

UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION SAFETY BOARD  
OFFICE OF ADMINISTRATIVE LAW JUDGES

\* \* \* \* \*  
Investigation of: \*  
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MV ETHAN ALLEN, \*  
LAKE GEORGE, NEW YORK, \*  
OCTOBER 2, 2005 \* Docket No.: DCA 06 MM 001  
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\* \* \* \* \*

Interview of: FREDERICK M. METZ

Lake George, NY

Tuesday,  
October 4, 2005

The above-captioned matter convened, pursuant to  
notice at 2:02 p.m.

BEFORE: MARIETTE BURER

APPEARANCES:

MARIETTE BURER  
National Transportation Safety Board

PAT BARNES  
National Transportation Safety Board

MAJ. STEVE RIVENBURGH  
New York State Park Police

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## I N T E R V I E W

(2:02 p.m.)

1  
2  
3 MS. BURER: Okay, today is October 4th and it is  
4 three minutes -- two minutes after 2:00. My name is Mariette  
5 Burer with the National Transportation Safety Board. And to my  
6 left is --

7 MR. METZ: My name is Frederick M. Metz, M-e-t-z.

8 MS. BURER: Okay.

9 MS. BARNES: I'm Pat Barnes, the National  
10 Transportation Safety Board.

11 MAJ. RIVENBURGH: And I'm Steve Rivenburgh, New York  
12 State Park Police.

## INTERVIEW OF FREDERICK M. METZ

13  
14 BY MS. BURER:

15 Q. Okay. What I would like for you to do is tell me  
16 about your tour and how you arrived here at Lake George.

17 A. Okay. My wife and I -- this was a bus trip and this  
18 was our -- not our final day, but a couple days would be the  
19 end of the trip. This is -- I'm going to start with the  
20 morning that this happened. We left our -- I forget exactly  
21 where we were. We left that hotel. It was about a three-hour  
22 drive or so up to Lake George. We stopped at that point. We  
23 had a little wait to go to our tour boat. My wife and I and  
24 another couple went up the hill. I forget the name of the  
25 little restaurant. I had a beer and a hamburger. We came down

1 and approached the boarding position of the, of the boat we  
2 were to go with. I don't know if this comment means much. A  
3 lot of people said, we're going in that little boat, because  
4 there were, I believe, in our group 48 or 50 people in the  
5 entire group. I'm not quite sure, counting the tour direction  
6 or what.

7           So at any rate, we -- my wife and I came down the  
8 hill across the thing and they started putting the people into  
9 the boat. And as we passed in, I heard -- now, I don't know --  
10 I'll call him the Captain, for want of a better term. This was  
11 the one man that we had that was telling us to sit down. He  
12 was the operator of the boat, and there was only person  
13 operating the boat. The Captain, he had made a comment as the  
14 people were boarding and we were still topside, and I heard him  
15 make a comment that some of you people get over to the other  
16 side. You've got too much weight on this side. And that was  
17 kind of a common standard -- not surprising. I don't know if  
18 they moved or not. I know there were groups that were coming  
19 together that wanted to stay in close proximity. And with no  
20 indignation to the ladies, some were rather heavy. And you  
21 have to remember, this is a seniors trip. These are older  
22 people. They're not agile. Many of them are slow to walk, to  
23 react. I think my wife and I were just about in the younger  
24 section, and I'm 77 years old.

25           So we boarded the vessel. We noted, because it was

1 in the train that we had been one, it was the same way, one  
2 side had two seats, the other side was for three people. We  
3 stepped in across to the two-seat position. My wife was  
4 closest to the water. I was in the, let's say, aisle position.  
5 Other people were still coming on and again, the Captain was  
6 sort of leading them in. And then our tour direction came on  
7 and two sisters. The sisters came up and the Captain said, and  
8 I heard, he says, we don't have room for this many people. We  
9 are over by two people. So the two sisters, who my wife and I  
10 had gotten to know on the trip -- they says, well, we don't  
11 like the looks of this boat anyhow, so we're just going to --  
12 you guys go. We're just going to go shop until the boat comes.  
13 And that was to be a one-hour tour. So everybody felt that  
14 that was the way it should be.

15           So I'll be again using the term Captain. He backed  
16 out the boat into the slow no-wake area, which is marked off,  
17 which was proper. There were boys to keep them there. When we  
18 got past that marker, he speeded it up, went closer along the  
19 shoreline. I don't know the direction, but he was showing us  
20 some of the older, big houses from the aristocrats and the rich  
21 people that live there and everybody's oohing and ahing. I  
22 commented to my wife, I says, this guy's -- something's wrong  
23 with his voice. It sounded gurgly. It was sort of hard to --  
24 it wasn't a clear voice when he was speaking. It was more like  
25 an old man's voice, or a rough voice, not only in texture, not

1 in neatness. And he was -- took us along the shoreline. I'll  
2 say shoreline. I don't know how far out we were. We had a  
3 good view of all the houses. And then we approached what  
4 looked to be a dead end and we realized that it was a very  
5 small island. So we went around the island. We had to make a  
6 right-hand U-turn. There was enough water -- this was kind of  
7 part of the -- and we took the U-turn around this little island  
8 because there was one home, I believe, right in the middle,  
9 because I remember one woman standing up to take a picture of  
10 the front entry with the water being there.

11 We continued on. At this point I'm not sure if we  
12 were going straight or outwards or inwards. I wasn't paying  
13 attention to the exact position of the boat. My wife and were  
14 chatting and we were sort of at the rear end of the boat. And  
15 I looked forward and made a comment and I said to my wife, I  
16 says, what the hell is this? My words. And as I looked  
17 forward from my position -- I can do this better with an arm  
18 move -- the front end of the boat just took a nosedive, just  
19 like that. Now, later on, after all this happened, one of the  
20 ladies made a commentary. She was in the front of the boat and  
21 she made a comment that -- is this boat sinking or what? The  
22 water level is only 10 inches away from the gunnel. That's the  
23 term I'll use. So that means the whole front of the boat was  
24 lowered.

25 And at that point -- now, she said that to me. I

1 didn't see that physically. But the boat made a corkscrew turn  
2 into the water. And then I had these feeling -- a mass of  
3 water came forward. And prior to that -- that happening, the  
4 boat rocked or somehow turned over to its left side as you're  
5 facing the bow, and all of the people on our side fell off  
6 their seats. We just literally -- in this motion. And then  
7 water started pouring in. And it was so fast, it was almost  
8 flooded immediately. In just about two seconds everybody was  
9 there.

10 I personally -- there was a lady that was off her  
11 seat. I grabbed my wife's arm. A lady was sliding and I  
12 thought I saw her head heading toward the edge of the seat. I  
13 stuck my arm out to -- well, I said she's going to kill  
14 herself, and I had my -- I was in this position. I don't know  
15 how you describe that. She hit my arm and at that point I lost  
16 my grip on my wife. And the next thing I knew, I was in  
17 probably 10 or 15 feet of water.

18 So the boat had either gone over completely. I don't  
19 know. All I was aware of was images of legs. I got kicks --  
20 chaos underwater while I was there. I managed to fight my way  
21 up to get my head up. I was screaming for my wife because I  
22 had no idea where she was. And the best I could do, around  
23 the -- around the ship, and I'm not quite sure actually what it  
24 was. There was about an inch and a half of space that I  
25 grabbed onto, this bar or whatever it is that goes around. So

1 I was hanging as much as could on my fingertips to try and stay  
2 alert. And now at this point everyone was screaming. I was  
3 yelling to find my wife. I didn't dare -- I know I couldn't  
4 reach out around the boat or anything, because, I don't know,  
5 it's probably 10 feet deep, the hull length. I knew I couldn't  
6 do anything. And then somebody -- again, this is total chaos,  
7 now, you have to remember this. Everybody's screaming,  
8 yelling, the noise is deafening. And someone bounced into me  
9 and I lost my gripping on this little half-inch length. And  
10 somebody threw me a child's thing, like. I forget the name.  
11 But it was only had about a, you know, a softball size amount  
12 of air in it. So I grabbed that and I held at, by my throat,  
13 just at least to maybe keep my face out of the water. And I  
14 was trying to do that and look around see heads, if I could see  
15 my wife's head. And again, the chaos was just fantastic,  
16 indescribable. Then boats started coming.

17           Let me -- oh, let me go -- prior to the boat diving  
18 down, one of the ladies, I think she was a lone person, the  
19 only person alone. She had her separate seat and I think her  
20 name was Erica or Eureka or something of that nature.  
21 Everybody knew her because she was constantly coming late back  
22 onto the bus, and it would always seem like she was high on  
23 coffee or something. And later on, now, when we were upstairs  
24 safe, she says, her words, not mine, she said, I couldn't  
25 figure out why this man was twisting that thing so hard, he was

1 going like this. That was her motion. And I heard say, I  
2 don't know what he was trying to do and why he did that. Now,  
3 that was her words, not mine. And that's only -- that's what I  
4 heard, and I think I heard that. So -- but then, that was  
5 prior to the real dumping over, so it was a little out of  
6 sequence, as I remembered it.

7           Anyhow, I was in the water and again, this is chaos.  
8 And I managed to swim a few feet, and someone threw me a  
9 little, almost like a child's, life ring, you know, thrown  
10 overboard. And I managed to get that over my head and that  
11 kept me -- and that kept my face and head out of the water. I  
12 made a couple of strokes over to this gentleman's corner of his  
13 boat, and he -- this man was a saint. Oh, this guy was hanging  
14 over and he was trying to pull everybody he could in. I came  
15 up. He says, come on, Pop, get here in my boat and he just  
16 lifted me bodily out of the water. He saved my life. A matter  
17 of fact, we're going to have him and his wife for dinner  
18 tonight. But very strong and he worked harder than a mule  
19 getting people up.

20           And again, going to the later time, now, when we were  
21 all safe and everybody's talking of things that were good and  
22 bad. The only bad thing that this one lady heard -- and again,  
23 now this is hearsay, I did not hear it, but she said boats were  
24 coming up, pleasure boats were coming up. And somebody says,  
25 well, come in closer. We can't come in closer. We've got

1 propellers on here, you know. They can't drive through about a  
2 bunch of bodies with, you know, a steel prop going. But this  
3 one woman said she got over to this boat and he said, you can  
4 hang -- you can hang on anywhere you want, but you can't get in  
5 the boat. And now again, this is hearsay. That's what -- and  
6 she was really adamant. She said he wouldn't let us get into  
7 the boat. She said the boat was fairly wide. You know, these  
8 pleasure boats are not just a canoe. And I understand, later,  
9 somebody actually had a canoe out there trying to salvage  
10 people. But then again, that's just a commentary that I heard.  
11 And everybody else were -- everybody that was there was trying  
12 their very, very best to do the best they could.

13           So again, when I got aboard his boat, there was a  
14 young lady, her picture was in the paper, and she was  
15 screaming, my mother's in the boat. And I was out of it, I was  
16 screaming and looking for my wife, I couldn't find her. So  
17 they got us ashore. I remember, kind of, he helped me out,  
18 wading -- a little bit of sand and I sat down and I know that  
19 someone came over. A lady took off my shirt, which was  
20 soaking, and I had a jacket on and she got me out of my jacket,  
21 which was soaking wet. And, she says, this is my husband's  
22 shirt. Put that on. And it was -- the water was freezing cold  
23 and of course it's a shock factor. Everybody was shaking and  
24 all of this.

25           Now, I don't know if this pertinent. It probably

1 isn't, but it is to me. At one time -- and somebody said the  
2 boat's rolling over, so get away from the boat. And for one  
3 quick glimpse while I was still in the water -- and again, I  
4 don't know exactly what was happening or the position of the  
5 boat, but it looked as if something had opened and my wife was  
6 laying flat on her face in about six or eight inches of water,  
7 obviously dead. And just like on a -- being presented on a  
8 platter sort of thing. And then the boat moved differently and  
9 I lost sight of her there. So at that point I, of course, knew  
10 she was dead.

11 But when I got up to shore, I was sitting there, and  
12 I'm not quite sure of the time sequence, but either the fire  
13 department, the police department, were taking dead bodies on  
14 the gurney and there was a little wooden pathway and I saw them  
15 putting my wife's body onto that. So they went by and then  
16 they went over to an area where they were putting the dead  
17 bodies and covering them with sheets. And I was still hopeful  
18 that I had to be wrong. You know, that can't be my wife over  
19 there. So I kind of stumbled my way over and they said, sir,  
20 you can't be here. And I looked down and there was a body and  
21 I saw my wife's hand and she always wore her watch on here, so  
22 I knew exactly who it was. And he says, you have to -- you  
23 know he gently -- you know, everybody was so conscious of doing  
24 the right thing that helped people. And, of course, I don't  
25 know if this was a fireman or a police officer, but he says,

1 here, you've got to get back, you know, we just can't let you  
2 be here. Get some -- go over and get some blankets and keep  
3 yourself warm. We'll take care of this over here, or words to  
4 that effect.

5           So then there were ambulances there taking people  
6 away. And I, physically, was fine. I had no broken bones. A  
7 few bruises, but I -- the first thing they ask is, have you  
8 swallowed any water, and I hadn't so I was okay. And they took  
9 us all to the hospital and put us in separate rooms. The  
10 hospital staff was wonderful. There was just a row of doctors,  
11 which was -- and taking people. Doctors were looking to see if  
12 anybody was immediate. Take this person there. You know how  
13 it is in the movies.

14           So they took me into the room and kind of took all my  
15 clothing off, gave me hospital gear, and kind of settled me  
16 down. There was a nice young lady that was kind of -- that was  
17 her protégé, he said. And she asked me if I wanted some water,  
18 so I got a drink of water, anything I wanted, you know. So I  
19 said that I just wanted to get warm, so she put some blankets  
20 around me.

21           Eventually, I was allowed -- she was allowed to take  
22 me out of the room and into the large room where -- a gathering  
23 room for people, but I don't know how you -- and that's where a  
24 lot of conversation took place. And, as you can imagine,  
25 everybody was saying this and this and this and this happened

1 to me. So those few areas of what I'm telling you is what  
2 people said to me of their own.

3           And my own impression of what happened, if I had to  
4 make a bet that somebody, and I'll use the term, if you ladies  
5 would excuse me, screwed up. Somebody rolled that thing over  
6 for some reason and there was no -- it was a calm day. There  
7 were no large ships making wakes. The private little boats  
8 weren't causing enough waves. The water was calm. The wind  
9 was down. It was a pristine day, as you know. And from what I  
10 heard, from what I saw, this guy -- or the front of the boat,  
11 it seemed like your imagination would say that a large wave  
12 broke over, but it wasn't. The front of the boat went over.  
13 The water came in because the boat did this with -- and so, if  
14 I had to, and I don't want to put the blame on anybody or  
15 anything else, because I don't know, but if I had to bet, I  
16 would bet that the Captain screwed up, got something wrong and  
17 was trying to over-correct. Maybe that was because too many  
18 people, a weight load.

19           By the way, I was an engineer for automobiles, and my  
20 mind says, that's too much. That's wrong. And in the  
21 beginning, they said somebody should be going over to that  
22 other side. So my guess, if I had to make it, was that  
23 something of that nature caused the boat to dip over, take some  
24 water, come back over and then bring this whole mess of water  
25 in. And by that time there's no -- you couldn't do anything.

1 It was almost an instantaneous thing. Before I started to  
2 think, what's going on, I was in the water. But there was no  
3 real reason.

4 My wife and I were still sitting back and laughing  
5 and all of sudden this happens. There was no big, you know,  
6 something hitting, like a great big boat going by. There were  
7 no great big boats going by. They are in the water. But they  
8 were up river or up lake at least a half a mile or more away.  
9 They didn't cause anything. Now again, this is all my  
10 conceptions. No big ship came by and caused a big wave, like  
11 it said in the paper, or anything like that. I think somebody  
12 wasn't paying attention, they over-corrected and that's what  
13 caused the problem, one way or another.

14 And again, that was my business. I was an automobile  
15 engineer and I know balances and weights and how tires and  
16 things get that way. Again, a couple of other things of  
17 hearsay that other people told me, and everybody was talking.

18 But on my own sights and thoughts, again, if I had to  
19 bet, somebody screwed up. And a lot of people died from it,  
20 unfortunately.

21 And we were trying to rack our minds, what made this  
22 thing go. There was no big surge of water coming in from a  
23 passing vessel. I live near the Detroit River. And those  
24 boats come by and you've got a 15-foot wake coming in. This --  
25 it was calm, not windy, a beautiful day like it is today, and

1 that's the way the water looked. And on my cognizance, that's  
2 about all I can tell you.

3 I thank, with all my heart all, of the people that  
4 came down. If these people had not come down, and the people  
5 in their small boats hadn't come along, you would've had 15, at  
6 least, more bodies. There was just heads floating around, just  
7 a horrific experience.

8 And again, all I can tell you is what I personally  
9 know and what was said to me. And my thought -- and again, I'm  
10 an engineer. That's what I made my living with, was balances  
11 and things in the automobile field. And somebody or something  
12 caused that boat to take this -- just a nosedive.

13 And again, this other young lady that I mentioned,  
14 prior to that, she had said, is this damn thing sinking?  
15 There's only -- the water's only five, ten feet away. And you  
16 know, the -- I don't know the terminology of the boats, but  
17 that water shouldn't have been that close to the gunnel, to the  
18 gunnel of the boat, and it just continued on a nosedive. So  
19 that's about all I can tell you of my own knowledge.

20 The people were wonderful. I cannot thank everybody  
21 in this whole area, including yourselves, how grateful we are,  
22 because there would've been a lot of more damages. And this  
23 one lady that said this guy wouldn't let them on their boat.  
24 And again, that's hearsay. And if that is true, and I have no  
25 reason not to believe it, I'd like to meet him a dark alley

1 somewhere. I'm sorry for saying that. Is there anything that  
2 I could possibly add to that that might help, or  
3 questions --

4 Q. No.

5 A. -- or whatever? That's as best as I --

6 Q. Okay. A little map seating a chart of the vessel.  
7 So I guess this where Captain is. Okay?

8 A. Yeah, I call him the Captain.

9 Q. Okay. And then there are three-seaters on the left.

10 A. The three-seaters were in this side and the two-  
11 seater were in this side.

12 Q. Right.

13 A. We were approximately right here. I'm not quite  
14 sure.

15 Q. So eighth, ninth row?

16 A. Yes, something about that. We were near the back.

17 Q. Okay.

18 A. Because we were looking in this direction when the  
19 people were boarding. They were boarding coming from here --

20 Q. Right.

21 A. -- and we were sort of looking either from here --  
22 I'm not quite sure. We were watching from this direction here,  
23 because they were boarding right here.

24 Q. Okay.

25 A. So they would be right about in that area.

1 Q. Okay. And you were sitting right here?

2 A. Yes, and --

3 Q. Okay.

4 A. -- my wife was in the other -- well, she was in the  
5 outside area there.

6 Q. Right. Okay.

7 A. And when that tipped, it was just like taking a ladle  
8 and pouring water. All the bodies came -- when they were  
9 falling, they probably did damage to each other, do you know  
10 what I mean, before the boat continued all the way around.

11 Q. When you entered into the boat, were other people  
12 already sitting?

13 A. Yes.

14 Q. Okay.

15 A. Yeah, we were --

16 Q. Were you one of the last, middle, first?

17 A. Well, no, we were sort of in here and we just came  
18 in, but there were a lot of people still coming in.

19 Q. Okay.

20 A. And the two girls were standing here talking --  
21 talking with the tour director.

22 Q. Yeah.

23 A. And she -- the tour direction was saying, I will stay  
24 and it'll be okay for you two to get on.

25 Q. And this all happened on the dock there?

1 A. That was on the dock.

2 Q. Okay.

3 A. And the girl says, well, no, you go. We don't -- and  
4 one of the girls, I heard say -- again, I know this for sure.  
5 She says, I wouldn't get in that boat anyhow --

6 Q. Okay.

7 A. -- or words to that effect.

8 Q. Right.

9 A. So she says, we're going to go shopping. You people  
10 go. Then the Captain came aboard, or wherever he was, and he  
11 says, yeah, this is okay. Everything's all set.

12 Q. Okay. And then, when you actually got onboard, did  
13 you have to go up, down, or was it all level? A couple steps  
14 up or a couple steps down or --

15 A. I don't honestly remember. I think we stepped into  
16 the thing.

17 Q. Okay.

18 A. I honestly don't know. I mean, we weren't paying  
19 that much attention to it --

20 Q. Right.

21 A. -- as far as stepping in and then we just sat down  
22 and looked around and the other people loaded up. He did make  
23 a comment that I heard. Now, this was the Captain and he was  
24 in this position somewhere, and he made a comment, he said, we  
25 should have a few more people on this side, referring to the

1 two-seat side. I heard him say that. So in my own mind, he --  
2 again, I don't know anything about how they do this or anything  
3 else, but, if he had any doubt at all, he should not have done  
4 it. And in view of what I heard, that the ship was -- the boat  
5 was loaded to its absolute max, because the two girls couldn't  
6 get in, and he made a comment like that. And then, in my own  
7 mind I'm saying, he screwed up doing something, because there  
8 was nothing else to make that boat go wrong.

9 Q. So he actually made that comment about two people  
10 should be on the two-seater side, after everyone already had  
11 boarded and the two girls were still standing on the dock?

12 A. They were still on the dock, yes.

13 Q. Okay.

14 A. And he said, well, two people can't come on because  
15 that's against regulations or --

16 Q. Okay.

17 A. -- again, words to that effect.

18 Q. Right. Okay.

19 A. And so they said, they laughingly talked to our tour  
20 director and she said, I wouldn't get in that boat anyhow.  
21 We're going to go shopping.

22 Q. Okay.

23 A. So then they went up the hill and did the shopping  
24 thing.

25 I just don't know any reason, nothing that I was

1 aware of or saw would make that boat go wrong, unless he wasn't  
2 paying attention, unless he went this way and tried to  
3 overcompensate. Again, this is hearsay from this other  
4 woman --

5 Q. Right.

6 A. -- that he was -- well, she did it this way. I  
7 don't know which he was trying to turn the rudder or whatever.  
8 But, if I had to make a bet, I would bet that he screwed up.  
9 Got -- went too far one way or too fast or something, but I  
10 don't know, I'm not a sailor. But nothing that I could see  
11 from an outside source, like a high wave, some motorboat guy  
12 going by at 80 miles an hour or anything like that. There was  
13 nothing like that. The day was pristine. The weather was  
14 calm, just like it is today. It was exactly that way. And  
15 there were no big ships, you know, that big boat they had, I  
16 guess, I don't know what you call it -- on the -- now that's a  
17 ship that's built for big water, you know. And that was at  
18 least -- probably a mile or a mile and a half. We saw that big  
19 boat, but it was coming up and it was nowhere near where we  
20 were.

21 So -- now, I don't want to accuse anybody or  
22 anything, but somebody told me -- because -- now again, this  
23 was the action. People were going -- they were taking people  
24 to hospitals and everything else, and somebody says, where's  
25 the Captain? They says, he went home. Now, it would seem to

1 me that, if that is true -- now that is only hearsay. If he  
2 went home, he's the first guy that should've been looked at  
3 whether -- I don't know, was he drunk? Was he taking dope?  
4 Was he -- did he have a heart attack and screw up, or did he  
5 screw up at all? But -- and in that circumstance, the Captain  
6 of that vessel -- and again, I heard two people, I think, maybe  
7 the fire department, police, say, where's the Captain? He went  
8 home. Now that's all I know. I don't want to be accusing.  
9 Maybe he so distraught mentally that he just wandered or  
10 something like that. But again, that's all I can tell you.

11           But there was nothing -- and again, I worked in my  
12 job with no tolerance. When I want a 90-degree thing done, I  
13 don't want 90 degrees two minutes, it's got to be 90 degrees.  
14 That's the kind of work I did. I've got 40 years of that kind  
15 of thinking and, as an engineer, engineers are stupid  
16 (indiscernible). But you just automatically become aware of  
17 it. That was my job, to notice those kind of things and that's  
18 what I saw.

19           So again, that's -- I hope that this Captain was not  
20 drinking or doping or anything else. But you'd think that if  
21 you're Captain of a vessel that just sunk and there's bodies in  
22 the water, you don't go home. I'm not sure that he went home,  
23 but that's what somebody that I heard, two people in some kind  
24 of uniforms saying, where's the Captain, and said he went home.  
25 Captains don't go home. They go down with the ship.

1           So -- and that's all I can, all I can say. If you  
2 have any questions, I'll be happy to try to answer them. And  
3 again, I hope I'm wrong, but in my own mind, because of what I  
4 do, I try to analyze situations. And if I had to make  
5 analyzation (ph.) right now, in my own mind, somebody made a  
6 mistake and nobody was there but the Captain. And the people  
7 certainly didn't make any mistakes. So -- and that's about all  
8 I can comment on. So if there's anything else I can add to  
9 that or was there anything that you want me to do, I'd be  
10 happy --

11         Q.    Okay.

12         A.    -- to answer any questions.

13         Q.    I have a couple more questions --

14         A.    Well, sure.

15         Q.    -- if you wouldn't mind.

16         A.    Oh, sure.

17         Q.    Do you remember anything as far as a safety briefing  
18 conducted by the Captain when you first --

19         A.    There was some comment. Now this again is --  
20 somebody, I think, talking to me, he says, you know, where is  
21 the life preservers? And somebody else says, they're all up  
22 here under the bow, underneath the covering. Now, I understand  
23 somebody said that here, if you're up to eight years old or  
24 something, you must wear a saving device. But if you're older  
25 than that, it's optional for you. I don't know if that's true

1 or not, but I heard someone say that. If there were any, they  
2 were in the bow of the boat and they were under cover. There  
3 were no -- nothing was visible for life saving. It wouldn't  
4 have mattered anyhow, because this happened so quickly. You  
5 wouldn't have had an opportunity. You know, it wasn't like the  
6 Titanic. It wouldn't have mattered, but I didn't see any  
7 evidence of that. So I'm saying it's under the bow.

8 Q. Right.

9 A. Somebody said, yeah, they're under there. That kind  
10 of thing. Now, see, that vessel going by, that's how a tour  
11 ship should be, not a 40-foot thing that's possibly overloaded.

12 Is there anything else I can help and answer with you  
13 on? I'm not going anywhere.

14 Q. Are you a good swimmer?

15 A. I can swim fairly well.

16 Q. Okay.

17 A. My wife cannot. But she paddles around. She likes  
18 to have her feet on the sand.

19 Q. Right. And your boating experience, what kind of  
20 boating experience do you have?

21 A. Row boats, fishing boats, nothing of any --  
22 occasionally a powerboat. My brother-in-law had -- you know,  
23 just get in the boat and take it for a little ride around. And  
24 that lake is almost a no-wake lake so that you can't go fast.

25 Q. Right.

1           A.    But that's about that.  I'm not any -- knowledgeable  
2    about -- I can tell you about the old sailing ships because I  
3    build models --

4           Q.    Um-hum.

5           A.    -- but those are a little different from the things  
6    you build.

7           Q.    How long do you think that you were actually in the  
8    water before the --

9           A.    Well, I was -- I remember going off and being in the  
10   water, things kicking me, people --

11          Q.    Um-hum.

12          A.    I got to the top -- a very short time of actively  
13   being in the water in that sense.  And then I was trying to  
14   hang on to things, and then I got off of that and then  
15   somebody -- again, that little life preserver.

16          Q.    Um-hum.

17          A.    And then a donut somebody threw at me.  And I grabbed  
18   that and this wonderful gentleman -- like I said, he and his  
19   wife and kids are coming --

20          Q.    Yeah.

21          A.    -- over for dinner tonight.

22          Q.    Yeah.

23          A.    And so, yeah, I couldn't put a time, because people  
24   were -- I had no reference to time.

25          Q.    Right.

1           A.    The small boats were coming in and there was so  
2 much -- things happening.  Whatever -- the time and minutes I  
3 couldn't give you.

4           Q.    Okay.

5           A.    The shock of it all, you can't really adjust.

6           Q.    What do you think was the Captain's demeanor during  
7 the whole trip from beginning to the actual --

8           A.    Well, all I know about him, he was on the deck with  
9 the girl, saying, we can't take two people, some commentary of  
10 that nature.  And then he -- he made a comment.  I'm not sure  
11 if he was standing inside the vessel or still in the gangway,  
12 but I think he had to be inside because he said, yeah, I guess  
13 this is okay, but we should have a little more weight or  
14 something of that nature.  Yeah, somebody should have been over  
15 here and to this side.  Just a comment.  It meant nothing to me  
16 at that time.  So then he went up and I don't know what his  
17 position was in the boat.  I know he was in the back of the  
18 boat, and we were going along and I commented to my wife, his  
19 voice, he sounded like, I would guess, at least 60, 65 years  
20 old, which is --

21          Q.    Um-hum.

22          A.    -- no problem.  But his voice was rough, not the  
23 voice you would have to take a tour group out, you know.  He  
24 made a few, a couple of comments, like that's the old Singer  
25 house.  You know, all the young people don't know who the

1 Singers were, you know, the Singer sewing machines, or a  
2 commentary like that. He was not a -- in fact, I told my wife,  
3 I said, this guy's no good at all. They should get a young  
4 voice in there that can be heard. It was garrulous -- rough.  
5 And that's about all I could say about him, because then he  
6 just make a few other comments, and that was his demeanor.

7 He says, we're going to go around the little island  
8 here, and this was built for there. And then we made the turn  
9 above that little island. In fact, I don't think the boat  
10 would go -- one of those things, you know, he'd say hey, that's  
11 a rock wall and all of a sudden it opens up to a big vista, but  
12 it was opening up for him to circle. And then again, I don't  
13 know if he went to the shore or went to -- I don't know the  
14 angle of the bow of the boat. I mean, we got around that  
15 island and right then was when this all happened. So again, I  
16 don't know -- I don't know, other than --

17 Q. Um-hum.

18 A. -- everything happened.

19 Q. Okay.

20 A. My impression, I would say, and it's only my  
21 impression, made it enough to me to tell my wife, they ought to  
22 have somebody a little more in keeping or something of that  
23 nature. Now, this guy --

24 Q. Right.

25 A. I don't want to say this guy sucks or something like

1 that, but that's how I felt.

2 Q. Right.

3 A. And we laughed about it. But really -- and I says,  
4 well, I guess this is what he does, a retiree or something. I  
5 have no blames with that.

6 Q. Do you recall any of the people that were sitting  
7 around you or --

8 A. Not really.

9 Q. No? Okay.

10 A. I couldn't give you names. You know, these kind of  
11 trips, generally, people, like my wife and I, if we go on a  
12 tour trip like this or something, or a cruise, it doesn't take  
13 very long for she and I to meet another couple that sort of  
14 seemed to be like us. You'll say, are you going to lunch?  
15 We're going to lunch, why don't we go together? And all of a  
16 sudden, the two wives are like they've known each other for 40  
17 years. You know, and the guys, we're talking golf or something  
18 like that. And what are you guys doing later on in the day?  
19 Why don't we meet up at the bar or, you know, anything like  
20 that. And we've met a lot of people that way that we've kept  
21 in touch with, you know, and made good friends with. So we  
22 don't have a problem with that. A lot people, they want to be  
23 cloistered with their own group and that's fine, too. So we  
24 don't normally have any problem.

25 But this whole trip, we'd gone through the railroads

1 or something, and almost every single person was back on time,  
2 was gracious, was courteous to one another, and then coming  
3 down and turn around and help a lady down. Because these are  
4 all senior people. They're not active like a group of 20-year-  
5 old high school girls. They would have been swimming in the  
6 water and thinking that was a lark. But the -- when you get in  
7 that level of age, it takes a long time to get down the steps  
8 and all of this sort of stuff. But everybody was really  
9 complacent with one another, laughed at somebody, if they came  
10 in late or something like that. It was a good load of people  
11 for taking trips, and we take them in the summer. All the  
12 people that are grouchy argue over what show you're going to  
13 see or something. This was a very good group and everybody got  
14 along well, chit-chatted. Everybody just inter-mixed very,  
15 very well. And that aspect of the trip was wonderful. It was  
16 a wonderful trip, until this, of course, happened. We've  
17 traveled enough to know our way around. We just go with the  
18 feeling we will meet somebody that thinks like we do. We've  
19 met a lot of people. But, that's about all I can give you.

20           It's a terrible tragedy that, in my heart, never  
21 should have happened. Especially since this is -- if this was  
22 somehow we have to get across to the river, and here's a boat  
23 here, let's try that, I could say, okay, it was a lousy boat  
24 that sank. But, this is a business boat. This is what you do.  
25 You take people. And he should be responsible for the people.

1 At least say, hey, we probably won't need them, but, you know,  
2 the saving rafts are here, or they're under the seat or  
3 something of that nature. And he never said anything like  
4 that. He didn't make any comment. And, again, someone told me  
5 later on that here, if you're up to eight years old, you must  
6 have the device, or something, and, if you're older than that,  
7 it's your choice. Because, where I live, when you get in a  
8 power boat, by law, you must have a saving device. Not in the  
9 boat, but on. And that saves a lot of lives.

10 So, if there's any other thing I can do for you, or  
11 answer for you.

12 MR. RIVENBURGH: We're only a third done.

13 MS. BURER: Right.

14 BY MS. BARNES:

15 Q. I would just like to -- this is Pat Barnes, National  
16 Transportation Safety Board. I'd just like to revisit a couple  
17 of things that you said and also ask, I guess, one or two  
18 additional things.

19 When loading, you said that perhaps you were about,  
20 you and your wife loaded about mid-way through the group. You  
21 didn't load at the beginning, you didn't load at the end, you  
22 just --

23 A. No. There were some in the bow, there were some  
24 still coming on. And then, when the final two came, you know,  
25 set it all up. So, we were there about mid-way through. Or, I

1 think we just walked across, you know, you've got to go  
2 somewhere on this row. There was no orderliness of him  
3 standing there saying, ladies, why don't you go on this side or  
4 why don't you go there. It never happened. So, we just sat  
5 down in the two-seater section. That was it.

6 Q. When you stepped on the boat, it's a side-loading  
7 boat, what was your sense when you stepped on the boat?

8 A. Just casual, you know. There were a lot of people  
9 made comments, is this the boat we're going on? You hear that.  
10 I can't say who or what. You know, people are always chitter-  
11 chatting. And these two girls said, I wouldn't go in that boat  
12 anyhow, or something to that effect, we're going to go  
13 shopping. And they were the two that would have been an  
14 overload. So, I know they made a comment equal to that. They  
15 wouldn't have gone in that boat anyhow. But there's always  
16 commentary. There's chitter and chatter.

17 Q. And when he asked people, or when he made the  
18 comment, rather, that people should move, he was talking about  
19 people from the two-seat side should move to the three-seat  
20 side, or the other way around?

21 A. Well, from the -- this is kind of hard to say,  
22 because he said something to the effect that there should be  
23 more people over on this side. Implying, I think, that the  
24 heavier people should have been on the two-seaters and the two-  
25 seaters should have gone over there. He made no effort to say,

1 ma'am, would you mind being on this side, and you're on this  
2 side, and we'll equal this all out -- like they do in a plane,  
3 don't everybody go to the one side of the window. And he never  
4 made any comment like that. He walked up and says, well, I  
5 guess that's okay, or something of that nature. Again, don't  
6 quote me on the exact contents, but words to that effect.

7 Q. And you did or did not see his turning the wheel?

8 A. I did not see. But this other lady, she made it a  
9 point to tell three or four of us, I guess, I can't figure out  
10 why he was doing this, these are her motions, and that's what  
11 she said. I think she was the only person there who was by  
12 herself, Erica, it was just a short name. If you could see the  
13 manifest, you could check it out. Just a short name.

14 Q. But, by her actions --

15 A. I didn't see that.

16 Q. -- you --

17 A. That's what she said. So, I didn't see him actually  
18 doing that.

19 Q. I understand that. But, by her actions, what she was  
20 describing would be his turning --

21 A. Yes.

22 Q. -- to the right?

23 A. Yes. She says, I can't figure out why he was doing  
24 this, this, this, as hard as he could.

25 Q. Okay.

1           A.    That's the way she did it and, you know, again,  
2   that's her words.  I did not see him.  But, that's what her  
3   words were.

4           Q.    But you witnessed the right side of the bow, the  
5   right side --

6           A.    My right side bow --

7           Q.    -- dip?

8           A.    -- dipped into the water.

9           Q.    Okay.

10          A.    And I think, I don't know for sure, but it seemed  
11   like a whole wave came in or something.  But, I think, just as  
12   a thought, now, I'm not sure which way it turns, like he might  
13   have thought he was going too sharp and maybe swinging it this  
14   way changes the rudder to bring that part of the bow up, I'm  
15   not quite sure of the mechanism, how it works.  He might have  
16   brought it up and gone too far, gone too far to the other side,  
17   and that's what made it capsize.  Now, that's a solution that  
18   could be.  If he saw he was amiss, trying to overcompensate,  
19   and too much overcompensation pushed the boat into the water  
20   and once that was there, he couldn't do -- now, that's just a  
21   guess, because, in my line of work, you know, every action has  
22   a reaction.  So, it's starting to go down, he's trying to  
23   counteract it to get it to come up.  Who knows?  Maybe he over-  
24   reacted.  Because we fell off the left side of the boat and  
25   again, my own thought, the woman that I talked to that was in

1 the front, she made the statement, she says I looked down and  
2 the gunnel was, you know, she says, my hand was hanging in the  
3 water on the bow of the boat.

4           So, if I give you this scenario, you're sitting there  
5 and I'm sitting here, and my hand is in the water here, the guy  
6 that's turning the wheel here sees that, he wants to get this  
7 side of the boat up, obviously, because this is the one that's  
8 down. So, he overcompensates. Now, he's going this way. And  
9 now, the weight is all on this side and the water comes gushing  
10 in. I had the impression that a wall of water was coming in  
11 from the left side. So, that's what makes me say what I said  
12 about overcompensation. Now, that's just a guess. Only he  
13 knows what he did, or whatever. That's the only thing in my  
14 mind to create the fact that the boat was taking on water this  
15 way, when it was almost taking on water this way, means that  
16 something brought that boat up to this side.

17           Q.    Okay.

18           A.    And my guess is he went too far, overcompensation,  
19 all the people fell. Now, that added that whole row of people  
20 that my wife and I were in. That's a lot of bodies on top of  
21 one another. You'd never recover from that. That would be my  
22 guess, that he saw he was wrong, tried to compensate and did it  
23 too much, because all the bodies came over and put the weight  
24 of everybody on this side. Mathematically, that would explain  
25 what took place, why the boat capsized.

1 Q. And you saw no water on the deck before the capsize?

2 A. No.

3 Q. Okay.

4 A. Again, it looked like it went this way and then my  
5 impression was a wall of water came this way. And the only way  
6 that would happen, and again, the big water came from this  
7 side, not from the small side. And the only way that would  
8 happen would be if somebody overcompensated or made a  
9 misjudgment or whatever. And, I'm not a sailor. I don't know.  
10 So, that would be my guess. You know, every action has a  
11 reaction. So, you grab this, you pull it this far, and all of  
12 a sudden you realize, woops, you're going over on this side.  
13 But, I know that the water that I saw coming in, and this was  
14 just now immediate, it wasn't leaking water, it wasn't -- it  
15 was fast, well, something made that boat go to that side. And  
16 again, once it started to go, the weight of all the bodies in  
17 the number two-seat row, which was my wife and I and all the  
18 others, we fell, we slid, actually, falling on her, and all  
19 that weight capsized the boat. That would be my best guess.  
20 If I had to write a term paper on it, that's what I would say.  
21 You're going to.

22 MS. BURER: That's true.

23 MR. METZ: Again, if you look at the map and the  
24 displacements, I can't think of any other reason that that boat  
25 should have capsized to the left, unless he was trying to

1 overcompensate. Tell me another reason that could make it  
2 happen. There were no big ships, the water was calm, pristine  
3 day, no wind, no problems, calm water and all of a sudden, the  
4 boat goes this way. Something's got to force that boat to come  
5 that way. I think he was going around that turn, my own guess,  
6 he either forgot or missed or whatever, got that side down so  
7 far, overcompensated and by doing that, put all that other  
8 weight onto the left side and there was no recovery from that.  
9 And then, that big wall of water that I saw, that's the only  
10 explanation for that, unless somebody can tell me something  
11 better. I know the wall of water hit me in the face as it came  
12 by and the boat was moving this way. So, you know, turn it  
13 this way, water comes over.

14 MS. BARNES: I have no more questions.

15 MAJ. RIVENBURGH: Well, I've got a few.

16 BY MAJ. RIVENBURGH:

17 Q. Steve Rivenburgh. Mr. Metz, you're a retired  
18 automobile engineer?

19 A. Yes.

20 Q. Any particular --

21 A. I was a body designer for Chrysler Engineer.

22 Q. That's what I've got. I just bought one.

23 A. What do you think of it?

24 Q. I've got a Hemi. Then the gasoline price goes up  
25 three dollars a gallon.

1           I want to ask you a few questions about the turn  
2 around the island.

3           A.    Okay.

4           Q.    You recall that it u-turned?

5           A.    Well, it came around, it was a gentler turn, a gentle  
6 turn around.

7           Q.    Okay.

8           A.    We saw this little island.  Of course, you're coming  
9 on it this way.  You don't realize that there's space up there  
10 for this boat to come around.  My first thought was, that's a  
11 neat thing.  I did that in an airplane in the Grand Canyon,  
12 with a pilot, not me.  It looks like you've got a wall of  
13 stone, and then all of a sudden, boom, there's something.  That  
14 was in the days when you could go beneath the ramp.

15          Q.    Did he reduce speed at all when he made the turn?

16          A.    It was kind of just a normal, smooth turn.  In fact,  
17 it was slow enough that I remember this, when he made the u of  
18 the horseshoe, let's say, going around to -- that island has a  
19 house on it, it had a little house, and a lady stood up and  
20 took a picture of the front door of the face, the façade of  
21 that little house.  So, it was just a gentle turning around.

22          Q.    Okay.  How far -- which way did he turn?  Did he turn  
23 to the right or to the left to go around the island?

24          A.    Okay.  We came along this way along the houses.  If I  
25 may, this is the island.  We came along here and he turned this

1 route. Now, from this point, I don't know if he was going in  
2 this direction, this direction or what, but it was a simple  
3 turn around, took the picture this way and continued this way.  
4 Now, I was sitting down in the seats -- I'm sorry.

5 MR. BURER: No, no, no. That's fine.

6 MR. METZ: But I had no worry or no care. He's going  
7 in the boat, he's making the turn and he's either going to go  
8 left or right or something. I don't know which way he was  
9 facing or turning that that point.

10 BY MAJ. RIVENBURGH:

11 Q. How far from the island, after you made the turn,  
12 before the boat dove and -- how far had you gone? A hundred  
13 yards, a hundred feet, two hundred yards?

14 A. Maybe a hundred feet. I'm only guessing, now,  
15 because I wasn't really paying attention or anything. But, he  
16 was obviously in more open water, because the island was behind  
17 us. And that's about all I can tell you. You know, the island  
18 is here. We came around. The back of the boat was past the  
19 island now. I don't know how much distance there was. I  
20 couldn't, in honesty, answer that question.

21 Q. Now, you also tell us that you saw the big boat ahead  
22 of you?

23 A. No. The big boat, the huge boat, was about, at least  
24 a mile or so to the rear now, of where this little boat was.  
25 It was nowhere --

1 Q. So it was behind you?

2 A. At that point, it became behind us, because we made  
3 the horseshoe. We were going towards it here, coming around  
4 the island here, and now the boat was over here, the big boat  
5 was behind us. And that was way behind us. There was no --  
6 nothing to do with that. The only time when we saw it was as  
7 we were going out. Said, hey, there's the big boat like way  
8 over there on the other side. And then we made the turn and in  
9 less than a few minutes, let's say, we started past the island,  
10 it took water, and we turned over.

11 Q. Now, when it was behind you, was it going away from  
12 you or going in the same direction as you were going?

13 A. You mean the big boat?

14 Q. The big boat.

15 A. It was coming -- once we made the turn, now we're  
16 going back the same way we started -- no. We started here,  
17 came here, made this turn. The big boat was way back here, at  
18 least a mile from there.

19 Q. Okay.

20 A. And we weren't going fast. We had no idea of what's  
21 going, of anything rocking or anything. I would bet my life,  
22 which I almost did, that big boat had nothing to do with it.  
23 It was too far away and the water was, again, like a bathtub.  
24 It was just like that is out there.

25 Q. Again, I was just trying to get a focus on how

1 that -- in what direction of travel that big boat was once you  
2 came around the island.

3 A. May I draw it?

4 MS. BURER: Certainly you may.

5 MR. METZ: Really, it's simple, I'll put it in --  
6 this fly is going to --

7 MS. BARNES: I know.

8 MS. BURER: I know.

9 MS. BARNES: He's just a real pest.

10 MR. METZ: Let's just say we boarded the boat at this  
11 point, and this is all the shoreline. We took off from here.  
12 We followed the shoreline out to here. I'll continue this.  
13 And at this point, I think, it looked like the island, I'll  
14 just say, was here. And I don't know where this continued to  
15 go. So, he took the boat and the ship came around here. I  
16 don't know, it was close enough to get good views of this, say  
17 from far away. And he came this way and this is where that  
18 loop is, went around here, very gently. Then, came back in  
19 this direction. And I would say right here is where the  
20 problem was.

21 The lady -- now this was soft and gentle, this is  
22 where she could stand up, because this was a boat you could  
23 stand up in, and she took a photograph from here to here. This  
24 is where she took the picture from, because I said, boy, that's  
25 a good picture, or something like that, you know, it was odd,

1 you don't see those in the water. This was a very, very small  
2 island and I mean, it's like four of these staples here. And I  
3 would say approximately here, here is where the problem was.

4 Now, the big boat was, I'd say, at least, just as a  
5 guess, at least a mile from say this point. Because coming  
6 around we saw it. And when we started out, of course, we saw  
7 it, and it was just way off in the distance and the big boat  
8 was nowhere near any of this area.

9 Q. But the direction of travel was?

10 A. It was coming forward from this direction.

11 Q. Okay.

12 A. So, maybe that's easier with the drawing. And we had  
13 seen one of those speed boats going off in the other direction.  
14 And it was just, you know, lazy, cruising.

15 MS. BURER: Right.

16 MR. METZ: Ours was only to be an hour thing --

17 MS. BURER: Right.

18 BY MAJ. RIVENBURGH:

19 Q. Okay. And the boat dove to the right and then to  
20 the -- back --

21 A. Well, let me --

22 Q. -- to the left?

23 A. Let me describe this, then. I'm looking at a top  
24 view of the boat.

25 Q. Uh-huh.

1           A.    Here's the end of it.  Let's say my wife and I were  
2 sitting in these seats right here.

3           Q.    Uh-huh.

4           A.    The boat, of course, has got a shape like this, comes  
5 like this.  At this point was where the woman said, what's  
6 going on, the water's hitting my hand, we're only this far from  
7 the water coming in.  And she made that commentary, how all  
8 these seats are here and then, all of a sudden, I can't say  
9 that, you know, any big rocking took place, but all of a  
10 sudden, this is the area where all of a sudden it went like  
11 this.

12                    So, my thesis would be, if this is going downward and  
13 this guy goes this way to get this part pulled up, he pulled it  
14 up enough where all of us fell in this direction and landed  
15 against this side of the gunnels.  And that caused, again, my  
16 own thought, this wall of water that I saw now, came from here,  
17 coming this way.  Which would explain that this boat is  
18 capsizing this way.  It's going down, the water is coming in.  
19 That's the only way it's got to go, the physics of that says  
20 that it's not going to stand up here and wait and let the boat  
21 go underneath it.  So, that makes me, in my own mind, think  
22 that somebody back here, the Captain, for some reason or other,  
23 this boat was turning too fast, perhaps or something, might  
24 have dug down into the water here.  Because, you know, the  
25 gunnels are about that high.  Now, at this point, they were

1 only that high, according to this lady.

2 I could see the boat going down. I saw, I definitely  
3 saw that action of the boat in the water, right at that point,  
4 because I made a comment that I noticed that, and I could see  
5 the water coming in here. And then all of the seats went this  
6 way, we all fell this way. And just before, at the same time,  
7 when this was going down, all of this water was coming this  
8 way. And I wound up floating around out here someplace. And,  
9 to me, that's the mechanics that have to be in force there.  
10 There's no way you're going to get that much water, or, you  
11 know -- it couldn't have been any other way than that. I'd  
12 like somebody to show me, because, and I would say they're  
13 wrong.

14 Q. Did you see any other boats close by, in close  
15 proximity?

16 A. At that proximity, no.

17 Q. On either side?

18 A. No. We were like in this area. We weren't too far  
19 away from the island, and I have no idea how much was there.  
20 But, there were a couple of boats, little pleasure boats coming  
21 from this way. And this was a warm sunny day and there were a  
22 lot of pleasure boats out there. Well, they all came from all  
23 directions to help us. And then I don't know how far, how far  
24 it was from -- gosh, I don't know, I don't even have a clue  
25 now.

1 Q. But prior to the evasive action sort of, the tipping  
2 of the vessel, you didn't see any boats in close proximity?

3 A. No. No. You know, you look out and there's some guy  
4 going around in his motorboat. There was nothing the size of  
5 the vessel that would make that wave. That wave came from  
6 lifting us up and letting the water come in. I mean, that's  
7 the mechanics of it. That's the only way it could happen.  
8 Again, I, from my own knowledge of engineering, you know --  
9 Again, I'm asking you now, if I may, a question. How else  
10 could this wall of water come in there, unless somebody had to  
11 overcompensate? Because, right at this point, we were all  
12 sitting solid, when this woman said that the water's almost up  
13 to the gunnels. So that has to be that this guy turned the  
14 boat too fast, perhaps, because I saw the nose go down. So  
15 maybe he gunned it here and turned the wheel and the wheel got  
16 out of his hand, or I don't know.

17 Q. How shortly after you made the turn around the  
18 island?

19 A. Oh, it was very quickly. Like I say, we came around  
20 the part of the island and somewhere about in this position, I  
21 have no idea the specific distance, but it was a distance that  
22 was obviously deep, because I know I went down at least 10 or  
23 15 feet into the water and popped back up. So, it had to be  
24 something of this nature, because I had a wall of water come  
25 into this boat and all that water and all these people, it went

1 just like that. And then it continued on and went flat. There  
2 was an area there that, in my own mind again now, I was in the  
3 water trying to hang on and then I started floating around.

4           Pleasure boats were coming from all sides, all heads  
5 all over the place, screaming, yelling, all kinds of noise and  
6 everything. And, again, in my own mind, I was here and I'm  
7 looking, trying to see my wife. And somewhere, and I can't --  
8 I don't know how this can happen, myself, because I don't know  
9 what the structures are, but somebody yelled, the boat's  
10 turning over, it's going to go all the way over. And, as it  
11 went, I think it completed its turn over, but for one two-  
12 tenths of a second, I saw my wife's body come up lying face  
13 down, and I'll say just a board. That's what it looked like.  
14 Like a big plank and she was lying there in water that deep,  
15 obviously dead. And then I don't know what happened, if it  
16 continued over or it held back and her body went -- I don't  
17 know. It sort of disappeared. But, again, water was  
18 splashing, I saw her, but her face was in water and the rest of  
19 her body was up for that short second. And so I don't know if  
20 it rolled back over and her body rolled off, but I saw her from  
21 here to there. I got a glimpse. I knew it was her, because I  
22 knew her clothing. And, I can't quite figure out how her body  
23 got to that physical position and then disappeared. That I  
24 don't know. But, it had to be something. You know, at that  
25 point, there were boats all around, people in the water,

1 everything was doing all kinds of things.

2           So, I -- but, as far as the boat itself, that's where  
3 the water came from. Here's where the boat tilted forward.  
4 Somebody overcorrected. All of this went in this direction,  
5 put all the weight on this side of the boat, pushed it down and  
6 the water came. And I don't know of any other way that it  
7 could have happened, of what caused it or what made this go  
8 down. My thought is maybe he wasn't paying attention or  
9 something, or maybe he slipped on his footing and hit the -- I  
10 don't know what device he used, I'll say a wheel, or something  
11 perhaps, because that's what the other one had. Maybe he  
12 slipped over the wheel and that turned it that way and trying  
13 to overcompensate. But, that I don't know.

14           This is, in my mind, this is the only way this could  
15 happen. This went down, he tried to overcompensate, all the  
16 bodies put all the weight this way. I think if you took the  
17 weight of all these bodies, including my own, and the people  
18 that were over in the three-seaters, now that's a third more  
19 than this side, you've got a mass of bodies, you've got 45 or  
20 48 bodies landing on this side of the ship, starting at the  
21 bow. So, it had to come over that way. The water came in.  
22 That's the only way to me.

23           Now, what caused it, that I don't know. I'd like to  
24 see the boat itself, but water wouldn't hurt that steel boat.  
25 The only way it could be was all that weight taking the boat to

1 this -- and, of course, the more you do that, the more water  
2 was bound to get on. And again, I'm not a mathematician, but I  
3 think, if you took all the weight of those and added all the  
4 weight of those, you'd have the weight of 48 people, which are  
5 senior citizens, not all skinny like we are, and I'm not trying  
6 to make fun, but I'm trying to analyze what could possibly have  
7 taken place.

8 MS. BURER: Right.

9 MR. METZ: And, I'm an automobile engineer, I'm not a  
10 seaman. But I crossed the Pacific a couple of times.

11 BY MAJ. RIVENBURGH:

12 Q. The dynamics of moving weight?

13 A. And that's exactly what took place. I can't, again,  
14 I'm not a seaman, but I know what happens when all this weight  
15 goes there and you have to have a reaction and if there's a  
16 case of action, reaction, it's right there.

17 Now, what caused this to happen, I have no idea.  
18 That had to come from a source. I couldn't have come from the  
19 water, because the water was dead calm. So, some weight had to  
20 have gone down on this side, one way or another, either by  
21 turning, manipulating the boat too hard, as it goes over, and  
22 then the only way it can be to overcompensate. And if he had  
23 stopped half way, these people would have gone halfway across,  
24 and the boat would have straightened out. Make a model of it  
25 and see what happens.

1 Q. I'm sure that will happen.

2 A. No, I'm not trying to be facetious --

3 Q. Neither am I.

4 MS. BARNES: No, no.

5 MS. BURER: Neither are we.

6 MR. METZ: I'm not trying to be funny, because you're  
7 talking about -- my sons and I, we were over in the other hotel  
8 and, as we came down, there was another gentleman and his son  
9 and he came out and he said his mother had died, and he was  
10 representing his father. So he came, he just got here. So my  
11 sons and I says, you know, come with us. So, we've invited him  
12 to dinner.

13 I tried to -- has asked me, he says, were you there?  
14 And I says, yeah. If you don't mind, if you like, I will tell  
15 you my experience that took place, you know, what I know, good,  
16 bad or other, but it's what I feel was the right thing. And he  
17 said he would like to hear it and I told him essentially what I  
18 told you. And just to give him a little solace as to what took  
19 place. Sort of a man-to-man type thing, if you will. And, as  
20 I see this whole thing, it's probably displacement and action,  
21 reaction.

22 BY MAJ. RIVENBURGH:

23 Q. Is the bruise on your hand from the accident?

24 A. No. This started as just a bruise I had. I kind  
25 of --

1 Q. Aggravated it?

2 A. -- banged it someplace and this aggravated it. The  
3 guy that pulled me out of the water, he thought I had sliced my  
4 hand open and I says, no, that was just a big bruise. I'm sure  
5 I did something with it. And that will heal, us old folks get  
6 this way. So, that's not part of that. I've got bruises here  
7 and here and here.

8 BY MS. BURER:

9 Q. Those bruises on your arms?

10 A. Yeah.

11 Q. Okay. Any other injuries that you remember?

12 A. Any what?

13 Q. Any other injuries because of the accident?

14 A. No. But, I did realize this morning that I haven't  
15 slept in a while. Again, I was with my sons, and I says, you  
16 know, my arm muscles and my shoulder muscles are aching right  
17 now. You know, I'm trying, but they're all tensed up. But  
18 that's easing up and that's not a problem or anything. That's  
19 just from not knowing what's happening and --

20 Q. Well, that's exactly doing what you did.

21 A. -- when I was hold on by just literally, my  
22 fingertips. That's all the shape was, the hull was coming  
23 here.

24 Q. Right. Do you --

25 A. I --

1 Q. I'm sorry, go ahead.

2 A. No, go ahead.

3 Q. I was going to ask you real quick. Do you remember  
4 hearing any noise or foreign sounds at all --

5 A. Not really.

6 Q. -- during the capsizing?

7 A. Not really.

8 Q. Okay.

9 A. And again, we were just sitting there. There is  
10 noise --

11 Q. Right.

12 A. -- people talking.

13 Q. Right.

14 A. I did not hear any explosion or anything.

15 Q. Right.

16 A. Some people said they got oil over them and that the  
17 engines had oil and then they turned over on us, so I don't  
18 think that was any kind of a cause. I didn't hear any boom or  
19 explosion.

20 Q. Right.

21 A. My first thing I says, what in the hell was that?  
22 The nose was going down.

23 Q. Right. Now, when you guys, when you boarded, did you  
24 have a chance to see if the Captain helped any of the other  
25 passengers with boarding that needed help?

1           A.    No, not really.  It was kind of just a step-down  
2 thing, I presume.  You know, it's a boat.  You step into a  
3 boat.

4           Q.    Right.

5           A.    So, we paid no attention to that at all.  My wife and  
6 I, we just stepped across.  You may as well sit down and have a  
7 nice little cruise.

8           Q.    Right.

9           A.    This is so hard.  It's frightening.  I know my sons  
10 are getting calls from all over the country.  I know that  
11 everybody where I live -- my wife was a wonderful, popular  
12 girl, woman.  Things happen.  We all know we have to die.  
13 These people deserved a better death than somebody perhaps  
14 making a mistake and causing it.  And, if somebody did that,  
15 and he were in my room and I had a baseball bat, I would kill  
16 him.  Literally, that's how I feel.

17                   Somebody's stupidity.  And you see it all the time.  
18 You know, somebody goes around and drinks two gallons of  
19 whiskey, I can drive my car and wipes out a family of people.  
20 The stupidity of people is famous.

21                   But I may have sounded facetious.  I apologize,  
22 because I don't intend to.  I know that this is so horrible.

23                   My son is with the police department and I remember  
24 one time we were driving, my mother was in a nursing home and  
25 we went to visit her and we were up in a little upgrade and

1 somebody came by, an ambulance came by, followed by a car and  
2 there were people going that fast, and I forget exactly what  
3 happened, but I made a comment, how stupid this guy is by  
4 driving that way and I kind of lost my train of thought there.  
5 But he laughed at that sort of thing. I says, what are you  
6 laughing about. And he says, Dad, if I didn't laugh at it, in  
7 what I do, I would be crying all the time. You have to treat  
8 it -- counteract, you know, somebody going to the hospital in  
9 an ambulance, somebody following, son, you know somebody's  
10 really hurt. And he sort of whistled at it, because that's the  
11 only way he could keep his sanity, being a police officer. He  
12 says when you pick up a three-year old who just got run over by  
13 a Mack truck and try and pick up the body parts, that kind of  
14 spoils your day.

15           And, so, that is taking place. I can see it in  
16 myself. I lost my wife. And I'm trying to -- I'm in denial.  
17 I'm trying to stay in denial so we get everything regarding her  
18 and all of this stuff taken care of.

19           And this other lady who was screaming, my mother's on  
20 that boat. She was like laughing upstairs when we were all  
21 there. And my own thought process, she's doing what I'm doing.  
22 She's just being gay and laughing and boy, do you see that boat  
23 should have done this -- making fun of it, so to speak, just to  
24 protect her own sanity.

25           MS. BARNES: Absolutely.

1 MR. METZ: I apologize, but it's --

2 MAJ. RIVENBURGH: I have nothing further.

3 MS. BURER: Okay. Pat, then?

4 MS. BARNES: I have no more.

5 MS. BURER: Okay. Then, we're going to go ahead and  
6 conclude this interview. So, if you could just --

7 MR. METZ: Are you sure there's not anything else  
8 that I can help you with?

9 MS. BURER: Well, if we need any additional  
10 information, we'll go ahead and get a hold of you.

11 MR. METZ: Okay. That's fine.

12 MS. BURER: But, for right now, we're perfect. So,  
13 thank you.

14 MR. METZ: Do you want a signature or --

15 MS. BURER: Yeah, I just would like you to  
16 acknowledge that it's been recorded and then I'll turn it off.

17 MR. METZ: My name is Frederick Metz. I just  
18 finished giving a statement to these wonderful people here. I  
19 hope it helps to solve the problem.

20 MS. BURER: Thank you very much.

21 MR. METZ: I'd like to thank you all for hearing me.

22 (Whereupon, the interview in the above-entitled  
23 matter was concluded.)

24

25

CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:           MV Ethan Allen  
                                  Lake George, New York,  
                                  October 2, 2005  
                                  Interview of Frederick M. Metz

DOCKET NUMBER:           DCA 06 MM 001

PLACE:                       Washington, D.C.

DATE:                        October 4, 2005

was held according to the record, and that this is the  
original, complete, true and accurate transcript which has been  
compared to the recording accomplished at the hearing.

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David Martini  
Transcriber (p. 1-27)

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Kimberly J. Zogby  
Transcriber (p. 27-54)