 124:1
help [21] - 6:22, 37:20, 45:25, 71:19, 77:16, 78:13, 89:14, 92:4, 98:12, 102:25, 135:4, 137:4, 137:23, 145:13, 151:19, 160:1, 160:22, 162:8, 163:4, 196:17, 199:18
helped [3] - 169:9, 204:9, 215:2
helpful [1] - 106:11
helping [3] - 76:16, 175:23, 204:12
helps [4] - 86:15, 86:17, 159:14, 162:2
Hester [17] - 27:3, 27:5, 27:13, 28:24, 29:8, 29:9, 33:10, 33:12, 35:1, 35:22, 36:9, 39:6, 40:21, 41:10, 41:19, 42:5
Hester's [2] - 31:9, 35:2
hi [2] - 22:5, 161:8
high [7] - 17:18, 56:20, 105:12, 161:23, 166:6, 208:20
high-end [1] - 208:20
higher [2] - 90:6, 107:8
himself [2] - 123:10, 213:15
hire [3] - 13:8, 88:2, 111:8
hit [10] - 29:4, 29:13, 29:18, 36:25, 39:18, 39:21, 42:1, 129:18, 148:17, 194:6
hitting [6] - 91:18, 115:15, 129:3, 129:4, 147:15, 147:21
hold [9] - 60:10, 60:15, 66:15, 79:25, 82:10, 103:13, 128:8, 176:12
holder [1] - 17:19
home [1] - 200:3
homicides [1] - 136:10
honestly [5] - 18:15, 18:18, 217:6, 219:16, 220:11
Honesty [1] - 227:14
Honor [8] - 3:7, 3:13, 4:19, 5:1, 5:5, 5:8, 5:14, 5:17, 5:20, 5:22

5:24, 6:3, 6:13, 23:22, 30:4, 32:21, 39:1, 42:15, 42:22, 43:1, 43:25, 44:3, 44:8, 45:3, 45:9, 45:16, 46:5, 51:11, 51:15, 51:19, 52:19, 58:9, 58:14, 59:11, 63:7, 70:14, 70:17, 71:9, 74:11, 75:24, 76:3, 95:14, 97:21, 97:25, 98:3, 98:24, 104:11, 104:15, 122:21, 129:24, 130:20, 131:15, 131:20, 133:15, 134:19, 140:23, 141:3, 144:17, 151:15, 157:18, 157:24, 160:4, 160:9, 160:12, 160:15, 190:5, 190:22, 196:3, 196:8, 214:5, 214:7, 221:20, 223:6, 224:24, 225:3, 226:11, 226:25, 227:3, 227:12, 228:1, 228:6, 228:9
hop [1] - 85:21
hope [1] - 6:8
hopefully [2] - 93:7, 168:24
hopes [1] - 175:23
Hopper [3] - 208:3, 208:15, 209:24
horse [1] - 131:11
Hospital [1] - 139:10
hospital [1] - 149:6
hostility [1] - 213:21
hotel [1] - 56:24
hour [8] - 45:11, 64:9, 65:18, 67:22, 67:23, 69:7, 126:14, 130:4
hours [3] - 15:15, 18:1, 126:4
Houston [2] - 73:8, 139:8
hull [5] - 116:9, 126:8, 126:22, 128:24, 129:3
human [2] - 139:4, 142:4
hundred [4] - 75:16, 194:5, 218:24, 222:22
hundreds [2] - 48:5, 75:15
husband [2] - 214:25, 215:4
husbandry [1] - 128:17

hydraulics ^[1] - 100:18	inches ^[2] - 146:1_, 146:2	indicated ^[4] - 17:6_, 96:10_, 129:8_, 170:11	injured ^[9] - 144:4_, 147:25_, 148:13_, 149:1_, 150:24_, 151:10_, 199:24 _, 200:1_, 213:18
I	incidence ^[1] - 103:17	indicating ^[13] - 40:4_, 56:16_, 67:1_, 69:6_, 69:8 _, 70:8_, 80:17_, 80:18_, 122:2_, 147:23_, 157:7_, 194:7	injures ^[1] - 148:5
I-N-C-I-S-E-D ^[1] - 145:24	Incident ^[1] - 66:21	indicating ^[6] - 55:7_, 64:14_, 67:3_, 67:19_, 69:25_, 182:14	injuries ^[37] - 15:9_, 110:14_, 117:8_, 119:2_, 119:5_, 137:13_, 137:16_, 143:7_, 143:10_, 143:16_, 143:20_, 144:2_, 145:7_, 145:14_, 145:17_, 145:18 _, 145:19_, 145:23_, 146:7_, 147:5_, 148:12_, 148:16_, 148:19_, 149:1_, 149:8_, 149:10_, 149:15_, 149:21_, 149:24_, 158:19 _, 158:20_, 159:15_, 159:21_, 159:24_, 160:1
icon ^[3] - 54:23_, 54:24_, 55:9	incident ^[24] - 10:23_, 11:7_, 21:4_, 21:7_, 25:20 _, 26:5_, 39:10_, 52:4_, 52:7_, 52:12_, 53:1_, 62:15_, 62:19_, 63:11_, 69:3_, 76:13_, 90:21_, 113:3_, 117:2_, 117:12_, 118:2_, 118:20_, 119:14_, 125:23	indication ^[1] - 214:1	injury ^[22] - 9:23_, 90:20 _, 92:7_, 113:2_, 115:21_, 117:11_, 118:3_, 127:23_, 145:20_, 146:15_, 146:22 _, 146:23_, 147:1_, 147:12_, 148:22_, 152:9_, 159:23_, 199:21_, 200:9_, 218:15
ID ^[2] - 170:2_, 170:7	incidents ^[18] - 47:17_, 47:18_, 47:21_, 47:23_, 47:24_, 48:2_, 48:6_, 48:19_, 74:6_, 101:23_, 112:3_, 112:18_, 112:22_, 112:23_, 113:16_, 113:18 _, 117:9_, 118:1	indicators ^[1] - 143:8	Inlet ^[1] - 66:13
idea ^[3] - 215:9_, 218:25 _, 220:4	incise ^[3] - 146:2_, 146:3 _, 147:2	individual ^[7] - 60:11_, 118:7_, 136:1_, 136:11_, 153:20_, 183:4_, 191:10	inlet ^[1] - 63:15
identification ^[1] - 173:23	incised ^[1] - 145:23	individually ^[1] - 191:9	inner ^[1] - 114:21
identified ^[3] - 29:2_, 70:7_, 110:17	incision ^[1] - 154:8	individuals ^[1] - 37:19	inquire ^[1] - 4:17
identifies ^[2] - 110:4_, 111:5	incisions ^[1] - 137:9	industry ^[24] - 50:15_, 50:17_, 84:21_, 85:6_, 102:1_, 102:3_, 102:6_, 102:22_, 104:13_, 104:18 _, 109:4_, 109:9_, 109:19 _, 109:21_, 110:3_, 111:13_, 111:25_, 112:2_, 112:6_, 118:10_, 210:25_, 217:4_, 217:5_, 218:15	inquiring ^[1] - 21:18
identify ^[5] - 15:3_, 29:7 _, 58:18_, 59:7_, 186:7	inclined ^[1] - 4:6	inflict ^[1] - 147:1	inside ^[4] - 16:20_, 137:12_, 211:19_, 211:21
identifying ^[2] - 109:10 _, 111:5	include ^[5] - 100:17_, 101:13_, 101:23_, 102:12 _, 121:1	inflicted ^[1] - 122:3	insofar ^[1] - 191:13
illicit ^[1] - 138:1	included ^[2] - 177:24_, 184:21	inflows ^[1] - 170:12	inspect ^[1] - 123:8
image ^[5] - 5:3_, 61:3_, 61:15_, 65:7_, 151:2	includes ^[2] - 72:11_, 137:13	influx ^[1] - 217:16	inspected ^[14] - 13:14_, 13:15_, 13:17_, 13:25_, 53:10_, 57:15_, 94:1_, 94:2_, 94:13_, 101:11_, 208:7_, 208:9_, 212:23_, 213:4
imagery ^[1] - 56:21	including ^[4] - 109:11_, 118:16_, 119:6_, 189:14	inform ^[1] - 151:24	inspecting ^[2] - 56:12_, 72:18
images ^[5] - 5:12_, 56:21 _, 68:4_, 130:25_, 153:10	income ^[8] - 193:12_, 193:20_, 200:13_, 207:12 _, 219:22_, 219:24_, 219:25_, 224:16	information ^[26] - 15:5 _, 27:20_, 27:22_, 92:18_, 93:18_, 138:5_, 140:15_, 140:16_, 142:11_, 149:13 _, 155:9_, 156:7_, 159:12 _, 159:14_, 159:17_, 161:11_, 173:17_, 173:18 _, 177:2_, 179:14_, 186:23_, 187:2_, 188:7_, 189:6_, 189:25_, 190:4	inspection ^[5] - 13:20_, 94:5_, 94:7_, 94:8_, 99:4
imagination ^[1] - 83:9	incorporate ^[1] - 138:4	informed ^[2] - 26:4_, 26:7	inspections ^[9] - 8:8_, 8:20_, 72:11_, 72:14_, 73:8_, 100:8_, 116:9_, 208:12
imagine ^[1] - 201:14	Incorporated ^[1] - 174:2	infrastructure ^[1] - 166:4	inspector ^[17] - 8:19_, 8:22_, 73:19_, 74:23_, 74:24_, 89:13_, 89:19_, 95:20_, 99:16_, 99:19_, 100:5_, 100:6_, 100:8_, 100:10_, 100:11_, 102:16 _, 117:15
immediate ^[5] - 15:11_, 16:3_, 93:14_, 113:7_, 117:17	incorporated ^[1] - 199:14	inherent ^[2] - 80:20_, 81:11	
immediately ^[5] - 15:14 _, 15:25_, 16:12_, 52:4_, 91:3	incorporation ^[5] - 199:1_, 199:3_, 202:23_, 214:13_, 216:9	initial ^[4] - 48:15_, 117:14_, 184:11_, 188:5	
impacts ^[1] - 84:3	incorporator ^[1] - 199:10	initials ^[8] - 181:14_, 181:17_, 181:18_, 181:20 _, 181:22_, 182:7_, 183:18	
implemented ^[1] - 112:5	indeed ^[1] - 218:6	injure ^[1] - 147:16	
import ^[1] - 60:5	independent ^[6] - 37:11_, 38:1_, 173:22_, 182:21_, 183:4_, 183:6		
important ^[8] - 112:14_, 113:5_, 148:13_, 152:12_, 156:7_, 157:2_, 157:8_, 173:23	indicate ^[1] - 89:18		
impractical ^[1] - 66:9			
imprisonment ^[3] - 189:14_, 189:16_, 189:19			
improper ^[1] - 30:16			
improve ^[1] - 93:3			
inattention ^[4] - 132:3_, 133:5_, 133:24_, 134:9			
Inc ^[2] - 186:9_, 204:22			
inch ^[2] - 146:3_, 146:5			

inspectors [2] - 99:21, 99:24
inspects [1] - 73:14
instance [2] - 23:18, 147:6
institution [1] - 189:18
institutions [3] - 139:8, 167:11, 171:23
instructed [1] - 21:19
instruction [7] - 3:23, 3:24, 4:3, 4:6, 4:11, 75:12, 131:25
instructions [5] - 4:1, 4:7, 4:11, 131:24, 225:7
instructor [1] - 23:18
instrument [1] - 145:21
insults [1] - 137:16
insured [1] - 189:18
intact [1] - 148:15
integral [1] - 191:17
integrated [1] - 143:12
intellectually [1] - 140:6
intent [2] - 15:6, 15:8
intention [2] - 193:19, 194:17
intentional [21] - 26:2, 26:7, 26:14, 26:15, 26:17, 26:18, 26:19, 26:20, 26:21, 26:23, 27:5, 27:8, 27:9, 27:11, 27:15, 27:19, 28:9, 28:12, 110:12, 112:24
intentionally [3] - 28:7, 28:10, 36:10
interest [5] - 177:8, 192:12, 192:13, 193:3, 193:4
interested [2] - 190:1
intermittent [1] - 37:6
Internal [1] - 227:19
internal [14] - 46:23, 47:14, 107:19, 137:8, 137:19, 139:5, 142:13, 151:18, 151:20, 151:23, 156:4, 156:8, 156:24
internet [1] - 225:13
intervention [2] - 143:11
interview [4] - 30:15, 33:5, 38:23, 40:21

interviewed [8] - 10:13, 27:2, 27:4, 28:23, 29:12, 30:2, 37:21, 37:23
interviewing [2] - 28:22, 89:22
interviews [14] - 10:16, 15:18, 26:9, 26:11, 26:23, 27:1, 28:19, 29:1, 29:10, 37:14, 37:18, 43:16, 92:12, 92:17
Intracoastal [2] - 12:18, 87:15
intricate [1] - 62:20
introduce [1] - 228:3
introduced [1] - 225:15
inventory [1] - 165:9
inverse [1] - 146:5
investigate [9] - 10:23, 12:11, 12:24, 12:25, 15:13, 86:24, 89:2, 89:6, 117:13
investigated [6] - 12:15, 47:6, 47:18, 47:21, 47:24, 48:3
investigates [1] - 12:19
investigating [3] - 47:16, 48:18, 117:15
investigation [31] - 8:25, 10:5, 15:3, 15:21, 26:8, 31:10, 38:1, 38:7, 38:8, 38:11, 38:18, 41:10, 48:6, 50:2, 50:3, 51:22, 51:24, 53:4, 62:10, 74:1, 76:13, 89:10, 91:25, 92:15, 93:17, 103:21, 117:19, 123:2, 123:6, 155:21, 155:22
investigations [15] - 8:9, 34:5, 49:14, 51:13, 51:18, 73:9, 74:14, 74:16, 74:19, 87:1, 87:3, 87:5, 89:5, 92:2, 93:4
investigative [1] - 140:10
investigator [10] - 8:19, 62:18, 73:22, 74:5, 74:24, 89:14, 89:19, 95:21, 141:18, 159:8
Investigator [5] - 52:8, 52:9, 57:7, 58:6, 58:25
investigators [4] - 10:3

, 74:13, 74:16, 140:14
investigatory [1] - 104:5
investors [1] - 208:21
invite [2] - 6:15, 71:12
invoking [1] - 132:7
involved [17] - 10:16, 13:24, 52:1, 52:5, 100:1, 102:13, 120:8, 129:4, 129:17, 129:19, 143:21, 164:13, 166:20, 181:6, 195:6, 205:4
involvement [1] - 60:20
involving [7] - 11:7, 48:9, 51:23, 113:14, 144:2, 147:23, 148:3
irregularity [1] - 91:6
irrelevant [1] - 31:18
Island [4] - 24:15, 208:3, 208:15, 209:24
islands [1] - 24:15
issue [10] - 16:2, 32:10, 94:8, 95:24, 111:3, 111:6, 111:8, 111:10, 124:17, 125:16
issued [10] - 17:22, 21:16, 21:20, 22:11, 24:9, 25:16, 90:7, 96:4, 96:13, 96:14
issues [21] - 11:8, 19:22, 20:11, 27:23, 29:13, 29:14, 36:12, 36:13, 37:15, 40:17, 40:22, 41:9, 59:19, 82:12, 85:6, 85:10, 85:11, 90:3, 91:13, 130:10, 228:7
Item [3] - 206:18, 207:14, 218:24
item [1] - 224:19
items [6] - 3:22, 117:7, 117:25, 137:13, 177:21, 190:2
itself [15] - 24:8, 24:9, 56:6, 60:25, 80:22, 87:13, 107:3, 118:23, 118:25, 119:12, 124:13, 124:21, 126:10, 155:16, 155:18

J

jagged [1] - 68:24
Jennifer [1] - 33:10
job [13] - 8:4, 47:5, 72:10, 99:15, 99:16, 99:17, 101:4, 101:6, 101:20, 102:7, 102:19, 103:5, 214:20
jobs [1] - 187:13
joined [2] - 3:8, 100:14
joining [1] - 75:5
joint [4] - 202:5, 206:8, 218:14, 220:3
Jordan [1] - 131:12
Josh [1] - 226:15
Joshua [1] - 226:15
journeyman [1] - 100:9
Judge [6] - 4:4, 39:3, 43:4, 129:22, 133:1, 144:12
judgment [3] - 18:16, 110:1, 151:24
jump [1] - 85:21
jumped [3] - 33:18, 33:24, 83:6
June [2] - 21:5, 21:13
Jupiter [2] - 66:6, 66:13
jurisdiction [4] - 12:13, 73:16, 73:25, 89:12
JUROR [1] - 198:20
juror [1] - 5:16
jurors [8] - 3:18, 4:17, 5:15, 105:16, 106:3, 132:22, 134:13, 157:5
jury [86] - 3:23, 3:25, 4:7, 4:11, 4:15, 6:2, 6:4, 14:18, 17:1, 18:7, 18:21, 19:12, 31:17, 46:17, 52:1, 52:20, 53:4, 53:14, 54:12, 55:16, 58:10, 59:12, 62:24, 65:3, 65:9, 66:23, 67:7, 67:14, 69:12, 70:24, 70:25, 71:4, 71:5, 71:6, 95:15, 104:22, 105:22, 107:25, 112:8, 112:21, 113:22, 114:8, 115:6, 115:25, 119:3, 119:21, 130:8, 130:9, 130:16, 131:22, 131:24, 134:16, 144:10, 144:14, 156:11, 161:12, 161:15, 161:16, 163:2, 172:10, 185:19, 190:12

, 190:13, 190:18_,
190:19_, 198:14_, 198:19
, 198:24, 200:21_,
201:24_, 202:15_, 204:17
, 205:6, 206:10_, 207:7
, 209:6, 210:9_, 211:2_,
211:8_, 211:23_, 212:7_,
212:15_, 214:15_, 225:9_,
226:5_, 226:6
JURY [1]_ - 223:19
jury's [2]_ - 104:25_,
203:16
Justin [1]_ - 227:9

K

K-E-L-L-Y [1]_ - 196:21
keep [12]_ - 102:17_,
110:24_, 163:5_, 163:22_,
169:9_, 174:9_, 178:12_,
179:8_, 180:1_, 215:2_,
218:19_, 225:22
keeping [3]_ - 109:19_,
200:4_, 200:11
KELLER [127]_ - 3:7_, 4:1
, 4:4, 4:18_, 5:8_, 5:14_,
5:20_, 30:10_, 30:14_,
31:8_, 31:23_, 32:5_,
98:3, 98:20_, 98:23, 99:2
, 104:11, 104:20,
105:14, 105:17_, 106:4_,
106:7, 106:9_, 113:22,
114:1_, 114:6_, 114:9_,
115:23, 116:1_, 119:20,
119:23_, 122:21_, 129:24
, 130:12, 131:1_, 131:9
, 131:11, 131:15_,
131:20_, 132:8_, 132:15_,
133:1_, 133:6_, 133:15_,
133:21_, 134:1_, 134:7_,
134:19, 135:14_, 140:23,
141:5_, 144:10_, 144:12_,
144:17, 144:18_, 150:5,
150:10_, 151:15, 151:16_,
152:23_, 153:4, 153:7_,
156:10, 156:12_, 157:18,
157:19_, 157:24, 158:2_,
160:4, 160:6_, 196:8_,
196:22, 197:2_, 198:13,
198:16_, 198:19_, 198:22,
198:23_, 200:20, 200:22_,
201:22, 202:1_, 202:16,
202:18_, 204:16, 204:20_,
205:5, 205:8_, 206:9,
206:11_, 207:5, 207:8_,
209:5, 209:8_, 210:8,
210:11_, 211:1, 211:4_,
211:22, 212:1_, 212:5,

212:8_, 212:13, 212:16,
213:1_, 214:5_, 221:20_,
221:22_, 223:3_, 223:11_,
223:16_, 223:20_, 223:23,
224:6_, 224:24_, 225:3_,
226:11_, 226:23_, 226:25
, 227:3, 227:6_, 227:8_,
227:12_, 227:16_, 227:19
, 228:1, 228:9
Keller [12]_ - 3:7_, 5:7_,
5:13_, 6:11_, 98:1_,
130:11_, 130:25_, 131:12
, 134:18, 225:2_, 226:9
_, 228:8

KELLY [1]_ - 196:24

Kelly [28]_ - 131:19_,
196:9_, 196:21_, 197:3_,
197:5_, 197:7_, 198:17_,
198:24_, 200:23_, 202:2_,
202:15_, 203:15_, 203:18
, 204:3, 204:21_, 205:6
, 205:9, 206:12_, 207:9
, 210:12, 210:13_,
211:5_, 212:2_, 212:17_,
214:10_, 221:23_, 224:7_,
224:25

kept [2]_ - 42:1_, 48:5

killing [1]_ - 213:12

kilogram [1]_ - 157:12

kind [42]_ - 8:16_, 10:6_,
13:16_, 29:12_, 30:18_,
38:10_, 38:12_, 48:20_,
49:9_, 49:24_, 50:9_,
54:23_, 69:5_, 78:14_,
78:15_, 86:23_, 87:12_,
91:23_, 108:6_, 108:10_,
132:6_, 137:16_, 143:7_,
143:11_, 145:13_, 147:10
, 152:9, 162:9_, 163:7_,
166:6_, 166:7_, 191:4_,
194:4_, 194:20_, 194:25_,
200:3_, 215:4_, 215:18_,
215:22_, 217:5_, 219:14_,
221:5

kinds [2]_ - 12:23_, 165:7

King [2]_ - 3:11_, 227:18

kitchen [1]_ - 211:19

knack [1]_ - 48:9

knee [2]_ - 143:23_,
147:23

knife [1]_ - 145:21

knots [4]_ - 126:5_,
126:10_, 126:14_, 126:24

knowing [6]_ - 16:19_,
81:7_, 125:6_, 125:15_,
165:18_, 218:18

knowingly [1]_ - 189:7

knowledge [24]_ - 14:14
, 29:21, 30:19_, 30:21_,
38:14_, 38:17_, 43:14_,
50:8_, 76:10_, 128:3_,
128:5_, 128:11_, 128:14_,
128:16_, 128:19_, 128:24
, 129:2, 129:5_, 129:16
, 149:8, 205:2_, 205:13
, 209:25, 213:3

knowledgeable [1]_ -
208:12

known [5]_ - 19:22_, 85:9
, 135:22, 162:24_,
210:24

Knoxville [1]_ - 200:19

KOFFSKY [47]_ - 45:9_,
45:16_, 46:12_, 51:11_,
51:19, 51:20_, 52:19_,
52:23_, 53:13, 53:15_,
54:11, 54:14_, 58:9_,
58:14_, 58:16_, 59:11_,
59:14_, 59:16, 59:17_,
61:23_, 62:1_, 62:23, 63:1
, 63:6, 63:8, 65:2, 65:4
, 67:6, 67:9, 69:11,
69:14_, 70:13_, 160:15_,
161:6_, 172:9, 172:12_,
178:15, 178:18_, 183:23,
184:1_, 185:18, 185:20_,
188:23_, 189:1_, 189:21_,
190:5_, 196:3

Koffsky [4]_ - 3:10_, 6:11
, 45:8, 160:13

Kristy [8]_ - 131:19_,
196:9_, 196:21_, 199:8_,
199:11_, 201:6_, 203:9_,
203:10

KRISTY [2]_ - 196:21,
196:24

L

labeled [1]_ - 59:1

lacerate [1]_ - 147:16

laceration [4]_ - 146:19_,
146:20_, 147:11_, 151:3
lacerations [2]_ - 119:6
_, 147:3

ladder [5]_ - 53:10_, 82:22
, 211:6, 211:8_, 211:15

ladders [1]_ - 210:25

ladies [7]_ - 6:7_, 17:3_,
45:12_, 70:22_, 130:3_,
190:8_, 225:4

lady [1]_ - 117:9

Lajas [1]_ - 75:23

Lake [9]_ - 7:21_, 8:12_,
8:14_, 11:11_, 14:19_,
21:4_, 63:15_, 73:12_,
76:11

landed [1]_ - 199:22

language [1]_ - 27:17

large [10]_ - 34:5_, 34:7_,
34:10_, 65:1_, 99:23_,
114:21_, 119:5_, 151:2_,
151:4

large-wise [1]_ - 34:7

larger [3]_ - 102:11_,
130:25_, 209:19

largest [2]_ - 34:21_,
78:22

last [25]_ - 6:25_, 7:2_,
46:3_, 46:8_, 65:7_, 71:22
, 71:24, 78:24_, 98:15_,
135:7_, 135:9_, 160:25_,
161:2_, 162:6_, 186:12_,
195:3_, 196:20_, 197:7_,
197:8_, 197:10_, 197:12_,
212:18_, 226:20_, 227:4

late [1]_ - 209:3

latitude [4]_ - 60:6_,
60:13_, 60:18_, 61:11

law [14]_ - 10:2_, 12:4_,
46:19_, 47:5_, 49:7_, 89:9
, 92:3, 132:5_, 134:3_,
134:4_, 141:18_, 155:21_,
159:10_, 189:9

lawful [1]_ - 18:19

laws [5]_ - 18:17_, 72:20_,
95:9_, 112:10_, 112:16

layman's [1]_ - 83:10

lead [14]_ - 20:10_, 38:10_,
81:6_, 107:17_, 122:4_,
122:6_, 122:10_, 124:12_,
137:17_, 146:19_, 153:19
, 162:1, 206:7_, 214:22

leading [5]_ - 29:15_,
43:13_, 63:11_, 158:22_,
208:17

leads [3]_ - 106:1_, 107:12
_, 112:19

learn [2]_ - 52:10_, 140:4

learned [4]_ - 139:4_,
139:6_, 140:13_, 215:18

learning [1]_ - 101:13

least [7]_ - 13:8_, 32:9_,
88:2_, 110:22_, 133:7_,
177:19_, 184:25

leave [2] - 69:4, 227:17
led [7] - 27:9, 27:24, 37:1, 37:16, 49:11, 155:12, 155:20
left [20] - 3:14, 21:8, 40:2, 46:22, 49:20, 53:23, 63:12, 66:19, 134:22, 144:4, 145:10, 148:8, 148:24, 150:24, 152:7, 153:25, 154:1, 154:4, 157:8, 174:10
left-hand [2] - 40:2, 63:12
lefts [1] - 140:1
leg [5] - 114:21, 115:1, 117:10, 148:1, 148:2
legal [1] - 214:16
legislation [4] - 163:15, 164:4, 164:18, 184:17
legislative [1] - 100:2
legs [2] - 119:6, 143:24
lender [15] - 166:15, 167:22, 167:24, 167:25, 168:6, 168:20, 170:4, 173:17, 175:6, 175:25, 179:16, 185:6, 185:11, 186:20, 188:10
lenders [7] - 167:2, 167:4, 167:5, 167:11, 169:11, 171:8, 174:19
lending [3] - 164:16, 165:1, 168:17
length [1] - 145:24
lengthy [1] - 69:9
less [12] - 13:7, 60:17, 64:8, 65:18, 68:2, 69:6, 91:10, 177:16, 177:17, 223:13, 224:8
lessons [1] - 191:14
letters [2] - 4:25, 131:7
letting [1] - 180:25
level [11] - 17:23, 75:9, 75:11, 90:6, 100:3, 102:25, 118:3, 118:5, 125:18, 128:1, 166:7
levels [5] - 79:3, 86:17, 113:2, 146:7, 200:13
lever [1] - 121:4
levers [1] - 123:20
liability [1] - 77:7
license [10] - 17:13, 17:14, 17:16, 17:17, 17:19, 17:22, 18:2, 18:5, 19:8, 90:7
licensed [8] - 90:3, 90:9, 109:8, 109:14, 109:23, 110:10, 122:15, 122:20
licenses [2] - 77:11, 90:4
lieutenant [3] - 8:3, 46:23, 47:12
Lieutenant [7] - 71:10, 71:12, 71:13, 72:5, 75:25, 97:18, 97:24
life [10] - 16:20, 51:3, 51:8, 89:1, 90:20, 110:14, 113:2, 117:8, 222:3
lift [1] - 152:10
lifting [1] - 21:11
light [2] - 80:12, 133:16
likely [3] - 65:21, 67:3, 67:13
likewise [2] - 72:19, 85:23
limbo [1] - 131:12
limit [6] - 20:19, 20:23, 20:25, 24:25, 93:22, 173:12
limited [3] - 22:7, 22:14, 176:1
limits [5] - 17:17, 24:21, 47:7, 47:8, 84:3
line [20] - 60:19, 61:4, 63:3, 63:13, 63:25, 64:1, 64:9, 66:15, 79:20, 79:25, 107:7, 154:3, 182:17, 182:23, 206:18, 207:14, 218:23, 224:19
linear [1] - 147:18
lines [4] - 33:19, 33:24, 87:11, 147:19
liquid [3] - 84:12, 84:13, 84:14
list [8] - 110:13, 117:7, 117:16, 158:17, 159:21, 177:25, 226:8, 227:23
listed [14] - 4:21, 97:7, 117:25, 144:25, 170:13, 174:3, 174:25, 175:4, 176:17, 179:12, 187:17, 202:9, 203:22, 214:13
listen [1] - 225:12
listening [1] - 61:8
literally [4] - 14:8, 170:20, 170:23, 171:17
live [7] - 7:11, 7:12, 46:13, 72:6, 72:7, 136:19, 197:5
living [2] - 7:13, 72:8
loan [62] - 163:16, 164:20, 164:23, 165:5, 166:14, 167:20, 167:24, 168:1, 168:9, 168:18, 168:20, 169:4, 169:6, 169:7, 169:8, 169:9, 169:15, 169:22, 170:18, 171:22, 172:5, 172:7, 173:4, 176:15, 177:14, 177:24, 179:18, 180:10, 180:20, 181:1, 181:5, 181:8, 182:11, 183:13, 184:5, 184:7, 184:11, 184:12, 184:20, 185:11, 185:24, 186:19, 186:20, 186:21, 187:5, 187:11, 187:15, 187:17, 188:6, 189:9, 191:6, 191:13, 192:2, 192:6, 193:9, 193:16, 223:5, 223:20, 224:4
Loan [1] - 177:5
loans [25] - 163:22, 164:24, 165:3, 166:2, 167:3, 168:2, 168:11, 168:22, 169:7, 169:8, 169:10, 169:20, 170:25, 171:15, 171:18, 176:22, 176:23, 184:4, 184:14, 185:4, 195:7, 195:9, 195:11, 195:15
lobster [1] - 85:14
local [4] - 49:14, 74:18, 89:9, 92:3
locate [1] - 133:18
located [5] - 77:15, 82:14, 105:5, 105:6, 124:1
location [2] - 43:11, 79:10
locked [1] - 193:22
log [1] - 48:5
logging [1] - 75:15
logical [2] - 81:20, 81:24
logs [1] - 61:10
lone [1] - 58:2
longitude [4] - 60:6, 60:13, 60:18, 61:11
look [26] - 43:18, 52:5, 60:5, 62:19, 84:12, 89:25, 93:8, 95:23, 137:3, 137:12, 137:15, 138:3, 142:18, 143:6, 144:23, 147:5, 148:12, 148:16, 148:23, 173:17, 180:24, 187:9, 212:17, 213:23
looked [9] - 29:10, 53:1, 55:1, 56:15, 148:24, 172:6, 175:7, 204:1, 211:15
looking [13] - 54:3, 62:19, 83:25, 131:23, 132:25, 133:23, 147:7, 153:9, 159:14, 206:18, 216:8, 226:8
looks [8] - 56:13, 74:5, 144:1, 151:4, 176:6, 181:13, 203:20
Lord [1] - 226:22
lose [6] - 9:22, 28:1, 28:13, 37:5, 37:7
loses [2] - 44:17, 44:20
losing [2] - 117:21, 179:1
loss [11] - 11:24, 38:22, 40:8, 90:20, 92:9, 110:12, 110:13, 113:2, 148:18, 206:16, 216:24
losses [6] - 90:19, 110:14, 112:25, 113:2, 117:8
lost [10] - 28:17, 28:21, 29:3, 29:7, 37:15, 38:2, 38:15, 39:11, 39:12, 41:25
love [2] - 48:11, 61:19
low [2] - 81:9, 102:14
low-flash-point [1] - 102:14
lower [21] - 29:17, 39:20, 54:23, 143:22, 144:3, 144:23, 145:7, 145:10, 148:6, 148:7, 148:14, 148:24, 150:24, 150:25, 154:20, 156:24, 158:16, 177:4
lowercase [1] - 4:25
Lucie [1] - 197:6
lunch [6] - 130:4, 130:7, 130:8, 130:11,

130:15_, 130:21
lung [13]_ - 152:7_, 152:8
 _ , 152:10_, 154:1_, 154:2
 _ , 154:9_, 154:12_,
 154:17_, 154:19_, 157:8_,
 157:11_, 157:13_, 157:14
lungs [9]_ - 152:13_,
 152:20_, 153:13_, 153:18
 _ , 154:7_, 154:18_, 157:3
 _ , 157:7_, 157:10
luxury [2]_ - 208:19_,
 211:20

M

M-O-S-Q-U-E-R-A [1]_ - 7:2
ma'am [12]_ - 5:14_, 131:5
 _ , 131:11_, 160:17_,
 196:1_, 196:10_, 196:12_,
 200:10_, 201:21_, 221:17.
 _ , 223:10_, 228:6
machete [1]_ - 147:6
machine [3]_ - 56:13_,
 57:9_, 57:24
machinery [3]_ - 100:15
 _ , 101:16_, 165:7
main [11]_ - 78:21_,
 101:20_, 106:14_, 116:19
 _ , 120:3_, 121:23_, 148:2
 _ , 152:14_, 153:12_,
 154:4_, 154:5
maintain [1]_ - 109:16
maintaining [2]_ - 102:2
 _ , 109:5
maintenance [3]_ -
 16:22_, 101:16_, 128:7
major [8]_ - 136:25_,
 147:25_, 148:14_, 148:18
 _ , 148:23_, 148:25_,
 151:6_, 151:8
majority [3]_ - 121:21_,
 184:15_, 206:7
Malabar [1]_ - 8:16
male [1]_ - 157:9
malfunction [3]_ -
 101:14_, 110:5_, 119:16
malfunctioned [1]_ -
 117:2
malfunctions [3]_ -
 101:24_, 120:15_, 120:25
man [2]_ - 36:1_, 36:3
manage [2]_ - 48:15_,
 162:11

mandate [1]_ - 171:12
mandated [1]_ - 165:23
maneuver [3]_ - 35:25_,
 37:12_, 69:7
maneuverability [1]_ -
 113:1
maneuvered [1]_ - 67:4
maneuvering [2]_ -
 68:23_, 69:1
maneuvers [7]_ - 37:9_,
 66:1_, 67:1_, 67:25_, 69:5
 _ , 69:18_, 69:19
manipulate [1]_ - 152:8
manipulated [1]_ -
 154:18
manipulating [1]_ -
 120:13
manner [5]_ - 129:6_,
 136:15_, 137:5_, 138:7_,
 155:21
manners [4]_ - 136:3_,
 136:9_, 139:14
manufacturer [1]_ -
 59:24
map [2]_ - 54:22_, 113:24
maps [1]_ - 56:20
March [44]_ - 7:18_, 9:9_,
 11:2_, 11:3_, 11:9_, 14:16
 _ , 14:21_, 16:14_, 19:20_,
 19:23_, 20:15_, 20:17_,
 26:5_, 44:23_, 45:1_,
 51:23_, 62:10_, 65:10_,
 103:18_, 104:2_, 113:13_,
 118:19_, 122:3_, 122:8_,
 122:9_, 122:18_, 141:21_,
 159:4_, 159:19_, 197:17_,
 198:2_, 199:20_, 201:16_,
 201:17_, 201:18_, 202:10
 _ , 202:11_, 203:2_,
 211:12_, 212:21_, 213:8_,
 216:8_, 216:19_, 216:25
Marina [2]_ - 52:16, 70:12
marina [24]_ - 29:4_,
 29:14_, 29:15_, 33:21_,
 34:2_, 36:14_, 36:15_,
 36:17_, 39:14_, 39:17_,
 39:24_, 40:1_, 40:12_,
 40:20_, 41:22_, 41:23_,
 42:6_, 42:7_, 42:9_, 42:11.
 _ , 55:1_, 55:11_, 77:15_,
 220:10
marinas [2]_ - 56:23_,
 222:21
marine [59]_ - 7:14_, 7:20
 _ , 9:16_, 9:19_, 9:24_,

11:11_, 11:12_, 12:1_,
 14:21_, 14:23_, 14:25_,
 15:12_, 16:5_, 47:5_,
 47:11_, 51:12_, 51:17_,
 53:17_, 54:16_, 73:11_,
 73:19_, 73:22_, 74:5_,
 74:13_, 74:22_, 74:24_,
 76:11_, 76:12_, 86:20_,
 87:2_, 87:5_, 90:13_,
 90:17_, 91:22_, 92:21_,
 92:23_, 93:15_, 94:22_,
 99:16_, 99:19_, 99:20_,
 99:24_, 100:5_, 100:6_,
 100:7_, 100:10_, 100:16_,
 101:6_, 101:7_, 101:8_,
 101:23_, 102:3_, 103:17_,
 103:22_, 104:2_, 106:15_,
 117:15_, 123:19
mariner [11]_ - 17:12_,
 18:14_, 19:1_, 19:2_, 19:7
 _ , 88:18_, 109:14_,
 109:23_, 110:10_, 122:16
 _ , 122:20
mariners [1]_ - 112:12
marital [1]_ - 208:23
mark [6]_ - 55:5_, 63:19_,
 64:11_, 172:24_, 182:13_,
 182:23
marked [1]_ - 65:15
marker [1]_ - 66:21
market [1]_ - 195:21
marketplace [1]_ -
 161:23
markings [1]_ - 143:10
married [4]_ - 197:13_,
 197:14_, 198:1_, 198:5
Mary [1]_ - 158:8
masks [1]_ - 178:12
Massachusetts [1]_ -
 73:7
master [4]_ - 16:7_, 16:8_,
 16:13_, 109:8
Masterman [1]_ - 227:9
match [1]_ - 187:17
material [2]_ - 90:21_,
 189:7
math [4]_ - 171:1_, 176:12
 _ , 222:5
matter [2]_ - 3:15_, 179:6
maximum [3]_ - 217:13_,
 218:5_, 218:7
McCabe [66]_ - 3:5_, 3:15
 _ , 9:6_, 10:22_, 16:15_,
 18:25_, 21:14_, 24:25_,
 25:5_, 25:21_, 25:23_,

28:17_, 30:1_, 30:2_, 30:8
 _ , 31:4_, 33:17_, 36:10_,
 36:16_, 38:24_, 39:7_,
 40:11_, 41:6_, 41:19_,
 42:6_, 62:6_, 103:25_,
 174:4_, 175:5_, 186:11_,
 197:11_, 197:12_, 197:13
 _ , 197:14_, 197:16_,
 198:1_, 199:8_, 199:11_,
 199:18_, 200:23_, 201:6_,
 202:8_, 203:9_, 203:10_,
 203:11_, 204:5_, 206:4_,
 207:1_, 208:11_, 208:19_,
 209:23_, 210:19_, 211:14
 _ , 211:16_, 212:22_,
 213:7_, 213:10_, 213:14_,
 213:19_, 214:1_, 214:2_,
 215:1_, 216:3_, 217:22_,
 222:22
McCabe's [1]_ - 30:10
MD [1]_ - 135:8
MDs [1]_ - 139:1
mean [34]_ - 9:20_, 17:14
 _ , 18:11_, 23:21_, 25:23_,
 28:3_, 34:11_, 35:19_,
 35:20_, 36:14_, 37:4_,
 38:17_, 39:23_, 41:13_,
 42:10_, 55:15_, 56:22_,
 60:4_, 82:18_, 95:6_,
 110:8_, 144:8_, 173:3_,
 173:9_, 179:7_, 180:18_,
 182:10_, 183:9_, 187:9_,
 187:22_, 191:7_, 191:17_,
 217:23_, 218:2
meaning [4]_ - 28:9_,
 149:1_, 155:15_, 169:16
means [11]_ - 16:8_,
 17:15_, 35:21_, 44:13_,
 83:7_, 165:20_, 168:14_,
 173:4_, 187:11_, 187:23_,
 194:13
meant [2]_ - 16:3_, 82:19
measurements [6]_ -
 34:14_, 34:15_, 34:18_,
 156:4_, 156:6_, 156:16
measures [1]_ - 111:10
measuring [1]_ - 55:25
mechanic [4]_ - 100:16_,
 100:24_, 101:8_, 101:13
mechanical [12]_ - 11:8
 _ , 85:6_, 85:10_, 85:11_,
 91:13_, 92:10_, 115:8_,
 116:16_, 120:14_, 120:16
 _ , 121:15_, 124:4
mechanics [3]_ - 102:18
 _ , 104:12_, 104:17
mechanism [3]_ - 94:15

, 119:14, 124:23
mechanisms [1]_ - 120:7
media [1]_ - 225:13
Medical [5]_ - 135:18_, 135:20_, 144:25_, 150:18_, 159:8
medical [29]_ - 135:22_, 135:25_, 136:1_, 136:5_, 136:7_, 136:20_, 138:9_, 138:10_, 138:16_, 138:18_, 138:19_, 138:20_, 138:21_, 138:22_, 138:23_, 138:25_, 139:18_, 140:19_, 140:24_, 141:9_, 143:11_, 143:17_, 144:21_, 148:21_, 149:2_, 150:12_, 155:8_, 158:9_, 159:13
Medicine [1]_ - 139:9
meet [3]_ - 18:3_, 136:5_, 171:12
meeting [5]_ - 77:6_, 94:10_, 139:17_, 159:7_, 162:12
meetings [1]_ - 102:22
megabytes [1]_ - 57:22
member [1]_ - 99:6
members [1]_ - 102:22
memo [2]_ - 210:14_, 211:10
memorandums [1]_ - 74:7
memorialize [1]_ - 157:21
memorializing [1]_ - 155:24
memory [2]_ - 60:10_, 60:17
mention [1]_ - 125:24
mentioned [33]_ - 11:13_, 11:16_, 13:15_, 20:11_, 26:3_, 27:2_, 27:4_, 39:11_, 49:23_, 51:3_, 52:14_, 54:1_, 55:6_, 55:14_, 59:19_, 62:2_, 66:2_, 74:21_, 78:17_, 79:6_, 83:22_, 86:5_, 87:6_, 97:1_, 112:23_, 123:1_, 124:5_, 125:22_, 126:16_, 165:1_, 165:15_, 169:4_, 184:2
mentoring [1]_ - 161:24
menu [1]_ - 57:4
merchant [6]_ - 17:12_, 18:14_, 19:1_, 19:2_, 19:6_, 112:12
message [2]_ - 162:2_, 162:8
met [4]_ - 10:3_, 22:17_, 22:18_, 25:16
metal [2]_ - 82:18_, 128:10
Miami [6]_ - 7:15_, 8:15_, 8:17_, 9:14_, 72:9_, 73:2
micro [2]_ - 58:19_, 59:10
micro-SD [2]_ - 58:19_, 59:10
microphone [1]_ - 197:23
middle [7]_ - 43:22_, 145:19_, 147:4_, 156:19_, 178:21_, 189:2_, 208:23
might [3]_ - 3:19_, 15:15_, 126:20
mile [2]_ - 67:23_, 69:19
miles [8]_ - 12:15_, 12:21_, 64:9_, 65:18_, 67:22_, 69:7_, 126:4_, 126:14
military [7]_ - 8:2_, 103:5_, 103:9_, 116:8_, 127:9_, 128:5_, 128:16
milk [1]_ - 165:21
million [6]_ - 136:18_, 169:8_, 170:21_, 170:22_, 170:25_, 189:20
millions [4]_ - 170:20_, 170:24_, 171:17_, 171:21
mind [6]_ - 4:19_, 22:22_, 24:1_, 112:1_, 182:18_, 225:23
minimal [1]_ - 128:9
minimum [4]_ - 78:20_, 97:14_, 118:5_, 125:4
minor [1]_ - 47:22
minus [3]_ - 222:16_, 222:25
minute [7]_ - 4:21_, 91:11_, 99:14_, 106:24_, 107:1_, 152:21_, 198:21
minutes [11]_ - 3:18_, 3:20_, 49:6_, 66:25_, 69:20_, 70:23_, 91:10_, 130:5_, 131:22_, 188:22
MISC [1]_ - 182:22
miscellaneous [1]_ - 48:19
misconduct [5]_ - 132:2_, 132:5_, 133:4_, 133:23_, 134:3
miss [1]_ - 129:9
missing [2]_ - 20:7_, 140:16
mission [2]_ - 14:25_, 161:19
mistakes [1]_ - 190:1
mitigating [1]_ - 110:23
mix [2]_ - 167:12_, 227:11
mixes [1]_ - 153:19
mixture [1]_ - 153:15
modern [3]_ - 57:23_, 60:10_, 68:1
modification [1]_ - 125:5
modifications [3]_ - 124:21_, 125:11_, 211:16
Mollie [2]_ - 141:10_, 158:7
mom [1]_ - 131:13
moment [13]_ - 6:6_, 6:17_, 43:24_, 43:25_, 44:17_, 44:20_, 61:17_, 62:4_, 68:22_, 98:7_, 98:24_, 106:2_, 223:21
moments [1]_ - 196:13
money [21]_ - 14:5_, 14:7_, 14:9_, 163:18_, 164:16_, 165:14_, 168:9_, 168:21_, 168:23_, 168:24_, 170:22_, 171:12_, 179:9_, 179:10_, 180:1_, 181:12_, 184:25_, 185:8_, 185:9_, 185:10
moneys [4]_ - 163:15_, 165:11_, 165:23_, 172:8
month [19]_ - 49:16_, 162:6_, 162:7_, 170:18_, 174:14_, 205:13_, 217:8_, 217:11_, 217:19_, 218:1_, 218:10_, 218:21_, 219:5_, 219:15_, 220:10_, 222:7_, 222:8
monthly [12]_ - 174:11_, 174:25_, 176:10_, 176:13_, 176:14_, 176:16_, 204:24_, 205:3_, 205:12_, 217:3_, 219:8_, 224:8
months [1]_ - 217:15
moored [5]_ - 78:3_, 79:6_, 79:8_, 79:18_, 79:19
mooring [1]_ - 79:9
morgue [2]_ - 142:1_, 142:6
morning [26]_ - 3:2_, 3:7_, 3:12_, 3:13_, 6:7_, 6:16_, 7:8_, 22:4_, 22:5_, 44:11_, 45:18_, 45:20_, 46:5_, 46:6_, 46:7_, 46:13_, 70:14_, 70:23_, 71:14_, 98:5_, 98:21_, 98:22_, 159:7_, 226:1_, 227:21_, 228:13
Morse [3]_ - 120:2_, 120:17_, 124:4
mortgage [5]_ - 177:8_, 192:11_, 193:3_, 193:4_, 219:21
Mosquera [10]_ - 6:14_, 7:1_, 7:8_, 7:22_, 17:11_, 21:23_, 30:18_, 44:11_, 45:5_, 76:12
MOSQUERA [1]_ - 7:4
most [14]_ - 3:17_, 47:22_, 50:8_, 81:23_, 96:23_, 102:7_, 112:2_, 136:3_, 179:11_, 200:9_, 200:14_, 216:5_, 226:19
mostly [1]_ - 218:14
motorized [2]_ - 101:13_, 111:19
motors [1]_ - 65:23
move [24]_ - 18:21_, 18:23_, 21:18_, 32:15_, 32:24_, 41:16_, 42:3_, 43:3_, 70:9_, 74:25_, 81:23_, 82:20_, 104:21_, 106:1_, 106:12_, 107:10_, 115:10_, 115:20_, 151:18_, 160:3_, 175:22_, 207:23_, 224:2_, 224:3
moved [3]_ - 41:20_, 68:16_, 70:10
movement [1]_ - 69:21
moves [1]_ - 124:23
moving [26]_ - 46:18_, 64:18_, 64:22_, 68:15_, 79:9_, 108:2_, 108:3_, 112:6_, 114:6_, 114:19_, 117:1_, 118:19_, 126:24_, 157:20_, 174:9_, 176:5_, 176:25_, 177:4_, 186:16_, 199:9_, 205:5_, 207:5_, 212:5_, 212:13_, 222:24_, 225:4
MR [223]_ - 3:7_, 3:13_, 4:1_, 4:4_, 4:14_, 4:18_, 5:1_, 5:5_, 5:8_, 5:10_, 5:14_, 5:20_, 5:22_, 5:24_, 6:13_, 7:7_, 16:24_, 17:10_,

18:6, 18:9, 19:12, 19:14
 —, 21:23, 23:22, 30:4,
 30:10, 30:14, 30:18,
 31:1, 31:8, 31:23, 32:5
 —, 32:21, 39:1, 42:15,
 43:1, 44:8, 44:10, 45:3
 —, 45:9, 45:16, 46:12,
 51:11, 51:19, 51:20,
 52:19, 52:23, 53:13,
 53:15, 54:11, 54:14,
 58:9, 58:14, 58:16,
 59:11, 59:14, 59:16,
 59:17, 61:23, 62:1,
 62:23, 63:1, 63:6, 63:8,
 65:2, 65:4, 67:6, 67:9,
 69:11, 69:14, 70:13,
 71:9, 72:4, 74:20,
 75:24, 76:7, 95:14,
 95:17, 97:18, 98:3,
 98:20, 98:23, 99:2,
 104:11, 104:20, 105:14,
 105:17, 106:4, 106:7,
 106:9, 113:22, 114:1,
 114:6, 114:9, 115:23,
 116:1, 119:20, 119:23,
 122:21, 129:24, 130:12
 —, 130:20, 131:1, 131:5
 —, 131:9, 131:11,
 131:15, 131:20, 132:8,
 132:15, 133:1, 133:6,
 133:15, 133:21, 134:1,
 134:7, 134:19, 135:14,
 140:23, 141:2, 141:5,
 144:10, 144:12, 144:17,
 144:18, 150:5, 150:10,
 151:15, 151:16, 152:23,
 153:4, 153:7, 156:10,
 156:12, 157:18, 157:19,
 157:24, 158:2, 160:4,
 160:6, 160:9, 160:15,
 161:6, 172:9, 172:12,
 178:15, 178:18, 183:23,
 184:1, 185:18, 185:20,
 188:23, 189:1, 189:21,
 190:5, 190:22, 190:24,
 195:25, 196:3, 196:8,
 196:22, 197:2, 198:13,
 198:16, 198:19, 198:22,
 198:23, 200:20, 200:22,
 201:22, 202:1, 202:16,
 202:18, 204:16, 204:20,
 205:5, 205:8, 206:9,
 206:11, 207:5, 207:8,
 209:5, 209:8, 210:8,
 210:11, 211:1, 211:4,
 211:22, 212:1, 212:5,
 212:8, 212:13, 212:16,
 212:24, 213:1, 214:5,
 214:7, 214:9, 221:16,
 221:20, 221:22, 223:3,
 223:6, 223:10, 223:11,

223:16, 223:20, 223:23,
 224:6, 224:24, 225:3,
 226:11, 226:23, 226:25
 —, 227:3, 227:6, 227:8,
 227:12, 227:16, 227:19
 —, 228:1, 228:6, 228:9
MS [20] - 22:3, 24:2,
 32:19, 33:1, 39:3, 39:4
 —, 42:22, 42:23, 43:4,
 43:5, 43:24, 44:2, 44:6
 —, 51:15, 70:17, 76:3,
 97:21, 104:15, 122:24,
 129:21
MSD [1] - 73:12
multiple [4] - 50:1, 50:6
 —, 82:2, 86:15
multiplied [1] - 176:10
multiply [1] - 176:16
Municipal [2] - 52:16,
 70:12
muscle [3] - 151:6,
 151:8
must [2] - 223:23,
 225:22

N

name [31] - 6:25, 7:1,
 7:2, 33:10, 33:16,
 37:22, 46:3, 46:7, 46:8
 —, 71:22, 71:23, 71:24,
 98:15, 135:7, 135:8,
 135:9, 139:5, 142:18,
 160:25, 161:2, 173:22,
 196:20, 197:7, 197:8,
 197:10, 197:12, 203:22
 —, 226:24, 227:5
names [1] - 28:25
nares [1] - 156:21
narrow [2] - 43:13,
 47:16
National [1] - 76:18
national [4] - 49:13,
 139:16, 167:7, 171:20
natural [5] - 47:7, 136:4
 —, 139:12, 158:19,
 188:22
nature [9] - 8:11, 9:23,
 10:18, 11:25, 15:20,
 19:5, 68:24, 144:8,
 209:19
navigable [5] - 73:15,
 74:15, 87:9, 87:13,
 221:9
navigate [1] - 101:9

navigation [5] - 48:10,
 52:5, 53:10, 53:17,
 54:16
navigational [3] - 55:18
 —, 55:24, 57:5
Navnet [1] - 53:17
Navy [1] - 103:14
near [2] - 36:17, 105:13
necessarily [3] - 37:6,
 149:24, 184:10
necessary [3] - 113:8,
 134:12, 182:11
need [25] - 14:8, 25:15,
 36:3, 38:7, 40:12,
 61:23, 77:10, 77:18,
 86:1, 86:16, 91:25,
 92:18, 93:2, 93:10,
 93:19, 97:14, 102:23,
 110:18, 116:22, 117:17
 —, 128:23, 132:22,
 165:15, 179:9, 188:14
needed [8] - 36:17,
 39:14, 39:19, 119:10,
 177:19, 179:10, 180:1,
 184:22
needs [8] - 4:12, 13:19
 —, 21:20, 23:1, 25:16,
 92:14, 110:16, 165:8
neglect [2] - 132:4,
 134:3
negligence [4] - 132:2,
 133:4, 133:24, 134:8
negligent [3] - 132:19,
 133:9
nerve [1] - 149:20
nerves [1] - 149:19
neutral [4] - 83:16, 91:7
 —, 107:10, 116:10
never [3] - 44:25, 48:5,
 221:10
new [7] - 56:15, 57:3,
 57:23, 58:5, 209:2,
 226:20
news [1] - 225:13
next [28] - 6:12, 16:25,
 36:20, 39:2, 42:24,
 45:15, 60:14, 64:2,
 67:24, 68:13, 69:10,
 71:8, 98:2, 134:18,
 140:12, 141:17, 141:20
 —, 141:22, 147:18,
 151:14, 153:23, 154:8,
 157:17, 160:14, 175:23
 —, 176:7, 186:16, 196:7
nice [3] - 6:8, 226:4,

228:16
niche [1] - 48:20
night [1] - 226:20
nitrogen [3] - 84:6,
 84:19, 86:14
noise [2] - 40:12, 41:7
non [1] - 31:10
non-hearsay [1] -
 31:10
none [1] - 148:25
nonnatural [5] - 136:2,
 136:9, 136:20, 139:14
nonprofit [1] - 167:11
nontechnical [1] -
 209:15
normal [11] - 4:15,
 66:13, 107:19, 115:19,
 125:22, 126:6, 126:7,
 157:14, 164:19, 192:25
 —, 204:13
normally [5] - 102:10,
 124:10, 124:14, 157:9,
 157:11
norms [1] - 109:19
North [3] - 75:21, 75:22
 —, 139:14
north [2] - 57:21, 64:22
northward [2] - 64:23,
 69:22
northwest [1] - 65:23
nose [1] - 152:12
nostril [1] - 154:22
nostrils [3] - 152:11,
 156:21, 156:23
notate [1] - 55:2
note [5] - 4:18, 5:2,
 172:23, 173:1, 197:18
noted [1] - 211:10
notepad [1] - 6:6
notes [4] - 138:2, 138:3
 —, 156:16, 159:12
nothing [14] - 5:22, 6:21,
 45:24, 71:18, 98:11,
 106:5, 122:21, 130:20,
 135:3, 160:4, 160:21,
 196:16, 214:5, 224:24
notice [2] - 190:4, 202:5
notifications [1] -
 11:16
notified [5] - 9:18,
 11:21, 26:12, 44:25,
 91:22

notify [2] - 11:15, 85:10
noting [2] - 188:13, 226:13
nouns [1] - 132:12
number [38] - 17:3, 145:1, 145:4, 150:19, 158:8, 164:23, 168:1, 169:4, 169:6, 169:7, 169:9, 170:3, 170:7, 172:7, 173:23, 175:11, 175:14, 175:21, 176:10, 186:19, 186:21, 186:23, 187:17, 217:20, 218:6, 218:7, 223:15, 224:11, 224:12, 224:17, 224:19, 226:14, 226:16, 226:17, 226:18
Number [1] - 177:1
numbered [1] - 59:1
numbers [5] - 60:6, 145:1, 179:13, 179:22, 226:14
numerals [1] - 158:9

O

O'SULLIVAN [24] - 3:13, 4:14, 5:1, 5:5, 5:10, 5:22, 5:24, 30:18, 31:1, 32:21, 130:20, 131:5, 141:2, 160:9, 190:22, 190:24, 195:25, 212:24, 214:7, 214:9, 221:16, 223:6, 223:10, 228:6
O'Sullivan [9] - 3:14, 4:9, 5:4, 5:21, 130:19, 131:3, 160:8, 190:20, 214:6
O-P-S [1] - 135:10
oath [5] - 18:14, 19:8, 112:12, 112:15, 190:9
object [2] - 39:1, 223:7
objection [18] - 17:4, 23:22, 30:4, 31:24, 32:7, 32:23, 42:15, 43:1, 51:14, 51:15, 76:2, 76:3, 104:14, 104:15, 131:2, 141:1, 141:2, 212:24
objections [1] - 223:9
obligation [1] - 110:20
observed [5] - 53:8, 119:3, 119:5, 150:13,

159:22
obtain [3] - 9:3, 184:23, 189:8
obvious [2] - 143:20, 174:15
obviously [8] - 5:12, 79:2, 86:1, 92:8, 144:19, 193:8, 194:7, 213:17
occasion [1] - 127:11
occasionally [1] - 33:17
occupied [1] - 228:14
occur [3] - 74:6, 89:3, 89:7
occurred [14] - 11:1, 11:4, 11:8, 11:13, 20:14, 26:4, 51:22, 69:3, 76:13, 91:10, 103:17, 113:19, 113:20, 125:23
occurring [2] - 68:8, 76:15
occurs [3] - 15:23, 83:5, 154:11
ocean [4] - 63:15, 87:11, 114:4, 221:10
Ocean [2] - 12:21, 87:13
off-gassing [1] - 84:8
offense [1] - 131:24
offer [2] - 175:8, 208:20
offered [3] - 30:11, 32:11, 171:15
Office [3] - 135:19, 135:21, 159:9
office [10] - 14:19, 21:8, 21:10, 44:25, 73:1, 77:6, 139:20, 159:13, 161:14, 162:12
officer [11] - 46:19, 47:10, 47:25, 73:5, 73:6, 101:1, 101:2, 101:5, 101:6, 117:15, 199:12
OFFICER [3] - 6:3, 71:5, 134:14
Officer [1] - 6:5
officers [2] - 10:6, 18:19
official [1] - 225:15
officially [1] - 21:5
offshore [4] - 48:12, 63:15, 64:18, 97:4

often [1] - 184:14
oftentimes [1] - 92:3
oil [1] - 90:25
old [6] - 57:17, 57:18, 120:18, 127:13, 209:14
older [2] - 60:16
onboard [2] - 109:24, 123:9
once [32] - 9:25, 10:6, 15:6, 18:3, 19:2, 21:19, 28:13, 28:19, 29:9, 34:17, 35:17, 36:19, 37:24, 38:17, 38:24, 40:20, 43:16, 53:3, 53:6, 59:22, 61:8, 78:4, 80:12, 117:12, 117:14, 142:5, 142:11, 142:22, 143:5, 145:22, 151:17, 160:18
one [106] - 4:21, 5:16, 12:18, 13:8, 16:10, 17:5, 24:15, 26:11, 27:1, 27:2, 27:4, 28:24, 34:24, 36:1, 36:3, 36:6, 42:21, 43:24, 44:12, 51:2, 52:12, 53:7, 54:7, 54:18, 56:15, 58:2, 58:3, 58:23, 58:24, 59:2, 59:9, 60:11, 60:14, 61:17, 64:2, 66:14, 68:3, 68:13, 68:15, 70:6, 78:20, 79:10, 79:19, 82:12, 88:2, 88:8, 96:8, 96:14, 96:23, 106:2, 107:25, 113:7, 121:3, 121:6, 123:1, 124:9, 124:20, 130:4, 132:1, 132:3, 132:8, 132:11, 132:17, 132:18, 132:21, 133:8, 133:9, 134:10, 136:21, 139:8, 139:15, 139:25, 141:23, 144:5, 146:5, 146:9, 148:22, 150:1, 150:3, 154:13, 155:4, 159:21, 162:21, 164:17, 167:7, 171:22, 173:5, 175:23, 178:2, 178:13, 182:9, 182:10, 184:2, 194:6, 198:21, 201:9, 203:5, 203:22, 209:14, 218:23, 220:16, 223:22
ones [10] - 28:25, 77:23, 79:18, 82:2, 88:17, 123:25, 124:1, 148:23, 193:2, 193:3

ongoing [2] - 182:11, 183:10
online [1] - 167:23
onset [1] - 163:4
onshore [2] - 26:20, 35:4
onus [1] - 109:22
open [10] - 31:11, 75:7, 78:20, 79:1, 103:13, 103:14, 114:4, 194:18, 201:8, 225:23
opened [3] - 30:18, 56:17, 142:6
operable [1] - 193:12
operate [2] - 17:13, 17:17, 18:2, 19:4, 20:3, 22:16, 22:20, 22:24, 23:2, 23:12, 23:15, 94:21, 96:6, 96:13, 97:11, 110:1, 111:20, 113:10, 118:13, 132:6, 198:7
operated [5] - 73:21, 87:18, 89:15, 89:20, 95:8
operates [3] - 19:2, 19:6, 120:20
operating [26] - 14:15, 21:15, 21:17, 22:25, 24:4, 25:10, 25:12, 28:6, 38:9, 73:15, 87:1, 87:4, 88:18, 88:24, 96:1, 96:20, 97:2, 97:5, 97:15, 111:24, 183:10, 183:15, 183:16, 192:25, 204:3, 214:2
operation [10] - 16:18, 20:19, 120:23, 121:10, 124:20, 124:24, 125:1, 125:20, 183:2, 193:18
operational [4] - 21:2, 96:2, 192:16, 194:18
Operations [1] - 178:7
operations [8] - 16:10, 20:24, 20:25, 23:8, 93:22, 97:3, 177:9, 182:11
operator [5] - 16:7, 56:19, 89:23, 90:1, 94:24
opinion [12] - 25:23, 65:20, 68:21, 93:13, 116:14, 119:7, 119:9, 120:13, 125:6, 126:6, 158:11, 225:21

opportunity ^[1] - 181:5
opposed ^[2] - 28:6
options ^[1] - 177:12
Order ^[1] - 3:1
order ^[30] - 3:19, 4:19, 4:21, 21:1, 21:11, 21:16, 21:20, 22:7, 22:10, 22:18, 24:8, 24:21, 25:6, 25:16, 25:18, 25:20, 25:24, 46:18, 82:19, 88:9, 94:14, 106:12, 116:22, 116:24, 136:7, 141:14, 156:5, 168:1, 169:22, 170:7
orders ^[1] - 18:19
organ ^[1] - 157:2
organization ^[5] - 49:13, 161:16, 162:19, 166:22
organizations ^[1] - 162:14
organize ^[2] - 159:24, 160:1
organized ^[1] - 138:5
organs ^[12] - 137:11, 137:15, 139:5, 152:1, 152:3, 152:5, 152:6, 152:9, 152:14, 157:1
orifices ^[1] - 137:3
original ^[3] - 57:7, 125:10, 187:17
originally ^[1] - 125:12
Orlando ^[1] - 162:3
outfit ^[3] - 143:25, 149:12, 158:20
outflows ^[1] - 170:12
outiggers ^[3] - 29:17, 36:24, 39:20
outs ^[1] - 111:19
outside ^[4] - 50:4, 111:9, 127:19, 223:7
over-the-counter ^[1] - 138:1
overall ^[1] - 45:7
overcome ^[2] - 32:8, 32:10
overlap ^[1] - 134:9
overnight ^[1] - 141:17
overrule ^[1] - 223:8
overruled ^[3] - 23:24, 42:17, 212:25

oversee ^[2] - 8:17, 74:14
overseeing ^[2] - 16:10, 74:1
oversight ^[8] - 8:10, 13:18, 13:20, 13:25, 72:10, 72:17, 74:22, 99:21
overview ^[1] - 62:21
overweight ^[1] - 81:2
own ^[8] - 59:24, 60:1, 88:10, 136:10, 137:23, 186:20, 220:25
owned ^[2] - 198:6, 215:1
owner ^[13] - 16:13, 94:24, 109:22, 132:3, 132:10, 133:9, 133:13, 134:2, 134:5, 166:13, 166:14, 169:3, 193:19
owners ^[11] - 16:16, 94:25, 112:17, 163:16, 163:21, 164:17, 165:6, 165:12, 178:25, 184:19, 184:21
ownership ^[2] - 202:5, 202:24
ownerships ^[1] - 202:7
owns ^[1] - 96:1
oxygen ^[2] - 153:21, 154:14
oxygenate ^[1] - 152:14
oxygenated ^[1] - 149:17

P

P-O-L-L-A-C-K ^[1] - 227:6
p.m ^[10] - 130:9, 130:22, 134:16, 190:13, 190:17, 190:19, 226:6, 228:17
pack ^[1] - 87:23
package ^[1] - 57:4
packs ^[1] - 13:11
PADI ^[4] - 75:4, 75:5, 78:22, 103:13
page ^[25] - 158:6, 159:20, 160:3, 172:11, 174:9, 174:23, 177:1, 178:16, 180:13, 181:25, 182:1, 182:2, 182:9, 183:18, 199:5, 199:6,

199:9, 201:10, 202:25, 203:6, 203:17, 205:9, 224:3
paid ^[10] - 88:2, 89:22, 109:4, 109:9, 170:3, 182:21, 183:6, 219:21
pain ^[2] - 149:20, 149:22
painful ^[1] - 149:25
painting ^[1] - 211:18
pair ^[1] - 157:7
Palm ^[25] - 46:14, 46:22, 47:1, 47:10, 47:25, 50:4, 51:9, 52:2, 52:17, 72:7, 73:12, 87:15, 92:2, 92:4, 104:2, 113:21, 114:3, 115:19, 125:23, 135:18, 135:20, 136:18, 144:25, 150:18, 159:8
pandemic ^[20] - 163:4, 163:12, 163:17, 164:1, 164:3, 165:18, 169:18, 170:17, 178:11, 178:25, 179:4, 179:21, 179:23, 184:21, 191:6, 191:11, 191:24, 194:6, 194:14
panic ^[2] - 29:15, 149:23
panicking ^[1] - 36:20
paperwork ^[4] - 77:7, 200:11, 204:2, 204:4
paragraph ^[5] - 132:11, 132:18, 182:24, 189:3, 189:22
parent ^[1] - 8:15
Parguera ^[1] - 75:23
part ^[37] - 4:11, 23:8, 50:2, 64:11, 64:12, 64:13, 64:14, 68:21, 104:5, 105:4, 106:17, 137:6, 137:8, 138:24, 149:16, 151:23, 152:13, 154:22, 155:11, 155:13, 155:14, 165:25, 166:9, 180:3, 188:2, 188:4, 191:5, 191:7, 191:12, 191:17, 191:20, 194:17, 200:9, 200:14, 216:5, 218:15
Part ^[2] - 90:18, 110:9
partially ^[1] - 43:20
participate ^[2] - 51:24, 195:12
participated ^[1] - 166:17

participating ^[1] - 166:15
particular ^[10] - 20:5, 36:17, 39:10, 40:25, 43:19, 64:19, 67:12, 144:11, 218:8, 218:22
parties ^[3] - 3:24, 30:5, 225:18
parts ^[1] - 133:6
passed ^[4] - 76:16, 89:8, 139:16, 141:22
passenger ^[43] - 8:22, 13:1, 13:4, 13:6, 13:8, 13:10, 13:14, 13:15, 13:17, 13:25, 14:7, 14:11, 14:13, 14:16, 16:17, 21:22, 22:17, 23:6, 44:12, 87:21, 87:25, 88:1, 88:2, 88:5, 88:12, 89:10, 90:2, 91:5, 91:13, 91:17, 94:2, 94:16, 95:1, 95:5, 96:9, 96:16, 97:11, 99:22, 102:10, 110:11, 111:21, 208:9
passengers ^[20] - 13:7, 16:21, 26:10, 28:20, 39:20, 52:13, 85:7, 87:19, 89:22, 90:10, 105:9, 109:15, 110:2, 110:19, 110:21, 110:23, 110:24, 111:18, 213:9
past ^[10] - 29:11, 39:17, 39:24, 40:8, 47:14, 50:24, 86:5, 112:6, 137:17, 203:12
pathologist ^[1] - 135:22
pathologists ^[1] - 136:3
pathology ^[2] - 139:3, 139:7
patient ^[1] - 136:5
patrol ^[1] - 47:10
pattern ^[1] - 69:21
Paul ^[2] - 45:16, 46:7
PAUL ^[1] - 46:9
Pause ^[1] - 6:1
pay ^[10] - 163:16, 165:9, 165:21, 168:19, 168:20, 177:17, 204:10, 204:13, 205:2
paycheck ^[1] - 192:7
Paycheck ^[12] - 162:22, 163:3, 163:10,

163:21_, 164:11_, 165:4_,
166:11_, 166:17_, 167:1_,
172:18_, 175:17_, 192:5
Paychex [2]_ - 170:9_,
175:9
paying [13]_ - 13:8_,
44:12_, 81:8_, 87:19_,
88:4_, 109:15_, 177:18_,
205:13_, 207:17_, 218:5_,
221:2_, 224:21_, 224:22
payment [2]_ - 88:9_,
174:16
payroll [44]_ - 163:5_,
163:23_, 169:23_, 169:25
, 170:3, 170:8_, 170:9_,
170:12_, 174:11_, 174:14
, 174:15, 174:16_,
174:18_, 174:21_, 174:25
, 175:8, 175:9_, 176:1_,
176:7_, 176:10_, 176:13_,
176:16_, 177:8_, 177:16_,
177:20_, 182:21_, 183:6_,
185:1_, 185:2_, 186:25_,
187:12_, 187:24_, 192:20
, 192:22, 204:14_,
204:24_, 205:3_, 205:12_,
205:15_, 214:18_, 223:4_,
223:13_, 224:8
pays [1]_ - 168:24
Peanut [1]_ - 24:15
peer [3]_ - 139:21_, 140:7
_, 140:8
peer-review [3]_ -
139:21_, 140:7_, 140:8
peers [1]_ - 204:11
pelvis [1]_ - 143:23
pending [1]_ - 42:18
people [37]_ - 10:12_,
11:19_, 15:1_, 19:4_, 23:7
, 24:14, 36:7_, 36:23_,
40:6_, 77:4_, 78:9_, 82:8
, 85:18, 86:4_, 90:1_,
94:3_, 94:4_, 95:7_,
136:19_, 145:13_, 162:12
, 163:13, 165:19_,
165:20_, 170:24_, 171:23
, 175:23, 179:8_,
191:12_, 200:5_, 204:8_,
204:9_, 209:16_, 213:22_,
218:5_, 219:4
per [20]_ - 16:3_, 21:19_,
64:9_, 65:18_, 67:22_,
67:23_, 106:24_, 107:1_,
113:4_, 126:4_, 126:14_,
147:3_, 205:13_, 217:19_,
218:24_, 220:10_, 221:24
, 222:6, 222:7
percent [13]_ - 177:16_,
177:17_, 177:18_, 177:19
, 177:20, 185:1_, 185:3
, 192:18, 192:20_,
192:22_, 192:23_, 218:17
perfect [2]_ - 106:7,
196:23
perform [6]_ - 18:17_,
137:9_, 140:9_, 141:9_,
141:17_, 142:12
performed [2]_ - 138:13
_, 141:23
performing [4]_ - 24:25
, 136:25, 142:20_,
156:17
perhaps [5]_ - 42:2_, 42:3
, 43:23, 203:20_,
217:12
period [4]_ - 103:7_,
187:22_, 206:4_, 216:3
permanent [1]_ - 193:14
permanently [2]_ -
183:3_, 183:8
permission [4]_ - 53:9_,
59:11_, 80:7_, 80:19
permit [1]_ - 225:8
person [21]_ - 29:11_,
34:24_, 37:22_, 94:24_,
111:4_, 111:9_, 117:9_,
133:8_, 136:10_, 136:11_,
138:23_, 142:19_, 152:15
, 155:9, 157:2_, 171:13
, 179:25, 188:18_,
199:17_, 200:4
person's [3]_ - 137:2_,
137:24_, 155:12
personal [8]_ - 64:25_,
89:1_, 128:11_, 128:14_,
128:16_, 128:19_, 129:2_,
129:5
personally [2]_ - 76:9_,
89:4
personnel [1]_ - 85:1
perspective [1]_ -
143:17
pertain [3]_ - 14:12_,
58:21_, 174:1
pertinent [1]_ - 155:9
PFD [1]_ - 88:25
PFDs [1]_ - 88:22
phase [1]_ - 146:22
phone [5]_ - 42:13_, 50:20
, 76:20, 213:14_,
213:16
phones [1]_ - 49:2
phonetic [1]_ - 126:5
photo [20]_ - 4:22_,
105:18_, 106:10_, 119:24
, 120:1, 120:2_, 144:23
, 145:6, 145:10_, 146:6
, 147:7, 150:2_, 150:15
, 150:17, 150:21_,
151:7_, 153:14_, 153:25_,
154:2_, 154:8
photograph [8]_ - 53:16
, 54:13, 54:15_, 114:10
, 114:13, 150:20_,
150:23_, 153:11
photographed [1]_ -
143:1
photographers [1]_ -
142:22
photographs [5]_ - 56:5
, 123:14, 123:16_,
142:6_, 142:23
photos [24]_ - 53:12_,
103:23_, 113:16_, 118:20
, 118:22, 118:23_,
118:24_, 119:1_, 119:3_,
119:4_, 119:11_, 119:17_,
123:2_, 123:3_, 123:12_,
123:13_, 123:22_, 123:25
, 143:4, 143:5_, 144:6_,
147:7_, 153:23
phrase [1]_ - 183:8
phrasing [1]_ - 111:1
physical [1]_ - 58:12
physicians [1]_ - 139:22
pick [1]_ - 67:5
picked [1]_ - 130:14
picking [1]_ - 67:13
picture [13]_ - 19:23_,
39:25_, 53:18_, 55:22_,
60:16_, 69:10_, 105:19_,
106:20_, 145:6_, 150:11_,
150:17_, 150:25_, 155:19
pictured [1]_ - 19:15
pictures [3]_ - 15:19_,
53:7_, 53:8
piece [2]_ - 82:18_, 128:10
pieces [1]_ - 101:16
pier [2]_ - 77:20_, 79:8
pierce [1]_ - 147:22
pinched [1]_ - 124:22
pins [1]_ - 113:24
pitch [3]_ - 108:7_, 108:18
pizza [6]_ - 191:23_,
191:25_, 193:21_, 193:22
, 193:23, 194:7
pizzas [2]_ - 191:23_,
194:5
placard [1]_ - 144:24
place [8]_ - 9:17_, 77:14_,
81:20_, 81:24_, 124:11_,
136:12_, 163:21_, 166:13
placed [2]_ - 138:3_,
142:4
places [1]_ - 79:16
plan [4]_ - 48:15_, 78:5_,
86:17_, 228:10
planning [2]_ - 212:22_,
228:3
plastic [1]_ - 59:10
platform [4]_ - 81:21_,
211:6_, 211:9_, 211:15
platforms [3]_ - 100:22_,
102:10_, 210:25
play [3]_ - 132:8_, 200:1_,
221:5
players [1]_ - 166:7
plugged [1]_ - 57:12
plugs [1]_ - 107:20
plus [3]_ - 156:19_, 222:25
point [44]_ - 3:23_, 10:14_,
20:21_, 20:22_, 25:12_,
28:9_, 29:20_, 36:25_,
37:24_, 38:13_, 39:12_,
42:2_, 43:10_, 43:23_,
55:5_, 58:9_, 60:14_,
61:10_, 61:23_, 64:2_,
67:21_, 68:13_, 68:14_,
68:24_, 69:1_, 70:1_, 70:7
, 77:6, 82:14_, 92:15_,
94:6_, 102:14_, 132:23_,
158:24_, 172:16_, 178:20
, 179:7, 188:22_, 200:8
_, 228:5
pointing [3]_ - 10:9_,
68:17_, 69:23
points [4]_ - 60:11_, 60:12
, 63:21, 64:5
police [6]_ - 39:13_, 40:13
, 41:11, 41:16_, 41:20_,
42:25
Police [4]_ - 46:22_, 47:2
, 47:25, 52:2
policy [1]_ - 100:1
Pollack [1]_ - 227:6
Pollock [2]_ - 226:17_,
226:21
pollution [1]_ - 8:9

pool [2] - 191:10
popular [1] - 48:13
Port [11] - 8:6, 21:1, 21:16, 21:20, 24:8, 25:18, 72:10, 72:13, 72:15, 94:14, 197:6
port [2] - 8:9, 105:20
portal [2] - 167:23, 167:24
portion [16] - 23:4, 38:11, 65:10, 66:19, 66:23, 67:12, 67:15, 147:25, 149:4, 150:16, 173:10, 187:25, 204:19, 205:10, 205:20
portions [2] - 61:15, 133:3
portrayed [1] - 205:18
position [12] - 31:13, 31:21, 55:10, 60:18, 61:9, 79:12, 132:15, 132:17, 145:8, 150:20, 150:21, 166:10
positioned [1] - 4:7
positioning [1] - 48:25
positions [2] - 9:3, 100:9
possibilities [1] - 124:22
possibility [4] - 125:9, 125:12, 125:15, 125:17
possible [6] - 124:25, 125:15, 129:11, 157:13, 165:24, 175:24
possibly [1] - 191:15
post [1] - 216:19
post-March [1] - 216:19
potential [1] - 105:13
potentially [4] - 31:17, 93:6, 124:24, 191:21
pouch [2] - 142:4, 142:16
power [3] - 70:1, 83:13, 107:1
powered [2] - 106:12, 106:14
powers [1] - 109:11
PPP [35] - 162:24, 163:3, 164:13, 164:22, 165:11, 165:14, 166:15, 166:24, 167:3, 169:25, 170:18, 170:22, 170:25, 172:21, 173:4, 173:11, 177:15, 178:11, 179:20, 183:12, 184:4, 184:5, 184:18, 185:24, 187:11, 188:6, 191:2, 191:6, 191:13, 192:2, 192:4, 223:5, 223:20, 224:4
practically [1] - 49:1
practice [4] - 50:15, 50:25, 66:13, 84:21
practices [3] - 50:18, 50:21, 85:16
precautions [1] - 86:1
precise [1] - 49:5
predecessor [1] - 76:12
predominant [1] - 222:10
predominantly [2] - 199:23, 210:23
preexisting [1] - 80:25
prefer [1] - 45:12
prejudicial [1] - 31:17
preliminary [1] - 117:16
preparing [1] - 77:18
prescribed [2] - 184:25, 195:22
present [7] - 46:18, 62:15, 76:20, 105:8, 140:12, 149:1, 187:4
presented [2] - 159:12, 225:22
preserve [1] - 142:4
pressure [6] - 84:5, 84:11, 84:13, 84:16, 146:19, 154:18
pretty [14] - 8:15, 13:6, 36:16, 65:19, 67:22, 68:3, 73:18, 74:15, 100:19, 107:10, 168:16, 199:20, 200:8, 215:12
prevent [4] - 15:6, 74:2, 92:16, 92:23
prevented [1] - 91:14
prevention [1] - 92:22
previous [3] - 11:5, 150:15, 214:24
previously [5] - 11:13, 90:2, 95:12, 183:20, 215:2
primarily [7] - 73:20, 75:21, 80:24, 142:2, 147:25, 151:9, 165:4
primary [7] - 89:12, 107:22, 161:22, 165:5, 174:3, 174:6, 186:10
print [1] - 179:13
private [3] - 191:10, 191:14, 222:11
problem [7] - 37:6, 61:25, 110:17, 110:19, 121:13, 153:19, 175:17
problems [7] - 31:22, 31:23, 59:19, 85:7, 109:10, 122:18, 125:13
procedure [1] - 137:7
procedures [4] - 50:10, 110:24, 136:23, 137:19
proceed [2] - 52:22, 77:14
proceeded [3] - 10:14, 172:7, 208:21
proceedings [6] - 6:1, 76:14, 76:19, 213:25, 225:16, 228:17
proceeds [5] - 168:8, 177:14, 177:24, 188:7, 192:23
process [12] - 48:16, 57:14, 60:22, 76:17, 79:14, 102:9, 107:23, 107:24, 109:25, 141:13, 185:15, 197:19
processes [1] - 50:10
processing [1] - 92:13
produced [1] - 154:19
professional [2] - 75:12, 75:13
professionally [1] - 140:5
profit [8] - 195:9, 195:16, 206:16, 216:24, 222:15, 224:19, 224:20, 224:22
profit-and-loss [1] - 216:24
profits [1] - 194:23
Program [12] - 162:22, 163:3, 163:11, 163:21, 164:12, 165:4, 166:11, 166:18, 167:1, 172:19, 175:18, 192:5
program [18] - 88:19, 139:2, 163:1, 163:2, 163:8, 163:25, 164:5, 164:7, 164:13, 164:22, 166:6, 166:8, 166:15, 172:21, 173:11, 195:10, 195:12, 195:19
programming [1] - 59:25
programs [4] - 48:14, 57:13, 165:5, 165:6
progressed [1] - 213:25
project [1] - 61:3
promoted [2] - 47:12, 162:17
prompt [1] - 6:8
prompted [2] - 32:12, 32:13
prongs [1] - 132:6
propeller [40] - 10:20, 82:13, 82:18, 83:11, 83:19, 106:20, 106:25, 107:17, 108:2, 108:5, 108:10, 114:25, 115:8, 115:10, 115:14, 115:18, 115:20, 117:1, 118:4, 118:15, 119:7, 119:13, 119:16, 122:3, 122:5, 122:9, 122:11, 128:13, 129:4, 129:14, 129:18, 144:2, 147:5, 147:14, 147:20, 147:21, 147:24, 208:4, 208:6, 209:20
propellers [21] - 82:16, 83:2, 83:7, 83:14, 105:5, 105:6, 105:8, 105:20, 105:23, 106:1, 106:11, 106:14, 106:21, 108:6, 108:15, 108:17, 115:2, 116:11, 126:25, 128:17, 129:20
proper [3] - 79:4, 109:6, 125:19
properly [4] - 7:25, 88:17, 111:9, 121:10
property [3] - 15:1, 47:22, 177:9
proposals [1] - 100:2
proposed [3] - 3:22, 131:24, 132:1
proprietary [1] - 59:24
proprietor [1] - 173:21
proprietorship [2] - 182:20, 183:5
propulsion [33] - 9:22, 11:24, 19:23, 28:1, 28:18, 28:21, 29:3

29:7_, 37:16_, 38:2_,
38:22_, 39:12_, 39:13_,
40:8_, 40:17_, 40:23_,
42:1_, 44:20_, 70:9_,
90:20_, 91:6_, 91:9_,
91:14_, 92:9_, 107:13_,
109:6_, 109:11_, 110:5_,
110:17_, 111:2_, 111:6_,
112:25_, 117:2
propulsions [1]_ -
110:13
protect [1]_ - 178:13
Protection [12]_ - 162:22
, 163:3, 163:10_,
163:21_, 164:12_, 165:4_,
166:11_, 166:17_, 167:1_,
172:18_, 175:17_, 192:5
protection [1]_ - 177:10
protects [1]_ - 151:8
prove [4]_ - 21:20_, 25:17_
, 32:1, 109:25
proved [1]_ - 22:18
provide [8]_ - 99:23_,
100:1_, 111:10_, 117:16_,
161:22_, 161:24_, 164:20_
_, 221:2
provided [10]_ - 58:5_,
123:3_, 123:7_, 123:12_,
123:13_, 123:25_, 163:15_
, 187:12, 189:6_,
222:17
provides [1]_ - 162:19
providing [1]_ - 156:7
proximal [1]_ - 155:12
proximity [1]_ - 82:22
prudent [2]_ - 110:22_,
111:6
public [4]_ - 162:13_,
164:14_, 164:16_, 191:10
publish [15]_ - 105:15_,
119:1_, 119:21_, 144:5_,
144:10_, 144:16_, 150:1_,
150:5_, 157:25_, 196:22_,
202:16_, 204:17_, 223:3_,
223:25_, 224:2
published [1]_ - 102:21
publishing [19]_ - 59:15
, 114:8, 115:24_,
144:13_, 153:4_, 153:5_,
156:10_, 198:14_, 200:20_
, 201:23, 206:9_, 207:7_
, 209:5, 210:8_, 211:1_,
211:22_, 212:7_, 212:14
Puerto [1]_ - 75:23
pull [4]_ - 55:14_, 108:9_,

108:12
pulled [4]_ - 13:22_, 36:5_
, 59:22, 65:21
pulling [5]_ - 59:18_,
59:20_, 108:24_, 108:25_,
121:9
pulls [2]_ - 67:19_, 116:25
punishable [1]_ - 189:9
purchase [2]_ - 165:6_,
208:21
purchased [4]_ - 208:25
, 209:12, 209:24_,
222:17
purchasing [1]_ - 208:18
Purpose [1]_ - 177:4
purpose [6]_ - 28:11_,
31:10_, 169:20_, 181:17_,
183:9_, 213:4
purposefully [1]_ -
26:19
purposes [2]_ - 24:14_,
29:6
push [8]_ - 33:20_, 34:1_,
34:25_, 35:23_, 36:2_,
105:24_, 108:13_, 120:19
pushed [3]_ - 33:18_,
35:12_, 37:20
pushes [1]_ - 124:7
pushing [6]_ - 36:7_,
108:20_, 108:22_, 109:1_,
115:9_, 116:22
put [27]_ - 21:1_, 21:11_,
26:19_, 56:19_, 57:3_,
57:4_, 57:10_, 57:24_,
58:2_, 58:4_, 60:2_, 61:15_
, 83:12, 109:22_, 155:8_
, 159:25, 162:8_,
165:14_, 170:6_, 175:2_,
175:3_, 177:2_, 179:14_,
190:3_, 217:20_, 220:1
puts [2]_ - 50:4_, 162:2
putting [2]_ - 181:22_,
190:2

Q

qualification [1]_ -
102:9
qualifications [5]_ -
8:18_, 8:21_, 8:23_, 9:2_,
9:4
qualified [6]_ - 51:16_,
74:22_, 74:24_, 76:5_,
104:16_, 141:4

qualify [2]_ - 132:16_,
133:10
quality [2]_ - 161:23_,
184:4
quarter [7]_ - 179:24_,
180:7_, 205:21_, 205:25_,
206:3_, 217:10
quarters [1]_ - 179:13
questioned [2]_ - 20:7_,
213:18
questions [35]_ - 21:24_,
22:6_, 32:12_, 32:13_,
44:3_, 44:8_, 45:4_, 46:15_
, 62:5, 70:14_, 70:17_,
97:19_, 97:21_, 117:16_,
117:18_, 123:1_, 129:22_,
140:14_, 141:18_, 141:19_
, 160:9, 164:25_,
180:15_, 180:16_, 180:23_
, 181:1, 181:13_,
188:24_, 190:5_, 191:2_,
195:25_, 204:3_, 214:12_,
221:17_, 228:4
quick [3]_ - 62:4_, 81:9_,
84:17
quickly [6]_ - 163:19_,
164:18_, 165:15_, 165:23_
, 171:12, 225:5
quite [2]_ - 100:6_, 148:16

R

R-O-T-H [1]_ - 98:16
radar [7]_ - 53:19_, 54:2_,
54:4_, 54:5_, 55:14_,
55:15_, 55:18
radio [2]_ - 42:11_, 42:13
raise [8]_ - 6:19_, 45:22_,
71:16_, 98:9_, 135:1_,
160:19_, 196:14_, 223:9
raised [2]_ - 20:12_, 51:5
ran [5]_ - 76:19_, 91:17_,
117:20_, 163:19_, 170:23
range [2]_ - 47:21_, 118:8
ranging [2]_ - 19:3_,
99:22
rank [1]_ - 8:2
rapidly [1]_ - 82:19
rate [6]_ - 68:1_, 105:12_,
107:8_, 195:20_, 195:21_,
195:22
rather [2]_ - 32:13_,
209:17
ratio [3]_ - 106:22_,

106:24_, 106:25
raw [5]_ - 59:23_, 60:2_,
60:4_, 60:25
reach [1]_ - 213:22
reached [3]_ - 21:14_,
25:9_, 92:3
read [9]_ - 18:13_, 173:25
, 174:5, 177:5_, 182:17_
, 186:12, 189:3_,
189:11_, 225:12
readjust [1]_ - 84:9
reads [1]_ - 182:8
real [3]_ - 165:6_, 215:1_,
215:7
realistic [1]_ - 66:10
really [36]_ - 36:1_, 40:21_
, 48:11, 56:19_, 56:20_,
56:22_, 57:17_, 58:19_,
66:7_, 66:8_, 75:13_,
76:16_, 76:19_, 81:20_,
92:14_, 96:17_, 111:4_,
115:17_, 126:7_, 126:16_,
128:25_, 132:24_, 147:2_,
147:3_, 147:19_, 148:12_,
157:8_, 169:25_, 171:11_,
173:23_, 179:10_, 194:16_
, 208:22, 213:11_,
218:16_, 220:7
rear [2]_ - 105:4_, 105:6
rearranging [1]_ - 161:9
reason [8]_ - 28:8_, 32:8_,
39:15_, 88:3_, 90:8_,
133:7_, 157:14_, 158:19
reasonably [1]_ - 109:16
reasons [1]_ - 222:18
reassigning [1]_ - 202:8
receipts [9]_ - 178:23_,
180:4_, 180:12_, 194:23_,
205:22_, 206:19_, 216:18_
_, 224:17
receivables [2]_ - 194:23
_, 216:21
receive [8]_ - 11:17_,
14:20_, 15:13_, 91:20_,
117:14_, 159:5_, 180:20
received [13]_ - 9:16_,
11:21_, 15:2_, 26:22_,
27:12_, 27:22_, 49:23_,
49:24_, 100:25_, 103:21_,
142:24_, 184:5_, 213:14
receives [2]_ - 9:15_,
138:23
receiving [3]_ - 142:5_,
193:12_, 204:10

recent^[1] - 226:19
recess^[3] - 71:3,
130:22, 190:17
recognize^[8] - 57:24,
156:13, 158:3, 200:23,
202:2, 202:19, 207:20,
209:9
recollection^[1] - 222:2
recommendations^[2]
- 74:3, 93:5
recommended^[1] -
93:5
record^[21] - 6:25, 46:3
-, 48:22, 53:20, 58:18,
59:8, 63:22, 71:22,
98:15, 104:9, 135:7,
160:25, 161:9, 173:25,
174:5, 177:5, 182:18,
186:7, 186:13, 189:3,
196:20
recording^[2] - 61:5,
63:16
records^[11] - 61:12,
86:12, 86:13, 103:17,
103:20, 113:12, 113:13
-, 122:2, 122:8, 136:5
recoup^[1] - 169:1
recover^[2] - 161:21,
184:21
recreation^[1] - 97:9
recreational^[23] - 12:1
-, 12:3, 12:5, 12:9,
14:3, 14:4, 14:6, 14:10
-, 38:4, 44:15, 74:19,
88:6, 88:7, 88:12, 89:3
-, 89:5, 89:7, 94:17,
96:22, 103:4, 103:9,
127:11, 127:20
recreational-type^[1] -
74:19
recreationally^[4] -
88:24, 89:15, 89:20,
127:6
red^[3] - 146:18, 151:8,
154:13
redacted^[3] - 17:7,
17:8, 145:9
redactions^[2] - 16:25,
17:6
redirect^[5] - 44:7,
129:23, 129:24, 196:3,
221:19
REDIRECT^[2] - 44:9,
221:21
reduce^[1] - 113:1
reduced^[1] - 106:22
Reduction^[1] - 178:23
reduction^[5] - 106:16,
106:24, 106:25, 180:10
-, 180:11
reductions^[1] - 90:19
reef^[1] - 65:1
refer^[1] - 145:5
Reference^[1] - 205:21
reference^[1] - 224:2
referenced^[2] - 179:14
-, 186:7
referred^[1] - 87:23
referring^[2] - 26:21,
123:18
refers^[1] - 186:20
refit^[3] - 210:2, 210:5,
210:6
reflecting^[1] - 203:8
reflects^[1] - 55:20
refrigeration^[1] -
100:19
regain^[2] - 29:19, 42:2
regard^[6] - 166:11,
167:1, 177:12, 178:20,
185:13, 188:10
regarding^[6] - 3:19,
12:6, 32:3, 32:5, 32:16
-, 113:3
regardless^[2] - 35:8,
36:6
regards^[2] - 52:6, 87:2
regional^[1] - 167:9
register^[1] - 77:3
registered^[5] - 199:6,
214:14, 214:15, 214:16
-, 216:11
registration^[2] - 89:17
-, 95:22
registry^[1] - 96:19
regular^[2] - 136:6,
136:19
regulation^[1] - 94:10
Regulations^[2] - 101:9
-, 101:22
regulations^[35] - 9:20
-, 14:10, 14:12, 16:4,
21:21, 22:19, 25:17,
47:6, 72:17, 72:18,
72:20, 73:17, 73:20,
76:1, 76:6, 88:11,
88:15, 92:24, 93:1,
93:2, 95:9, 101:10,
101:18, 102:6, 102:18,
102:20, 104:13, 104:18
-, 110:3, 112:5, 112:7,
112:8, 112:9, 112:16,
117:4
regulatorily^[1] - 84:23
regulatory^[1] - 93:5
rehabilitated^[1] -
149:6
reimbursed^[1] -
164:24
reimbursements^[1] -
168:3
reinstating^[1] - 21:11
related^[5] - 16:23,
36:12, 80:25, 137:5,
158:7
relating^[4] - 101:23,
103:11, 103:17, 113:11
relation^[2] - 65:5,
195:10
relationship^[3] -
166:23, 169:12, 208:24
relationships^[4] -
11:19, 164:21, 166:10,
166:21
relatively^[1] - 80:22
release^[1] - 84:13
relevance^[3] - 31:24,
32:9, 129:1
relevant^[4] - 31:19,
32:1, 61:14, 91:3
reliable^[1] - 50:25
relied^[5] - 30:21,
171:13, 171:14, 179:17
-, 195:1
relief^[1] - 184:18
reload^[1] - 98:24
rely^[2] - 171:25, 185:12
relying^[6] - 29:24,
133:2, 133:6, 172:2,
176:1, 188:11
remain^[2] - 149:10,
190:9
remaining^[1] - 131:17
remains^[1] - 142:4
remember^[17] - 9:10,
28:25, 33:9, 33:19,
37:21, 52:6, 79:4,
179:20, 195:22, 219:4,
220:9, 224:12, 224:22,
225:12, 225:17, 225:20
remembered^[2] -
224:19, 224:21
remind^[1] - 225:6
remodelling^[2] - 210:7
-, 211:19
remodels^[1] - 212:3
removal^[3] - 124:18,
203:3, 212:11
remove^[9] - 124:25,
125:10, 125:16, 125:18
-, 137:10, 137:13,
137:20, 152:8, 202:23
removed^[18] - 118:25,
119:18, 120:3, 121:12,
124:1, 124:3, 142:25,
143:2, 146:11, 152:2,
152:6, 201:15, 201:20,
202:9, 202:12, 203:9,
216:9, 218:14
removing^[8] - 120:13,
121:1, 124:16, 125:2,
125:6, 125:17, 137:11,
202:7
render^[1] - 138:7
rent^[7] - 165:9, 165:21,
177:8, 192:9, 193:3,
221:1, 221:3
rexygenate^[1] -
154:15
rexygenated^[1] -
149:18
repair^[1] - 101:16
repairs^[3] - 99:25,
122:14, 128:6
repay^[1] - 184:7
repaying^[1] - 184:20
repeat^[2] - 78:11,
126:12
repeating^[1] - 24:1
repellent^[1] - 211:21
rephrase^[3] - 41:18,
107:15, 123:15
replacement^[1] -
226:21
replied^[2] - 21:17,
25:12
report^[35] - 10:19, 12:1
-, 12:9, 13:2, 14:20,
14:21, 15:12, 15:13,
16:2, 16:11, 20:11,
26:22, 60:23, 60:25,
77:5, 94:9, 103:21,
103:23, 112:18, 117:14
-, 122:17, 123:6, 138:4

..., 143:13, 155:7, 155:24, 156:3, 156:8, 157:20, 157:21, 158:6, 158:9, 170:9, 203:21
reportable [12] - 44:18, 44:21, 90:17, 91:7, 91:15, 91:18, 101:24, 117:3, 117:7, 117:9, 117:21, 118:1
reported [16] - 11:23, 15:16, 15:24, 15:25, 26:25, 35:18, 76:11, 90:14, 90:16, 91:1, 91:12, 110:7, 110:8, 110:15, 113:3, 117:12
reportedly [1] - 25:21
reporter [2] - 74:9, 189:10
reporting [7] - 9:16, 12:6, 16:5, 86:20, 94:22, 110:9, 113:5
reports [10] - 14:23, 15:2, 27:12, 91:1, 91:21, 92:20, 93:14, 123:5, 123:11, 203:19
representation [3] - 68:16, 176:2, 176:4
representations [7] - 171:10, 172:1, 172:3, 180:9, 181:23, 185:12, 188:4
represented [1] - 54:24
representing [3] - 55:9, 68:12, 179:22
represents [2] - 54:24, 69:19
request [1] - 182:11
require [7] - 14:23, 75:8, 90:8, 93:10, 94:5, 112:17, 125:3
required [24] - 12:1, 12:3, 12:9, 12:14, 13:1, 15:23, 15:25, 16:11, 17:22, 18:17, 26:15, 78:18, 80:4, 84:20, 90:3, 90:13, 90:16, 91:1, 96:8, 96:10, 116:14, 137:20, 156:5, 202:23
requirement [5] - 13:23, 84:22, 90:8, 94:11, 97:15
requirements [9] - 18:4, 22:17, 22:18, 79:3, 80:5, 86:21, 88:21, 110:9, 110:11
requires [3] - 13:19, 93:14, 112:19
rescinding [1] - 25:18
rescue [1] - 75:7
reservation [1] - 18:17
residency [3] - 138:23, 139:2, 139:3
resolved [3] - 33:13, 91:11, 91:12
resource [1] - 47:7
respect [9] - 4:19, 5:3, 31:8, 32:9, 63:24, 65:5, 130:24, 225:25, 228:1
respectfully [1] - 223:6
respects [1] - 189:7
respiratory [4] - 152:13, 153:24, 154:20, 154:22
respond [3] - 15:17, 52:4, 113:8
responded [1] - 9:18
response [3] - 8:9, 30:17, 31:4
responsibilities [6] - 8:4, 8:7, 16:16, 94:25, 162:10, 162:11
responsibility [9] - 8:7, 83:2, 85:4, 109:7, 109:13, 122:13, 122:15, 122:17, 122:19
responsible [16] - 16:5, 16:18, 16:19, 16:21, 16:23, 72:18, 72:21, 74:1, 83:4, 85:2, 94:22, 95:7, 109:5, 109:10, 162:12, 164:14
rest [1] - 68:25
restate [1] - 42:20
restricted [1] - 24:16
restriction [2] - 21:2, 25:14
result [7] - 52:13, 69:25, 120:25, 138:5, 149:22, 158:22, 176:16
results [2] - 118:2, 172:2
resume [4] - 71:1, 130:5, 134:11, 190:9
resurface [1] - 158:21
retained [2] - 57:11, 187:13
retains [1] - 60:17
retire [1] - 225:9
retired [2] - 21:5, 99:10
retirement [1] - 101:3
retrieve [2] - 6:6, 66:17
retrieved [1] - 63:4
retrofit [1] - 208:25
return [3] - 130:17, 190:16, 207:12
returns [4] - 170:12, 175:10, 206:6
Revenue [1] - 227:20
reverse [3] - 108:23, 116:25, 118:6
review [15] - 3:21, 34:4, 89:14, 104:9, 113:16, 118:19, 118:22, 123:5, 123:16, 123:19, 139:21, 140:7, 140:8, 150:12, 171:9
reviewed [16] - 103:16, 103:20, 103:22, 113:12, 118:23, 119:1, 119:4, 122:8, 123:2, 123:3, 123:6, 123:10, 123:21, 123:25, 139:21, 139:25
reviewing [1] - 131:17
revised [1] - 203:21
Revocation [1] - 76:18
revocations [1] - 76:15
revolutions [2] - 106:24, 107:1
Richardson [1] - 132:21
Rico [1] - 75:23
ride [1] - 81:22
right-hand [2] - 54:19, 205:18
rights [1] - 140:1
rigid [1] - 114:18
rise [5] - 70:24, 71:5, 130:8, 190:12, 226:5
Riviera [6] - 8:12, 9:17, 52:16, 54:25, 55:11, 70:11
road [1] - 47:13
rock [1] - 129:11
rocking [1] - 77:20
rocks [4] - 35:6, 35:20, 36:5, 129:8
rod [2] - 128:10, 129:9
role [10] - 74:21, 99:14, 100:12, 111:22, 134:5, 159:9, 164:11, 199:15, 199:16, 200:1
roles [1] - 95:4
Roman [1] - 158:9
roof [1] - 220:1
room [6] - 16:1, 33:25, 34:1, 121:21, 142:17, 225:10
rooms [1] - 56:24
rotate [1] - 115:11
rotating [1] - 105:12
rotation [1] - 115:8
Roth [12] - 98:4, 98:16, 98:21, 99:3, 104:12, 104:21, 105:18, 105:22, 106:10, 114:10, 114:19, 119:24
ROTH [1] - 98:17
rough [2] - 103:9, 224:9
roughly [3] - 159:17, 222:7, 222:14
round [2] - 222:9, 222:12
rounding [1] - 175:1
route [1] - 93:6
routed [2] - 121:10, 124:14
routing [1] - 125:3
row [2] - 177:4, 180:3
rows [2] - 181:13, 181:14
RPM [1] - 118:8
RPMs [1] - 106:23
rubbing [1] - 146:11
rudder [6] - 37:10, 37:11, 42:3, 149:13, 158:21
rudders [3] - 82:13, 105:21, 118:16
ruled [1] - 227:25
rules [5] - 26:14, 73:17, 94:19, 101:18, 188:7
ruling [3] - 144:16, 150:9, 153:3
run [6] - 52:13, 81:9, 208:18, 217:12, 219:10, 219:12
running [13] - 21:6, 51:6, 54:5, 70:3, 116:19, 118:7, 118:14, 199:17, 208:11, 210:4, 216:4, 221:9

runs [1] - 106:19
rupture [1] - 146:15
ruptured [1] - 147:14

S

S-corp [1] - 173:21
sacs [1] - 154:11
safe [10] - 16:18, 59:2, 82:25, 84:21, 95:8, 102:2, 109:16, 110:24, 111:23, 118:4
safely [4] - 94:21, 95:8, 110:1, 113:10
safer [1] - 93:12
safety [32] - 7:20, 11:11, 14:25, 15:1, 16:2, 16:22, 47:6, 49:13, 73:11, 76:11, 76:25, 78:1, 83:21, 84:20, 84:22, 85:1, 86:4, 88:11, 88:21, 88:22, 90:6, 90:10, 91:3, 92:21, 93:3, 93:4, 93:10, 93:12, 101:7, 101:21
sake [2] - 17:4, 133:17
salaries [2] - 182:21, 183:6
Salaries [1] - 207:14
sales [4] - 193:12, 193:20, 206:19, 206:20
Sam [1] - 161:2
San [1] - 73:10
sand [2] - 35:6, 36:5
sat [1] - 139:15
satellite [3] - 56:21, 61:8, 61:9
satisfy [1] - 94:11
saturation [1] - 86:14
Saturday [1] - 217:13
sauce [1] - 193:23
Saundra [1] - 226:16
save [1] - 61:10
saved [1] - 57:5
saw [10] - 19:9, 53:3, 80:24, 119:11, 127:23, 150:15, 153:1, 212:17, 212:18, 212:20
SBA [28] - 161:19, 162:5, 164:13, 164:19, 165:3, 165:12, 165:25,

166:10, 168:1, 168:22, 170:5, 171:8, 171:13, 172:18, 174:18, 175:6, 175:25, 179:7, 179:17, 181:18, 181:19, 185:6, 185:11, 188:11, 189:8, 189:23, 191:2
SBA's [4] - 162:17, 164:11, 165:1, 170:20
scalpel [1] - 145:21
scenario [1] - 221:25
scene [21] - 9:12, 9:25, 10:2, 10:3, 10:20, 11:3, 15:17, 20:15, 38:6, 38:10, 52:15, 53:3, 53:8, 56:6, 65:14, 92:5, 92:6, 104:5, 141:24, 155:22, 159:9
scenes [1] - 140:11
schedule [1] - 161:10
Schedule [1] - 206:16
scheduled [1] - 13:21
scheduling [1] - 225:25
school [7] - 9:1, 138:16, 138:18, 138:19, 138:20, 138:22, 138:25
schools [3] - 17:24, 17:25, 100:22
scope [1] - 223:7
Scout [1] - 210:6
scraping [1] - 147:20
scratch [1] - 146:9
screen [20] - 54:3, 54:23, 55:2, 63:6, 63:14, 63:19, 64:12, 69:13, 145:11, 149:9, 172:13, 172:23, 172:24, 174:11, 176:6, 183:24, 204:2, 205:19, 206:5, 206:13
scroll [1] - 178:14
Scuba [34] - 20:20, 174:2, 186:9, 198:8, 198:11, 199:1, 200:2, 200:12, 200:15, 201:2, 201:8, 201:11, 202:12, 203:13, 204:5, 204:13, 204:21, 205:2, 205:12, 205:24, 206:2, 206:16, 206:22, 207:13, 207:17, 207:23, 207:25, 210:4, 214:14, 214:18, 214:23, 216:14, 220:23, 221:25
scuba [38] - 21:6, 23:2,

23:3, 23:7, 23:8, 23:15, 23:21, 24:13, 51:6, 75:13, 78:21, 80:15, 80:20, 80:22, 81:11, 81:12, 103:1, 103:3, 103:4, 104:22, 104:23, 105:1, 105:8, 109:4, 109:9, 143:25, 149:12, 149:13, 158:20, 191:9, 198:8, 204:11, 208:20, 209:1, 214:2
SD [13] - 56:10, 56:11, 56:16, 57:3, 57:6, 57:19, 57:25, 58:5, 58:19, 58:20, 59:10, 59:20
se [1] - 147:3
Sea [1] - 210:6
sea [6] - 111:16, 118:9, 118:10, 118:11, 118:12, 126:1
Sean [5] - 3:4, 3:15, 14:18, 103:25, 201:6
seas [2] - 126:4, 126:13
seat [1] - 5:23
seated [16] - 3:2, 6:9, 6:24, 46:2, 53:22, 71:7, 71:21, 98:14, 130:10, 130:23, 134:17, 135:6, 160:24, 190:20, 196:19, 226:7
Second [1] - 173:1
second [10] - 57:10, 78:12, 137:8, 139:2, 155:13, 155:14, 157:3, 188:2, 223:18, 224:4
seconds [1] - 61:12
secretary [2] - 199:13, 216:13
section [8] - 40:1, 69:17, 153:11, 154:9, 177:6, 178:24, 186:16
Sector [4] - 7:15, 8:15, 8:17, 9:14
secured [2] - 56:11, 168:11
SECURITY [3] - 6:3, 71:5, 134:14
security [1] - 7:15
see [93] - 3:22, 4:24, 10:8, 17:5, 19:19, 30:5, 55:23, 56:23, 61:3, 61:16, 62:22, 63:12, 64:4, 64:17, 64:18, 65:13, 65:23, 67:20, 67:24, 68:18, 69:5,

78:24, 93:9, 94:17, 96:15, 96:17, 96:18, 96:23, 105:20, 106:19, 115:9, 116:3, 117:16, 120:14, 129:1, 131:25, 136:8, 137:2, 137:3, 137:12, 137:23, 141:20, 143:6, 143:7, 144:23, 145:4, 145:9, 146:8, 147:8, 147:9, 147:18, 148:4, 148:5, 148:8, 148:9, 148:16, 148:23, 150:17, 150:23, 150:24, 151:1, 151:2, 151:7, 154:2, 154:5, 156:18, 157:5, 157:11, 159:23, 172:13, 173:14, 176:24, 180:2, 182:2, 182:8, 182:13, 183:17, 183:18, 186:18, 190:14, 198:17, 198:19, 198:24, 204:21, 204:24, 205:21, 206:13, 207:9, 207:14, 223:19, 223:24
seeing [4] - 56:1, 129:5, 144:1, 145:16
seeking [1] - 3:24
selector [1] - 121:4
self [2] - 50:9, 183:4
self-employed [1] - 183:4
self-taught [1] - 50:9
sell [2] - 194:5, 194:11
selling [1] - 194:6
send [1] - 167:25
sends [2] - 55:19, 55:21
senior [3] - 99:20, 100:10
sense [4] - 27:25, 101:10, 181:9, 193:11
sensitive [1] - 16:2
sent [2] - 25:9, 167:21
sentence [3] - 133:3, 182:8, 182:9
separate [1] - 184:8
separated [6] - 148:15, 201:16, 201:18, 213:7, 213:10, 221:4
separately [2] - 4:12, 195:16
separates [1] - 152:4
separating [1] - 208:23
separation [1] - 207:2
sequence [2] - 68:25,

226:9
sergeant [1] - 47:12
series [14] - 64:3, 65:17, 65:24, 66:1, 67:25, 69:4, 69:18, 111:16, 117:18, 121:20, 142:2, 143:21, 199:22
serious [1] - 199:21
served [2] - 132:9, 214:16
service [7] - 88:8, 89:18, 99:10, 141:25, 191:24, 195:6, 195:17
Service [1] - 227:20
services [5] - 162:17, 162:18, 162:21, 174:17
servicing [1] - 195:6
set [12] - 6:10, 77:17, 86:10, 88:19, 121:1, 125:4, 130:25, 149:23, 152:1, 152:6, 153:23, 182:6
sets [3] - 120:4, 120:8, 124:8
setting [1] - 76:21
setup [2] - 81:19, 166:1
setups [1] - 81:15
seven [3] - 13:16, 136:19, 136:21
several [7] - 8:20, 8:21, 11:8, 78:21, 86:5, 86:17, 145:14
severe [3] - 47:22, 148:12, 148:16
severed [3] - 148:15, 148:24, 149:20
Seward [1] - 227:19
shaft [18] - 83:14, 106:19, 106:25, 108:3, 108:5, 108:10, 114:13, 114:18, 116:10, 116:13, 116:15, 118:15, 128:8, 128:25, 129:11, 129:13, 129:15
shafts [1] - 105:21
shake [1] - 49:17
shall [1] - 225:11
shallow [2] - 146:3, 148:17
shared [1] - 214:24
shares [1] - 203:10
sharp [6] - 145:18, 145:20, 145:21, 147:20, 159:24
shattered [1] - 199:21
sheriffs [1] - 92:4
shift [10] - 51:22, 66:19, 98:24, 121:4, 121:15, 124:12, 166:7, 169:11, 176:5, 183:23
shifter [2] - 121:5, 124:14
shifting [1] - 109:3
ship [6] - 19:4, 19:5, 73:7, 92:10, 126:19, 128:6
shipboard [1] - 100:17
shipping [2] - 93:11, 112:10
ships [5] - 99:23, 102:12, 128:17
shoot [1] - 129:10
shooting [2] - 129:3, 129:8
shop [2] - 191:23, 191:25
shore [8] - 12:21, 33:18, 35:3, 35:13, 35:14, 36:14, 43:21, 78:12
shoreline [2] - 63:14, 66:7
short [3] - 121:18, 121:25, 162:24
shortly [3] - 146:8, 170:16, 201:19
show [48] - 16:25, 18:6, 18:21, 19:12, 52:19, 52:24, 53:12, 53:13, 53:16, 54:11, 54:15, 55:8, 56:20, 58:10, 59:12, 61:1, 62:23, 63:10, 65:2, 65:6, 67:6, 67:10, 68:10, 68:14, 69:10, 69:11, 69:15, 95:14, 142:7, 142:23, 146:8, 169:23, 170:1, 170:4, 170:10, 170:11, 170:12, 170:13, 172:9, 179:2, 179:5, 179:24, 185:8, 185:18, 202:15, 203:17, 212:3, 224:1
showed [3] - 153:14, 154:8, 154:12
showing [14] - 54:22, 55:9, 68:13, 113:22, 145:7, 147:10, 148:6, 150:20, 153:11, 153:25, 154:16, 175:21, 194:10, 205:5
shown [5] - 67:15, 68:4, 153:10, 169:21, 184:22
shows [2] - 130:13, 154:7
shut [16] - 36:10, 116:9, 163:13, 165:19, 183:11, 183:12, 191:7, 191:11, 191:13, 193:8, 193:11, 194:1, 194:9, 194:15, 214:3
shutdown [2] - 193:13, 193:14
shuts [2] - 191:5, 191:19
shuttered [1] - 183:11
side [22] - 8:25, 10:13, 19:17, 35:18, 36:11, 40:2, 40:4, 54:19, 75:12, 75:13, 105:20, 121:3, 126:8, 143:4, 143:6, 148:6, 153:25, 154:1, 174:10, 178:6
sidebar [1] - 30:5
sides [2] - 118:7, 154:8
sideways [1] - 68:14
sign [7] - 77:4, 136:2, 136:20, 138:6, 152:15, 154:23, 157:1
signal [4] - 55:19, 55:20, 55:21, 80:18
signaling [1] - 80:15
signals [3] - 61:8, 61:9, 80:14
signature [3] - 188:13, 188:18, 188:20
signed [5] - 18:24, 77:7, 188:14, 210:18, 211:13
signers [1] - 201:5
significance [1] - 19:24
significant [8] - 64:20, 90:23, 117:10, 126:10, 126:24, 148:18, 149:22, 179:5
silly [1] - 194:4
similar [5] - 120:17, 124:5, 179:16, 183:19, 209:18
simply [2] - 68:16, 223:12
single [3] - 90:24, 171:22, 208:6
single-engine [1] - 208:6
sit [4] - 81:22, 108:11, 108:12, 128:9
Site [1] - 66:21
site [9] - 64:19, 65:21, 66:18, 67:1, 77:22, 78:3, 78:4, 83:24, 83:25
situated [1] - 228:15
situation [1] - 78:4
six [13] - 13:7, 13:11, 13:15, 13:16, 87:18, 87:23, 94:3, 103:5, 130:14, 130:24, 131:2, 139:25, 170:23
six-pack [1] - 87:23
six-packs [1] - 13:11
size [6] - 12:7, 47:8, 115:17, 126:9, 126:13, 126:17
sized [1] - 58:20
sizes [1] - 58:1
skill [1] - 18:16
skin [11] - 137:3, 139:4, 145:22, 146:10, 146:12, 146:18, 146:21, 147:16, 147:20, 147:21, 147:22
skull [1] - 137:12
skullcap [1] - 137:11
slices [1] - 145:22
slightly [1] - 182:7
slingshot'd [1] - 114:25
slip [4] - 39:6, 39:14, 42:25, 220:10
slot [5] - 56:10, 56:16, 56:18, 56:19
slow [10] - 7:22, 67:22, 74:8, 79:4, 107:9, 133:25, 189:12, 194:11, 194:12, 194:14
slowed [1] - 194:8
slowly [2] - 84:18, 115:11
slows [1] - 64:20
small [23] - 8:21, 57:20, 99:22, 102:10, 126:20, 161:20, 162:2, 162:14, 162:15, 163:4, 164:17, 165:11, 165:14, 165:24, 167:13, 167:15, 169:16, 169:24

..., 170:21, 191:5, 193:1
 ..., 217:14, 222:25
Small [1] - 161:13
smaller [5] - 154:10, 154:17, 167:13, 167:15, 209:19
smallest [1] - 34:21
smooth [2] - 68:25, 118:18
snacks [2] - 219:13, 222:16
soft [1] - 146:17
software [2] - 57:13, 64:2
sole [5] - 161:19, 173:21, 182:19, 183:5, 219:18
solely [2] - 104:8, 202:8
solemnly [9] - 6:20, 18:12, 18:14, 45:23, 71:17, 98:10, 135:2, 160:20, 196:15
solicit [1] - 173:16
solid [1] - 55:21
solidify [1] - 50:10
solids [1] - 152:17
someone [13] - 17:18, 17:22, 31:7, 60:3, 78:18, 88:2, 88:7, 149:10, 155:6, 167:20, 213:13, 213:17, 213:18
sometimes [5] - 11:18, 28:8, 100:2, 217:13, 219:3
somewhere [1] - 167:23
soon [3] - 15:23, 84:13, 91:22
sorry [22] - 8:21, 18:23, 33:22, 40:9, 42:12, 83:6, 89:1, 123:15, 125:24, 126:12, 128:12, 134:1, 144:12, 145:12, 176:11, 185:23, 199:24, 200:23, 216:2, 223:23, 226:13, 226:25
sort [12] - 80:10, 81:20, 83:9, 88:8, 89:9, 89:23, 90:21, 92:13, 92:17, 93:10, 93:17, 124:10
sorts [4] - 94:4, 149:11, 176:7, 208:13
sought [2] - 180:10, 184:8
sounds [1] - 199:25
south [3] - 66:6, 66:13, 162:3
South [3] - 51:5, 72:12, 161:14
Southern [2] - 11:4, 14:14, 16:13, 19:19, 19:22, 20:20, 34:6, 51:23, 52:25, 53:24, 54:17, 59:4, 62:12, 113:12, 113:14, 209:12, 210:1, 221:5, 221:7, 221:11, 221:13
space [2] - 145:1, 150:19
spaces [1] - 154:15
spark [1] - 107:20
speaking [8] - 170:4, 172:2, 172:16, 177:13, 180:16, 184:22, 188:1, 217:7
spear [33] - 85:20, 85:21, 114:13, 114:15, 114:17, 114:24, 115:21, 116:3, 116:23, 117:3, 118:3, 119:14, 127:5, 127:7, 127:10, 127:16, 127:19, 127:20, 128:2, 128:4, 128:10, 128:19, 128:21, 128:23, 128:25, 129:2, 129:5, 129:7, 129:10, 129:12, 129:13, 129:18, 129:19
spearfishing [3] - 85:14, 85:19, 86:3
Special [2] - 3:8, 3:10
specialist [1] - 7:15
specialized [1] - 99:20
specially [1] - 164:2
specialty [3] - 48:20, 101:7
specific [18] - 8:22, 9:21, 14:12, 23:8, 48:6, 65:10, 81:25, 95:4, 99:17, 106:21, 113:11, 162:11, 169:7, 193:2, 201:17, 214:20, 214:21, 224:12
specifically [11] - 37:9, 52:6, 63:25, 79:14, 124:21, 138:21, 161:17, 164:11, 167:2, 167:4, 188:10
specifics [3] - 33:19, 42:13, 208:22
specified [1] - 166:25
speculate [3] - 17:7, 23:23, 37:13
speculation [1] - 212:24
speed [8] - 60:12, 61:11, 64:20, 67:22, 68:6, 105:12, 107:9, 115:20
speeds [2] - 60:7, 69:6
spell [7] - 6:24, 46:2, 71:21, 98:15, 135:6, 160:24, 196:19
spelled [5] - 7:2, 135:9, 135:10, 142:19, 186:12
spelling [1] - 46:8
Spencer [1] - 226:22
spend [2] - 177:16, 219:15
spends [1] - 174:13
spent [1] - 184:25
spin [4] - 105:23, 108:11, 115:2, 116:10
spinning [2] - 82:25, 83:14
spins [1] - 82:19
split [1] - 197:16
sport [3] - 208:18, 209:16, 210:7
spot [25] - 36:17, 36:19, 39:15, 40:7, 40:13, 40:14, 40:16, 40:22, 40:23, 41:2, 41:4, 41:6, 41:8, 41:11, 41:12, 41:14, 41:15, 41:16, 41:20, 41:21, 41:23, 41:25, 42:8, 79:19, 91:12
spots [3] - 48:15, 57:1, 68:2
spouse [1] - 199:16
spread [1] - 64:4
springs [1] - 75:22
Spurlock [1] - 227:10
squares [2] - 64:8, 65:18
St [1] - 197:6
stab [2] - 146:4, 147:2
stable [2] - 77:20, 126:23
staff [3] - 14:20, 99:4, 159:13
stairs [1] - 53:9
stakeholders [1] - 102:23
stand [7] - 6:17, 45:17, 45:19, 134:22, 160:16, 192:4, 196:11
standard [8] - 17:18, 50:15, 50:17, 58:20, 85:6, 111:13, 172:20, 176:21
standard-sized [1] - 58:20
standardized [1] - 186:1
standards [14] - 102:2, 102:4, 102:6, 102:21, 104:13, 104:18, 109:4, 109:9, 109:22, 110:3, 111:25, 112:2, 112:6, 170:20
standing [5] - 3:14, 6:17, 98:7, 134:25, 196:13
starboard [2] - 36:11, 105:20
start [22] - 22:6, 31:8, 46:15, 52:10, 53:6, 56:12, 63:11, 92:1, 92:12, 102:11, 112:7, 155:4, 161:10, 161:20, 163:7, 172:23, 186:6, 206:12, 206:18, 225:23, 226:1, 226:3
started [14] - 26:8, 36:23, 46:20, 47:10, 48:11, 48:12, 48:14, 49:9, 49:10, 49:11, 100:15, 154:17, 162:6, 207:25
starting [7] - 46:18, 58:17, 77:1, 107:3, 115:2, 121:22, 121:23
starts [4] - 61:8, 66:1, 70:8, 178:23
State [3] - 72:10, 72:14, 72:15
state [17] - 6:24, 12:4, 46:2, 49:15, 53:18, 71:21, 74:18, 87:11, 89:9, 92:3, 98:14, 126:1, 135:6, 136:1, 160:24, 196:19, 203:20
state's [1] - 127:24
statement [13] - 31:2, 31:6, 31:9, 31:12, 31:16, 31:19, 31:24,

32:3_, 170:8_, 175:9_,
185:9_, 189:8_, 221:11

statements [9]_ - 30:10
, 32:16, 36:9_, 92:13_,
170:11_, 175:10_, 181:20
, 203:7, 216:24

States [20]_ - 3:4_, 3:8_,
3:9_, 6:13_, 7:16_, 18:18
, 45:16, 71:10_, 72:16_,
72:22_, 73:19_, 96:21_,
98:3_, 105:14_, 119:20_,
134:20_, 160:15_, 170:2_,
196:9

station [1]_ - 124:2

stationed [3]_ - 21:3_,
73:1_, 73:2

statistics [1]_ - 93:8

status [2]_ - 25:11_,
141:15

statute [5]_ - 132:10_,
132:18_, 132:25_, 133:18
_, 133:23

statutorily [1]_ - 132:24

stay [8]_ - 6:17_, 66:16_,
98:7_, 102:20_, 134:25_,
187:12_, 194:18_, 196:12

steel [4]_ - 114:18_,
116:13_, 116:15_, 129:15

steer [1]_ - 117:21

steering [16]_ - 28:17_,
28:21_, 29:7_, 37:5_, 37:7_
, 38:2, 38:15_, 44:17_,
90:19_, 91:9_, 91:14_,
100:18_, 110:13_, 112:25
_, 118:17

Steib [2]_ - 226:15

stem [2]_ - 154:4_, 154:5

step [2]_ - 38:25_, 160:18

steps [6]_ - 15:15_, 17:16
, 48:7, 77:2_, 89:19_,
142:2

stern [9]_ - 81:16_, 81:17
, 81:23, 82:1_, 83:12_,
105:4_, 105:6_, 105:19_,
108:21

STIEHL [25]_ - 6:13_, 7:7
, 16:24, 17:10_, 18:6,
18:9_, 19:12, 19:14_,
21:23_, 23:22_, 30:4_,
39:1_, 42:15_, 43:1_, 44:8
, 44:10, 45:3_, 71:9_,
72:4_, 74:20_, 75:24_,
76:7_, 95:14, 95:17_,
97:18

Stiehl [2]_ - 3:9_, 6:11

still [31]_ - 21:14_, 21:15_,
22:24_, 35:18_, 36:6_,
39:16_, 48:8_, 48:11_,
49:17_, 54:5_, 54:6_,
77:19_, 164:7_, 180:2_,
186:25_, 187:14_, 191:6_,
191:13_, 191:14_, 191:17
, 191:20, 191:25_,
192:2_, 194:10_, 197:14_,
203:22_, 203:24_, 214:2_,
227:10

stipulation [3]_ - 133:13
, 133:16, 133:19

stood [2]_ - 10:14_,
143:16

stop [7]_ - 64:21_, 65:17_,
67:2_, 67:20_, 80:4_, 80:5
_, 116:12

stopped [1]_ - 75:15

stopping [1]_ - 188:22

stops [2]_ - 70:8_, 84:18

stored [2]_ - 48:17_, 57:6

straight [3]_ - 40:4_,
52:18_, 147:19

straightforward [1]_ -
59:21

strenuous [1]_ - 81:1

stressing [1]_ - 36:16

strictly [1]_ - 219:10

striking [2]_ - 115:3_,
129:8

strong [2]_ - 129:13_,
129:15

struck [2]_ - 10:19_,
114:25

structure [1]_ - 208:4

struggle [1]_ - 149:11

struts [1]_ - 105:21

student [1]_ - 168:20

stuff [7]_ - 35:8_, 50:9_,
56:21_, 56:24_, 80:24_,
97:4_, 102:14

subcutaneous [2]_ -
147:10_, 148:10

subject [5]_ - 30:12_,
72:16_, 73:16_, 73:24_,
139:21

subjective [1]_ - 194:20

submerged [1]_ - 153:20

submit [1]_ - 167:24

submitted [1]_ - 189:17

submitting [1]_ - 188:8

substance [4]_ - 31:1_,
31:3_, 31:25_, 190:10

substantial [1]_ - 180:11

substantiated [1]_ -
179:25

substantive [1]_ -
131:24

subtract [1]_ - 222:19

subunit [1]_ - 8:14

succeed [1]_ - 161:21

successfully [3]_ -
125:16_, 125:17_, 139:16

suction [8]_ - 108:9_,
108:16_, 108:17_, 108:23
, 109:2, 116:21_,
116:23_, 116:24

sufficient [2]_ - 4:10_,
115:20

suggestions [1]_ -
140:2

suicide [1]_ - 213:20

suicides [1]_ - 136:10

suit [2]_ - 149:13_, 158:20

summarizes [1]_ - 158:7

summer [2]_ - 217:15_,
217:17

Sunday [1]_ - 217:13

super [2]_ - 194:8_,
194:12

super-slow [1]_ - 194:12

super-slowed [1]_ -
194:8

superficial [1]_ - 151:5

superior [1]_ - 18:19

supervisor [6]_ - 7:20_,
8:5_, 11:11_, 52:9_, 73:12
_, 103:6

supplement [1]_ - 50:8

supplied [1]_ - 103:15

supplier [1]_ - 177:10

supplies [1]_ - 222:17

supply [1]_ - 149:17

support [9]_ - 92:2_,
156:8_, 161:20_, 162:14_,
162:15_, 182:11_, 199:16
, 200:3, 219:23

supported [2]_ - 170:1_,
219:19

supporting [2]_ - 175:11
_, 176:3

supports [1]_ - 158:11

supposed [7]_ - 121:2_,
121:14_, 152:17_, 152:18
, 152:22, 187:11_,
188:6

surface [6]_ - 55:21_,
80:6_, 81:9_, 103:15_,
146:10_, 146:11

surface-supplied [1]_ -
103:15

surfaced [1]_ - 67:4

surgeries [1]_ - 199:22

surgical [1]_ - 143:11

surveyor's [1]_ - 103:22

survive [2]_ - 136:13_,
194:16

survived [1]_ - 151:12

suspect [2]_ - 70:3_,
75:15

suspension [1]_ - 76:14

Suspension [1]_ - 76:18

sustain [1]_ - 32:6

sustained [3]_ - 32:24_,
39:2_, 43:3

swamp [1]_ - 210:24

swear [10]_ - 6:18_, 6:20_,
18:15_, 45:23_, 71:17_,
98:10_, 135:2_, 160:18_,
160:20_, 196:15

swear.. [1]_ - 18:12

sweep [1]_ - 66:11

swell [1]_ - 82:10

swells [1]_ - 82:5

swim [1]_ - 210:25

switched [1]_ - 140:2

sworn [12]_ - 7:5_, 45:19,
46:10_, 71:14, 72:2_,
98:8, 98:18_, 134:25,
135:12, 161:4_, 196:13,
196:25

symbol [1]_ - 156:19

synchronizer [3]_ -
124:11_, 124:12_, 124:15

synopsis [1]_ - 62:18

system [17]_ - 19:23_,
48:25_, 49:4_, 52:5_,
53:11_, 57:5_, 65:1_,
91:14_, 109:6_, 109:11_,
110:5_, 110:17_, 111:2_,
111:6_, 117:2_, 152:13_,
154:22

systems [8]_ - 7:14_,
48:10_, 49:3_, 100:17_,
100:18_, 100:19_, 102:13

T

table ^[1] - 220:2

Tango ^[2] - 135:9,
135:10

tank ^[5] - 102:12, 220:18
-, 220:21, 220:22

tanker ^[1] - 19:5

tanks ^[7] - 220:19,
220:21, 220:23, 220:25
-, 221:1, 221:2, 221:3

Tanner ^[1] - 3:9

task ^[1] - 165:11

tasks ^[1] - 162:16

tattoos ^[2] - 143:3,
143:8

taught ^[3] - 49:19, 50:9
-, 101:8

tax ^[8] - 170:2, 170:7,
170:12, 173:23, 175:9,
175:10, 206:6, 207:12

taxes ^[6] - 170:3, 170:14
-, 182:21, 183:6,
224:21, 224:22

TBA ^[1] - 200:19

teach ^[3] - 50:23,
140:13, 191:9

teaching ^[2] - 49:12,
191:14

team ^[8] - 47:11, 104:6,
140:10, 162:1, 162:11,
215:5, 215:19

tearing ^[2] - 146:21,
151:3

technical ^[1] - 99:23

technician ^[1] - 100:15

technology ^[2] - 166:3
-, 167:17

teens ^[3] - 127:18,
127:19, 129:7

telescoping ^[4] -
120:17, 121:9, 124:4,
124:23

telltale ^[1] - 152:15

temperature ^[1] - 60:13

temporary ^[2] - 193:13
-, 194:19

ten ^[1] - 218:1

tend ^[1] - 32:1

tender ^[4] - 51:12,
75:24, 104:11, 140:24

tends ^[1] - 133:4

tenth ^[2] - 139:24, 140:8

tenure ^[2] - 46:25, 47:2

terabyte ^[1] - 57:21

terabytes ^[1] - 57:23

term ^[4] - 55:16, 66:2,
79:6, 83:10

terminate ^[1] - 202:5

terms ^[12] - 4:6, 103:16
-, 131:17, 135:25,
137:15, 142:12, 143:3,
159:12, 169:21, 193:15
-, 209:15, 227:22

Terrence ^[1] - 3:13

Terrill ^[2] - 134:20,
135:8

TERRILL ^[1] - 135:11

tested ^[4] - 111:13,
122:11, 122:12, 129:17

testified ^[28] - 7:5, 34:24
-, 35:3, 35:12, 38:15,
40:11, 40:13, 41:10,
46:10, 66:18, 72:2, 98:18
-, 124:16, 124:18,
127:2, 127:23, 128:20,
135:12, 140:18, 161:4,
162:8, 183:20, 193:7,
195:4, 196:25, 214:22,
215:21, 215:24

testifies ^[1] - 228:2

testify ^[4] - 141:6, 198:9
-, 222:22, 227:13

testifying ^[2] - 35:13,
227:15

testimony ^[24] - 5:12,
6:20, 26:3, 32:16, 35:1
-, 35:2, 38:20, 45:23,
71:17, 98:10, 103:16,
104:8, 122:25, 129:10,
135:2, 141:13, 160:20,
166:9, 168:5, 184:2,
190:10, 190:11, 196:15
-, 225:14

testing ^[8] - 18:1, 88:19
-, 109:25, 118:3, 125:4
-, 125:7, 125:19,
227:13

tether ^[1] - 79:20

Texas ^[2] - 73:9, 139:8

text ^[1] - 182:7

THE ^[171] - 3:2, 3:12,
3:16, 4:2, 4:8, 4:16,
4:23, 5:2, 5:6, 5:9,
5:11, 5:15, 5:18, 5:21
-, 5:23, 5:25, 6:2, 6:5,
6:15, 6:23, 7:1, 7:3,

17:3, 21:25, 22:1,
23:24, 24:1, 30:5, 30:7
-, 30:13, 30:17, 30:23,
31:22, 32:2, 32:6,
32:20, 32:23, 39:2,
42:17, 43:3, 44:1, 44:5
-, 44:7, 45:5, 45:12,
45:18, 45:20, 46:1,
46:4, 46:6, 46:7, 51:14
-, 51:16, 52:22, 58:13,
58:15, 59:13, 61:17,
61:19, 61:20, 61:22,
61:25, 70:15, 70:16,
70:19, 70:21, 70:22,
71:1, 71:4, 71:7, 71:12
-, 71:20, 71:23, 74:8,
74:11, 76:2, 76:4,
97:20, 97:23, 97:25,
98:1, 98:5, 98:13,
98:16, 104:14, 104:16,
106:2, 106:6, 106:8,
122:22, 129:23, 129:25
-, 130:2, 130:3, 130:10
-, 130:17, 130:21,
130:23, 131:3, 131:6,
131:10, 131:14, 131:16
-, 131:21, 132:14,
132:23, 133:2, 133:12,
133:16, 133:25, 134:4,
134:11, 134:15, 134:17
-, 134:21, 134:25,
135:5, 135:8, 141:1,
141:4, 144:11, 144:15,
150:8, 151:14, 153:2,
157:17, 160:5, 160:7,
160:10, 160:12, 160:13
-, 160:17, 160:23,
161:1, 188:21, 188:25,
189:10, 189:13, 190:7,
190:14, 190:18, 190:20
-, 196:2, 196:5, 196:10
-, 196:18, 196:21,
212:25, 214:6, 221:18,
221:19, 223:8, 223:19,
223:21, 224:25, 225:1,
225:2, 225:4, 226:7,
226:21, 226:24, 227:2,
227:4, 227:7, 227:10,
227:14, 227:17, 227:22
-, 228:4, 228:7, 228:10

themselves ^[3] - 111:7,
169:10, 182:4

therefore ^[1] - 179:24

they've ^[1] - 85:18

thigh ^[7] - 114:21,
143:23, 147:9, 147:15,
149:4, 151:1, 151:3

thighs ^[1] - 150:22

third ^[4] - 173:16,
174:23, 205:21, 205:25

thoracic ^[2] - 152:3

thousand ^[2] - 75:16,
218:1

thousands ^[2] - 171:3,
171:7

three ^[5] - 3:17, 36:7,
47:14, 80:14, 221:24

throat ^[1] - 137:13

throttle ^[7] - 20:10,
119:17, 120:5, 120:8,
120:14, 212:11, 212:18

throttles ^[2] - 20:6,
221:13

throughout ^[6] - 26:8,
48:3, 78:8, 86:12,
100:21, 112:4

throw ^[1] - 222:9

thrust ^[2] - 108:8,
108:19

Thursday ^[2] - 141:16,
227:20

tibia ^[1] - 148:1

tie ^[2] - 34:2, 149:3

tied ^[1] - 79:9

tight ^[1] - 5:25

timekeeping ^[2] - 49:3
-, 49:4

timeliness ^[1] - 93:17

timing ^[1] - 82:7

tinkering ^[1] - 48:12

tiny ^[2] - 58:20, 222:5

tips ^[1] - 204:10

tissue ^[7] - 146:17,
147:10, 148:10, 148:11
-, 154:9, 154:12,
154:19

title ^[7] - 99:15, 99:16,
150:18, 199:12, 214:20
-, 214:21, 216:13

Title ^[2] - 112:10, 112:17

titled ^[1] - 66:21

today ^[20] - 4:12, 5:13,
7:9, 18:11, 33:9, 57:19
-, 103:16, 104:8,
129:10, 130:4, 131:18,
141:7, 141:8, 141:16,
164:7, 164:19, 225:2,
225:6, 228:12

today's ^[1] - 29:6

toe ^[2] - 137:3, 143:5

together [5] - 198:6,
199:17, 206:8, 215:5,
215:19

token [1] - 102:1

Tom [1] - 161:2

tomato [1] - 193:23

tomorrow [8] - 4:13,
226:1, 226:2, 226:10,
226:12, 227:8, 228:8,
228:11

tonnage [4] - 34:16,
34:18, 34:20, 96:9

tonnage-wise [1] -
34:20

took [21] - 9:17, 25:21,
37:9, 38:6, 38:10,
38:12, 53:7, 53:19,
56:5, 57:3, 57:6, 57:10
-, 57:23, 58:2, 58:4,
61:14, 63:17, 100:6,
139:6, 214:22, 221:10

tool [2] - 55:18, 55:24

tools [1] - 93:25

top [21] - 34:23, 55:19,
63:13, 66:19, 70:6,
145:9, 146:10, 157:3,
172:23, 173:1, 173:21,
182:9, 182:23, 186:6,
187:25, 188:4, 201:10,
204:19, 205:10, 205:19
-, 206:12

topography [1] - 83:25

Tops [19] - 130:12,
131:18, 134:20, 135:8,
135:15, 135:17, 139:19
-, 140:24, 141:6,
143:14, 144:19, 145:11
-, 150:1, 150:11,
151:17, 153:8, 156:13,
157:20, 158:3

TOPS [1] - 135:11

torn [2] - 143:25, 149:12

total [3] - 99:8, 170:25,
176:15

touches [3] - 35:7, 35:9
-, 35:17

touchscreen [1] -
144:7

tough [1] - 64:4

tour [2] - 100:7, 102:8

tourniquet [1] - 149:3

tours [1] - 100:9

towards [7] - 36:15,
64:19, 140:22, 151:7,
159:14, 180:23, 182:1

towels [1] - 219:13

towing [1] - 94:17

Town [2] - 46:22, 47:1

town [1] - 47:10

trachea [9] - 137:14,
152:20, 153:12, 153:15
-, 154:3, 154:5, 154:10
-, 156:22, 156:24

track [18] - 60:11, 60:12
-, 60:14, 60:19, 61:4,
61:10, 63:3, 63:21,
67:21, 68:14, 68:24,
68:25, 168:1, 169:7,
169:9

trade [2] - 96:21, 97:16

traditional [2] - 80:14,
165:3

tragic [1] - 47:23

trails [1] - 64:22

train [1] - 102:17

trained [3] - 100:17,
136:3, 155:8

training [23] - 9:1,
17:15, 17:21, 17:23,
49:24, 73:5, 75:8,
75:10, 100:4, 100:21,
101:13, 101:15, 102:5,
102:7, 102:11, 104:8,
109:21, 136:8, 138:20,
138:24, 139:11, 161:24
-, 215:13

trainings [1] - 50:7

transcribed [1] - 8:1

transcriptions [1] -
79:5

transfer [1] - 57:1

transferred [1] - 203:10

transfers [1] - 83:13

transmission [11] -
20:6, 20:10, 106:16,
106:18, 106:22, 116:19
-, 118:6, 118:15,
120:11, 123:23, 124:13

transport [1] - 141:25

transportation [1] -
7:14

travel [1] - 68:8

traveled [1] - 52:15

traveling [10] - 56:1,
64:6, 64:8, 67:21, 99:4
-, 99:16, 99:19, 100:5,
100:6, 102:16

travels [3] - 61:13,
70:11, 149:18

trawlers [1] - 97:4

treated [2] - 149:6,
151:11

treatment [1] - 149:2

tree [3] - 153:24, 154:17

trends [1] - 93:8

trial [7] - 3:17, 4:13,
118:9, 118:10, 118:11,
118:12, 228:11

trials [1] - 111:16

triangle [1] - 64:5

triangles [2] - 64:5,
65:13

tried [1] - 222:3

trip [11] - 24:14, 63:9,
63:11, 63:16, 64:13,
64:14, 65:12, 66:24,
218:24, 220:13

trips [9] - 48:16, 191:9,
191:11, 208:18, 222:9,
222:11, 222:12, 222:17
-, 222:25

trouble [1] - 181:10

troubleshoot [2] -
111:9, 111:10

troubleshooting [1] -
111:14

troubleshoot [1] -
111:15

true [9] - 170:5, 181:20,
181:23, 182:4, 188:8,
188:20, 189:6, 189:25,
190:2

truth [21] - 6:21, 6:22,
45:24, 45:25, 71:18,
71:19, 98:11, 98:12,
135:3, 135:4, 160:21,
160:22, 196:16, 196:17

truthfulness [1] -
171:14

try [6] - 15:3, 42:7,
111:7, 149:23, 168:21,
196:22

trying [12] - 24:4, 30:14
-, 31:15, 128:15,
133:17, 171:1, 184:20,
191:22, 194:11, 194:16
-, 194:25

turn [15] - 37:1, 37:4,
38:16, 40:7, 40:16,
41:2, 41:8, 61:6, 61:7
-, 107:8, 108:13,
108:14, 133:17, 146:18
-, 203:15

turned [4] - 37:10,
37:11, 83:16, 175:14

turning [13] - 91:15,
106:21, 106:23, 106:25
-, 107:18, 108:6,
108:10, 118:17, 159:20
-, 201:22, 202:25,
203:6

twice [1] - 157:14

two [38] - 36:7, 58:23,
58:24, 59:2, 77:23,
103:6, 105:20, 113:8,
120:2, 120:4, 120:8,
122:2, 123:1, 124:8,
126:5, 132:6, 132:12,
136:25, 137:19, 139:8,
145:1, 145:23, 147:25,
148:2, 149:19, 154:4,
156:18, 165:5, 173:13,
173:14, 189:16, 199:22
-, 201:4, 215:25, 216:3
-, 220:16, 220:17,
228:2

two-year [1] - 216:3

type [35] - 12:14, 17:19,
17:21, 17:22, 47:2,
47:18, 49:25, 68:23,
74:19, 78:17, 78:25,
79:2, 89:18, 102:15,
112:21, 115:21, 116:16
-, 118:22, 119:10,
125:4, 125:5, 125:13,
126:7, 126:8, 128:4,
128:5, 138:20, 143:3,
167:4, 173:19, 198:7,
208:1, 208:4, 209:2,
214:25

Type [1] - 88:22

types [30] - 8:4, 8:18,
8:20, 8:21, 8:23, 11:22
-, 20:4, 35:5, 48:19,
50:12, 63:21, 73:13,
81:14, 88:15, 90:12,
90:15, 94:4, 96:15,
102:9, 119:2, 119:8,
119:11, 136:23, 145:16
-, 145:23, 149:8,
149:10, 159:15, 167:5

typical [5] - 68:1,
111:21, 118:10, 142:12
-, 208:3

typically [23] - 9:15,
11:15, 11:16, 11:23,
12:23, 12:25, 78:18,
81:12, 81:19, 89:8,
105:3, 111:18, 111:21,

115:9_, 115:18_, 117:13_,
121:15_, 121:20_, 187:16
, 204:10, 217:12_,
220:17_, 220:25

U

U.S [9]_ - 12:16_, 36:22_,
40:5_, 43:13_, 72:19_,
112:11_, 161:13_, 169:17.
_, 207:12

U.S.C [3]_ - 189:14_,
189:16_, 189:18

ultimate [2]_ - 109:24_,
122:15

ultimately [6]_ - 83:4_,
85:2_, 92:19_, 109:7_,
169:8_, 201:15

unanimous [1]_ - 132:22
uncertainty [2]_ - 38:9_,
182:10

under [27]_ - 12:3_, 12:4_,
13:9_, 13:17_, 13:19_,
70:1_, 81:6_, 84:5_, 84:11
, 84:16, 109:4_, 109:7_,
109:9_, 110:9_, 117:4_,
117:7_, 122:19_, 132:20_,
143:13_, 164:19_, 169:17.
, 178:10, 182:9_, 189:9
, 189:16, 189:18_,
190:9

underlying [2]_ - 62:15_,
148:10

underneath [2]_ - 84:16
_, 128:21

understandings [1]_ -
74:17

understood [9]_ - 24:20
, 32:18, 36:8_, 59:6_,
176:5_, 188:23_, 194:13_,
221:23_, 222:4

underwater [3]_ - 116:8
, 128:6, 128:7

underway [6]_ - 10:5_,
85:7_, 85:9_, 94:12_,
111:16_, 118:9

underwent [1]_ - 100:4
undetermined [1]_ -
136:16

unfamiliar [1]_ - 212:19
unfortunately [3]_ -
82:20_, 92:24_, 136:13

uninspected [35]_ - 13:1
, 13:4, 13:6_, 13:10_,
13:13_, 14:1_, 14:2_, 14:6

, 14:11, 14:13_, 14:15_,
16:17_, 21:22_, 22:17_,
23:6_, 87:21_, 87:25_,
88:1_, 88:5_, 88:12_,
89:10_, 90:2_, 91:5_,
91:13_, 91:17_, 94:2_,
94:16_, 95:1_, 95:5_, 96:9
, 96:16, 97:11_, 110:6_,
110:10

unintended [1]_ - 112:24

unintentional [12]_ -
26:17_, 26:24_, 26:25_,
27:6_, 27:19_, 27:25_,
28:3_, 28:11_, 28:12_,
90:18_, 110:12_, 112:24

Union [1]_ - 200:19

unions [2]_ - 167:8_,
167:9

unique [1]_ - 184:4

unit [5]_ - 8:5_, 8:15_, 15:6
, 47:11, 102:14

United [20]_ - 3:4_, 3:8_,
3:9_, 6:13_, 7:16_, 18:18
, 45:16, 71:10_, 72:16_,
72:22_, 73:19_, 96:21_,
98:3_, 105:14_, 119:20_,
134:20_, 160:15_, 170:2_,
196:9

units [3]_ - 73:3_, 99:24_,
103:6

University [2]_ - 139:10_,
139:13

unless [2]_ - 125:2_,
126:20

unmolested [1]_ - 57:8

unopened [1]_ - 84:11

unsafe [1]_ - 94:19

unsure [1]_ - 32:8

unusual [1]_ - 57:19

up [75]_ - 8:16_, 15:5_,
29:15_, 34:2_, 37:3_,
43:15_, 51:5_, 53:9_,
55:14_, 55:19_, 56:17_,
56:25_, 60:10_, 61:6_,
63:5_, 63:11_, 64:7_, 65:8
, 65:21, 67:4_, 67:5_,
67:13_, 67:19_, 67:23_,
70:8_, 74:3_, 76:21_, 77:4
, 78:3, 78:10_, 78:12_,
79:9_, 80:3_, 82:3_, 82:5
, 82:10, 84:7_, 84:17_,
85:23_, 85:25_, 86:15_,
88:19_, 93:4_, 93:6_,
100:14_, 102:17_, 108:12
, 108:25, 123:1_,
130:13_, 134:23_, 139:9_,

140:17_, 142:10_, 152:10
, 154:20, 155:24_,
163:24_, 164:25_, 172:6_,
175:1_, 189:2_, 189:15_,
194:10_, 199:17_, 208:17
, 213:6, 217:11_,
220:18_, 222:9_, 222:12_,
223:15

updated [1]_ - 102:20

upper [6]_ - 63:12_,
147:25_, 149:4_, 150:23_,
154:21_, 173:16

urgency [1]_ - 165:17

urine [1]_ - 137:21

uses [6]_ - 107:16_,
107:19_, 107:22_, 132:11
, 177:14, 192:23

usual [1]_ - 225:7

utilities [2]_ - 177:8_,
192:14

V

valid [3]_ - 32:7_, 95:24_,
96:6

value [1]_ - 186:18

variable [2]_ - 217:4_,
217:25

variations [1]_ - 118:7

variety [2]_ - 47:8_, 49:20

various [6]_ - 17:16_,
100:9_, 100:21_, 101:16_,
102:9_, 102:22

vary [1]_ - 219:9

vehicle [3]_ - 42:25_, 43:7
_, 107:5

veins [2]_ - 149:16_,
149:17

verbs [1]_ - 132:11

verification [1]_ - 118:12

verified [1]_ - 175:6

verify [2]_ - 38:1_, 111:14

vertical [1]_ - 154:3

vessel [282]_ - 8:7_, 8:8_,
8:22_, 9:24_, 10:4_, 10:8
, 10:10, 10:11_, 10:13_,
10:21_, 12:14_, 12:17_,
13:1_, 13:4_, 13:6_, 13:7
, 13:10, 13:14_, 13:15_,
13:17_, 13:19_, 13:20_,
13:22_, 14:3_, 14:4_, 14:7
, 14:8, 14:9_, 14:11_,
14:13_, 14:14_, 14:16_,
16:9_, 16:10_, 16:19_,

16:20_, 16:22_, 16:23_,
17:17_, 18:19_, 19:16_,
19:17_, 19:18_, 20:13_,
20:15_, 20:20_, 21:1_,
21:11_, 21:15_, 21:17_,
21:22_, 22:8_, 22:17_,
22:21_, 22:25_, 23:1_,
23:6_, 23:10_, 23:12_,
23:19_, 24:8_, 24:9_,
24:13_, 24:18_, 24:21_,
25:2_, 25:7_, 25:21_,
26:10_, 26:11_, 26:12_,
26:20_, 28:2_, 28:6_,
28:10_, 28:14_, 29:2_,
29:3_, 29:16_, 29:20_,
29:23_, 33:18_, 34:19_,
35:7_, 35:9_, 35:15_,
35:17_, 35:25_, 36:7_,
37:1_, 37:4_, 37:12_, 38:4
, 38:5, 38:9_, 38:12_,
39:13_, 39:16_, 39:19_,
40:13_, 40:24_, 41:4_,
41:6_, 41:16_, 41:20_,
41:23_, 42:3_, 42:25_,
43:7_, 43:9_, 43:15_,
43:19_, 43:21_, 44:12_,
44:17_, 44:20_, 51:23_,
52:15_, 52:25_, 53:3_,
53:24_, 54:21_, 56:6_,
57:15_, 62:12_, 68:10_,
72:11_, 73:15_, 73:18_,
75:23_, 77:14_, 77:16_,
78:10_, 79:11_, 80:7_,
80:11_, 81:12_, 81:14_,
81:16_, 81:18_, 81:23_,
82:8_, 83:5_, 83:12_,
83:20_, 84:25_, 85:1_,
85:2_, 85:3_, 85:5_, 87:1
, 87:18, 87:19_, 87:22_,
87:25_, 88:1_, 88:3_, 88:4
, 88:6, 88:7_, 88:9_,
88:18_, 88:20_, 89:11_,
89:14_, 89:18_, 89:20_,
89:24_, 89:25_, 90:10_,
90:22_, 91:5_, 91:9_,
91:13_, 91:17_, 93:21_,
93:25_, 94:2_, 94:7_,
94:13_, 94:16_, 94:17_,
94:24_, 95:1_, 95:5_, 95:6
, 95:7, 95:8_, 95:23_,
96:6_, 96:12_, 96:16_,
96:19_, 96:20_, 97:3_,
97:10_, 97:11_, 97:15_,
99:21_, 100:20_, 101:24_,
102:2_, 102:18_, 104:12_,
104:17_, 105:1_, 105:4_,
105:5_, 105:7_, 105:19_,
105:24_, 108:3_, 108:21_,
108:24_, 109:1_, 109:5_,
109:8_, 109:11_, 109:14_,
109:24_, 110:2_, 110:6_,

110:11_, 111:23_, 113:1_,
113:9_, 116:22_, 117:20_,
118:23_, 119:17_, 121:19
, 121:20, 122:16_,
123:8_, 123:9_, 123:10_,
123:20_, 125:1_, 125:2_,
126:7_, 126:8_, 126:13_,
126:17_, 126:22_, 132:10
, 199:18, 200:8_, 208:1
, 208:3, 208:7_, 208:9_,
208:18_, 208:21_, 208:25
, 209:1, 209:9_, 209:11
, 209:13, 209:21_,
209:23_, 210:1_, 210:5_,
210:7_, 211:17_, 212:18_,
212:19_, 212:22_, 212:23
, 213:9, 213:12_, 214:4
, 218:4, 221:8
vessel's [7]_ - 17:14_,
68:5_, 82:1_, 110:5_,
111:19_, 123:14_, 123:17
vessel/owner [1]_ - 16:7
**vessel/owner-
operator** [1]_ - 16:7
vessels [67]_ - 8:23_,
8:24_, 12:1_, 12:3_, 12:5
, 12:6, 12:12_, 12:23_,
12:25_, 14:1_, 14:24_,
16:17_, 20:3_, 20:4_,
72:16_, 72:18_, 72:19_,
73:13_, 73:21_, 74:6_,
74:17_, 83:4_, 86:23_,
87:3_, 88:12_, 88:13_,
88:22_, 89:3_, 89:5_, 89:7
, 90:3, 94:3_, 94:5_,
94:17_, 95:3_, 96:9_, 97:2
, 97:5, 99:22_, 101:10_,
101:11_, 101:14_, 101:19
, 102:11, 102:15_,
104:13_, 104:19_, 104:21
, 109:15, 111:18_,
120:4_, 146:16_, 147:14_,
148:13_, 148:14_, 148:18
, 148:23, 148:25_,
149:19_, 151:6_, 151:9_,
207:22_, 207:24_, 209:18
vessels' [1]_ - 83:15
via [2]_ - 42:11_, 42:13
vicinity [1]_ - 102:15
victim [1]_ - 118:24
Victor [1]_ - 227:2
view [5]_ - 32:11_, 64:7_,
65:8_, 67:11_, 114:3
viewing [1]_ - 129:2
vigilant [1]_ - 109:22
violation [3]_ - 132:5_,
134:3_, 134:4

violations [1]_ - 47:7
virus [1]_ - 178:12
visit [2]_ - 104:5_, 200:5
vitreous [1]_ - 137:22
voyage [3]_ - 63:9_, 109:5
_, 109:10

W

wages [3]_ - 170:14_,
207:15_, 207:18
wait [5]_ - 6:6_, 79:25_,
80:7_, 152:21_, 223:21
waiting [2]_ - 5:16_, 10:13
waivers [1]_ - 77:7
Wake [1]_ - 139:13
walk [14]_ - 45:18_, 65:9_,
66:23_, 67:14_, 71:14_,
77:1_, 98:5_, 134:21_,
144:20_, 149:7_, 151:12_,
153:8_, 196:11_, 226:9
walked [1]_ - 10:10
Walker [1]_ - 226:12
wants [1]_ - 25:1
warn [1]_ - 110:20
warnings [1]_ - 130:6
warrant [4]_ - 101:1_,
101:2_, 101:4_, 101:6
Washington [2]_ - 99:5
_, 139:10
watch [6]_ - 47:12_, 73:6_,
82:15_, 82:16_, 86:7_,
86:9
watching [3]_ - 82:4_,
82:9_, 82:24
water [42]_ - 13:22_, 33:14
, 60:13, 61:18_, 61:19_,
61:24_, 66:10_, 67:5_,
74:15_, 75:7_, 78:6_,
78:20_, 79:1_, 79:13_,
79:22_, 79:24_, 80:1_,
81:4_, 81:6_, 81:14_,
81:22_, 82:3_, 84:16_,
85:21_, 103:13_, 103:14_,
105:3_, 108:22_, 108:24_,
109:1_, 116:25_, 152:19_,
152:22_, 153:16_, 153:18
, 153:19, 153:21_,
153:22_, 157:15_, 211:20
waters [4]_ - 73:16_,
73:24_, 87:2
Waterway [2]_ - 12:18_,
87:15

waterway [7]_ - 28:7_,
36:21_, 43:19_, 43:20_,
87:10_, 87:13_, 152:19
waterways [5]_ - 12:11_,
12:18_, 87:6_, 87:8_,
221:9
waves [1]_ - 82:5
ways [2]_ - 80:14_, 161:22
wear [1]_ - 86:8
wearing [2]_ - 86:7_,
142:24
weather [1]_ - 217:4
week [2]_ - 218:21_, 222:6
weekday [3]_ - 217:14_,
222:9_, 222:11
weekdays [1]_ - 222:10
weekend [1]_ - 222:6
weeks [2]_ - 170:23_,
222:6
weigh [1]_ - 34:22
weighs [2]_ - 34:6_, 34:7
weight [6]_ - 34:11_,
34:12_, 35:8_, 157:10_,
157:14_, 157:16
weight-wise [2]_ - 34:11
_, 34:12
weights [3]_ - 156:4_,
156:6_, 156:16
welding [1]_ - 210:24
well-being [1]_ - 110:24
Wellington [1]_ - 7:12
West [1]_ - 46:14
wheel [2]_ - 53:22_,
118:17
wheels [2]_ - 107:7_,
107:8
whereas [1]_ - 134:5
whole [9]_ - 6:21_, 34:15,
45:24, 71:18, 98:11,
135:3, 160:21_, 179:7,
196:16
wide [1]_ - 49:19
width [1]_ - 146:5
wife [1]_ - 215:4
Wildlife [7]_ - 10:3_, 38:6
, 46:21, 46:25_, 47:4_,
52:3_, 159:11
wind [4]_ - 69:23_, 108:21
, 108:25, 127:25
windmill [1]_ - 116:11
windmilling [10]_ -
115:4_, 115:6_, 115:7_,

115:15_, 115:20_, 116:2_,
119:7_, 126:25_, 128:2_,
129:14
winds [1]_ - 126:14
winter [1]_ - 217:15
wise [9]_ - 34:7_, 34:11_,
34:12_, 34:20_, 96:20_,
96:21_, 96:24_, 97:14_,
97:16
wish [1]_ - 39:25
WITNESS [31]_ - 6:23_,
7:1_, 21:25_, 24:1_, 45:20
, 46:1, 46:4_, 46:7_,
61:19_, 61:22_, 61:25_,
70:15_, 70:21_, 71:20_,
71:23_, 74:11_, 97:25_,
98:13_, 98:16_, 130:2_,
135:5_, 135:8_, 160:12_,
160:23_, 161:1_, 189:13_,
196:2_, 196:18_, 196:21_,
221:18_, 225:1
witness [78]_ - 4:5_, 6:12
, 6:16, 15:17_, 16:25_,
18:6_, 18:21_, 19:12_,
28:22_, 29:6_, 30:8_,
30:16_, 30:24_, 32:13_,
32:16_, 33:9_, 33:12_,
34:5_, 38:20_, 44:4_, 45:7
, 45:15, 45:19_, 51:16_,
52:20_, 53:13_, 54:11_,
58:10_, 58:14_, 59:12_,
62:23_, 65:2_, 67:6_,
69:11_, 70:18_, 71:8_,
76:4_, 95:14_, 97:22_,
98:2_, 104:16_, 105:16_,
113:22_, 114:8_, 115:25_,
119:21_, 130:13_, 134:18
, 134:22, 144:14_,
156:10_, 160:14_, 172:9_,
185:18_, 196:7_, 196:11_,
198:14_, 200:20_, 201:24
, 204:17, 205:5_, 206:9
, 207:7, 209:5_, 210:8_,
211:1_, 211:22_, 212:7_,
212:15_, 226:8_, 226:12_,
226:14_, 226:15_, 226:16
, 226:17, 226:19_,
227:8_, 227:12
witness's [1]_ - 113:24
witnesses [12]_ - 27:2_,
29:24_, 30:21_, 33:5_,
38:19_, 43:17_, 86:5_,
108:1_, 131:17_, 225:2_,
225:18_, 228:5
wood [1]_ - 211:19
word [6]_ - 55:14_, 108:16
, 156:19, 173:8_,
180:25

words ^[1] - 184:2
wore ^[1] - 178:25
worker ^[1] - 177:10
works ^[2] - 9:14, 79:14
world ^[4] - 66:8, 80:15, 92:25, 93:11
worse ^[1] - 155:17
worth ^[1] - 90:23
Worth ^[9] - 7:21, 8:13, 8:14, 11:12, 14:19, 21:4, 63:15, 73:12, 76:11
wound ^[6] - 145:18, 145:24, 146:2, 146:3, 146:4, 148:8
wounds ^[18] - 119:8, 119:11, 143:21, 144:1, 144:8, 144:9, 144:19, 144:20, 147:2, 147:3, 147:6, 147:8, 148:4, 148:5, 149:15, 158:16, 158:18
wrapped ^[1] - 120:21
wrapper ^[1] - 59:10
write ^[4] - 94:9, 94:18, 143:12, 156:3
written ^[5] - 92:25, 112:3, 132:25, 159:12, 159:25
wrote ^[1] - 171:13

Y

y'all ^[6] - 198:7, 204:6, 207:22, 208:1, 208:16, 213:6
y'all's ^[1] - 224:15
year ^[10] - 102:8, 138:18, 138:19, 139:13, 139:15, 162:6, 199:3, 216:3, 216:8, 224:16
yearly ^[1] - 13:21
years ^[35] - 7:17, 29:10, 46:19, 46:21, 46:24, 47:3, 47:14, 49:25, 50:24, 57:18, 72:24, 99:9, 100:7, 100:8, 100:24, 101:17, 103:5, 112:4, 128:7, 137:17, 138:11, 139:3, 139:7, 189:15, 189:16, 189:19, 198:3, 199:22, 210:4, 215:7, 215:25, 219:16, 220:6, 220:7

yelling ^[1] - 36:23
yesterday ^[3] - 5:4, 14:18, 17:6
younger ^[2] - 127:12, 127:13
yourself ^[7] - 7:11, 17:7, 123:8, 129:4, 178:13, 217:6, 219:19
yup ^[4] - 58:8, 63:23, 95:22, 182:16

Z

Zachary ^[1] - 3:7
zigzagging ^[1] - 64:22
zone ^[1] - 97:5
zoom ^[6] - 178:15, 178:16, 187:25, 204:18, 210:12, 211:3
zoomed ^[1] - 178:20
zooming ^[3] - 205:19, 206:12, 223:17