

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

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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: RUSSELL QUICK

National Transportation Safety Board  
490 L'Enfant Plaza East, S.W.  
Washington, D.C. 20594

The above-captioned matter convened, pursuant to  
notice.

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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## 1 P R O C E E D I N G S

2 MS. BURER: My name is Mariette Burer and I work with  
3 the National Transportation Safety Board. And to my left is?

4 MR. QUICK: I'm Russell Quick and I live in Livonia,  
5 Michigan. And do you need a phone?

6 MS. BURER: No, no, we'll do that later. And?

7 MS. BARNES: And I am Pat Barnes, and I'm with the  
8 National Transportation Board

9 MAJ. RIVENBURGH: I'm Steve Rivenburgh and I'm with  
10 the New York City State Park Police.

## 11 INTERVIEW OF RUSSELL QUICK

12 BY MS. BURER:

13 Q. Okay, what I'd like to do is to go ahead and take  
14 some general information and tell me how you got involved with  
15 this particular tour. And tell me in your own words how your  
16 day evolved.

17 A. Well, we've been with this tour group since last  
18 Tuesday traveling through all the different states. And this  
19 was one of the spots on our way home and we decided to stop and  
20 have a boat ride. And that is basically how we got here.

21 I was a little surprised from the walk to the dock  
22 the size of the boat. I had seen pictures of other boats, but  
23 this one seemed rather small, but -- as far as, when I walked  
24 onto the boat there was two of us stepped onto the boat at the  
25 same time. It really didn't feel so good, real stable like

1 most boats the way somebody stepping on a boat. This didn't  
2 seem stable to me, but, we went and sat down and I was looking  
3 around to see if I could see any life preservers. I didn't see  
4 any, but there was a cabinet back there and I thought well,  
5 maybe they're in there and I sat on the bench with my arm upon  
6 the windowsill of the thing. And I saw two ladies. They were  
7 both sitting behind me and there was a gentleman sitting next  
8 to me. I realized when we pulled away from the dock that the  
9 boat wasn't, uh, wasn't level. I mean there was a leaning on  
10 the left side like there was too much weight on that side. And  
11 I was rather surprised that nobody did anything to correct  
12 that.

13           He did go through the counting of seats, counting  
14 people. I figured well, there is a limit of what they can  
15 have. The seating, there were several, well, three or four  
16 women sat in the very front of the boat on the left side. And  
17 that made it tilt more to the left side, I felt it. But the  
18 trip we took seemed all right and he was showing us the  
19 shoreline and the different estates, who made them and when and  
20 various things. And I noticed a few boats around, but one  
21 particular boat it wasn't a large boat, it was bigger than a  
22 fishing boat, but it was a fairly decent size boat that came  
23 along to our left coming towards us. And I thought he was a  
24 little too close but I wouldn't say now -- my memory was less  
25 than fifty yards from us. And this boat, when this boat made a

1 wave in the water, I felt the captain of our boat pull to the  
2 left to try to get away from that wave right without too much  
3 trouble, but when he did that a couple of women in the front  
4 slid over to the left because it was already tilted a little.  
5 And when they went over to the left, that made the boat tilt  
6 more. And we hit this little wave which wasn't really a large  
7 wave, and I could see what was happening. And the water came  
8 in that corner. And it happened so fast that you don't even  
9 have time to think. I said to myself, why don't the guy slow  
10 down a little bit under these conditions, and the next thing I  
11 know I was out in the water with the force of that water  
12 rushing in the front. It just hit me so fast that it threw me  
13 out the window. And I ended up out in the water about fifteen  
14 feet from the boat. And of course I'm not a real good swimmer.  
15 And I looked over towards the boat and it turned over, and I  
16 noticed as I was swimming that the boat was moving.

17           And I could still hear the engine running after it  
18 tipped over. I don't know how many seconds that would be but  
19 it seemed like three or four minutes. But I -- maybe it wasn't  
20 that long but the boat was actually moving away from me and I  
21 did manage to get to it and I hanged onto it. There was a  
22 little metal strip there that several others had our finger in  
23 and they started throwing life preservers or cushions to us but  
24 pretty soon everybody said they could hear screaming under the  
25 boat. I didn't personally didn't hear it but others did. But,

1 of course I don't hear quite as well.

2 The boat started to roll before I could get away from  
3 it and it kind of pulled me down underneath but somehow or  
4 another I managed to get out from under it and got back up  
5 again. And then I noticed other boats coming along I felt it  
6 and a cushion hit me in the back of the head that somebody had  
7 thrown and I was sure glad to have it. And I put my one arm  
8 through it. I couldn't really get it on but I just hung onto  
9 it.

10 And the next thing I know the sheriff was there and  
11 different other folks that were there. And I don't know how  
12 long I was in the water. I don't know. Twenty minutes, I  
13 don't know. I was one of the last ones to get picked up. The  
14 sheriff's boat had a ladder on the back of it and I didn't have  
15 enough strength left really climb up the ladder, but, I got my  
16 knees upon it and the two guys in the boat managed to get me  
17 in. And I helped them pull up a man there with his wife I  
18 think she drowned trying to help him get her into the boat.  
19 Then all I wanted to do is to go back into the corner and  
20 shake, I was very cold. And of course I'm on blood thinner I  
21 think that was part of the reason but we was just about -- we  
22 picked up a couple more out of the water and then went ashore.

23 So, I think the main problem wasn't the weight on the  
24 boat, but it wasn't evenly distributed to handle the situation.  
25 And I felt that from the very beginning that there wasn't

1 nothing done to try and equalize the roll of the boat.

2           So, I didn't get caught underneath or anything. Just  
3 the force of the water threw me out of the window and got away  
4 from it.

5           Q.    When you went back to shore what did the sheriff's  
6 boat -- what did they do then?

7           A.    Well, they got me on the dock and I walked over to  
8 the shore. And they went back out to see if they could get  
9 some others. I didn't pay too much attention to what they did  
10 but I know they did go back out, yeah. I just walked ashore  
11 and they gave me a blanket to put on and a chair. And they got  
12 me out of my wet clothes. And somebody was there and took my  
13 blood pressure, took my temperature and wrote it on or recorded  
14 it on a form that they give to you, so they can keep track.

15                   And there was many, many volunteer people there from  
16 different organizations. Everybody was asking what they could  
17 do or what do I need. It was really unbelievable the response  
18 that did come.

19           Q.    Did you receive any injures from this?

20           A.    I didn't know it at the time, but I do have a big  
21 black and blue mark on the back part of my leg.

22           Q.    And that is your right leg?

23           A.    Yes. I didn't really know it until I was taking a  
24 shower. It is up in here.

25           Q.    Okay, can you describe to me a little bit more about

1 the other boat that you saw earlier in the tour? And I believe  
2 you said it was approximately fifty yards.

3 A. I don't think it was that far. I said fifty yards,  
4 but thinking back I was kind of concerned as to why he came so  
5 close to the boat as he did. But I see a lot of reckless  
6 things in the water. But I don't know about the weight because  
7 the boat wasn't very large but the captain did turn the boat  
8 into the wave to try and compensate. And I think when he  
9 turned a little bit a couple of women slide off their benches  
10 off to the left side and that started the whole sinking problem  
11 from what I could see from where I was sitting.

12 Q. Was it just one wave? And where were the women  
13 sitting that were sliding?

14 A. They were sitting up in the front part more.

15 Q. Left or right side?

16 A. Well, on both sides but the women on the right the  
17 women from over here slide over to here and this was the low  
18 part anyway. And when that happened I could see that things  
19 were in trouble. But it happened so fast though and the water  
20 just gushed in there boat (indiscernible). And it was like a  
21 submarine boat. It happened in just a split second and I'm out  
22 in the water, so.

23 Q. Okay, you were mentioning earlier about water was  
24 coming in a corner. What corner are you talking about?

25 A. The front.

1 Q. Left or right side?

2 A. Right side. And that's where the water first started  
3 coming in because there was more weight over there.

4 Q. Did you hear any kind of noises before, during or  
5 after or any kind of strange noises?

6 A. Like I said, the engine was going a few minutes after  
7 it sunk. You could hear that and of course could hear people  
8 yelling help. I don't know what all the noises were. There  
9 was quite a bit of small bit of oil in the water. It was  
10 probably from the engines.

11 Q. Now, the window which you were sitting next to, was  
12 it open or closed?

13 A. No, they were all open. When I got on and looked  
14 around, I saw all these plastic windows they had there. They  
15 were all fastened up to the ceiling. I think they were all  
16 primarily for weather or rain to keep the weather off the  
17 metal. Just how they were fastened when the boat tipped over.  
18 Whether any of them came down and blocked people's exit or not,  
19 I don't know. But the windows were quite large. They seemed,  
20 uh, like four feet wide and quite high. I think that's how I  
21 got the bruise the force of the water was unbelievable. That's  
22 it.

23 Q. What part about do you think you were hanging onto?

24 A. I really don't know. I guess I'm probably about the  
25 same spot, because, I saw our tour director was holding onto

1 something on the back. Maybe like a (indiscernible) or  
2 something. I guess I was hanging onto the boat.

3 BY MS. BARNES:

4 Q. Pat Barnes from NTSB. You mentioned that when you  
5 first entered onto the boat that another person came on at the  
6 same time. Now does that mean that when you stepped on and  
7 took a step forward and that this other person stepped on the  
8 back step?

9 A. Yes.

10 Q. Okay, and so that other person stepped on the back  
11 step?

12 A. Well, you could see side on the tilt of the boat  
13 like. I thought it would be a little more stable just the two  
14 of us doing that. I had a boat once and I know that balance is  
15 a big thing. It was in my thoughts I thought it was kind of  
16 strange I thought. But, taking into consideration the size of  
17 it.

18 Q. Now, you said that you noticed a cabinet that might  
19 include life jackets. Did the captain mention anything about  
20 life jackets?

21 A. He never heard a thing said about it.

22 Q. Okay.

23 A. Personally, I don't think it would have done any  
24 good. I think if the people would have had life jackets a lot  
25 of people would have been affected just as well. A lot of them

1 I talked to had to swim down to get out from under the boat.  
2 And if they'd had life jackets on they wouldn't have been able  
3 to go down like that. There was no time to put them on either.

4 Q. Did he -- did the captain provide, I guess what we  
5 refer to as a safety briefing or at the onset of the cruise or  
6 tour? What did he say to the people on board?

7 A. Well, he just directed us to how many seats. In fact  
8 there was two on one side and three on the other. And he was  
9 counting people. And I noticed two different times he come up  
10 and count people and count seats. And it entered my thoughts,  
11 well, this is probably a regulation as to how many people can  
12 be on here. I didn't hear anything said about that.

13 Q. Okay, do you have a feeling about how many people  
14 that were on the boat or did you hear a count mentioned?

15 A. No, I can't say that I did hear a count but I know  
16 they were counting. I seen extra seats that weren't full. So,  
17 I don't think the boat was distributed right the way it was  
18 distributed -- if it was distributed the right way I don't  
19 think this would have happened, so.

20 Q. Now, any kind of tour before the capsizing occurred.  
21 Did you see any water on the deck?

22 A. No.

23 Q. The waves that you saw. Can you describe or give us  
24 an estimate how high the waves are or the distance between  
25 them?

1           A.    As we were going through the water there was a wave  
2 on each side. I would say we weren't really speeding but there  
3 was a wave. I talked to different people and some of them have  
4 different visions but how big this wave was. But from what I  
5 saw I don't know why he lost control except that it was excess  
6 weight on one side to begin with. It needed corrected to try  
7 and limit the weight. I don't know.

8           Q.    So, based on your indication you would estimate that  
9 the wave was about a foot?

10          A.    Yeah. Yes, a foot it wasn't real big.

11                MS. BARNES: Okay, I don't have any more questions.  
12 Thank you.

13                MAJ. RIVENBURGH: Steve Rivenburgh, state park  
14 police.

15                BY MAJ. RIVENBURGH:

16          Q.    Mr. Quick, the person that stepped onto the boat with  
17 you at the same time. Was it male or female?

18          A.    Male.

19          Q.    Male. About your size?

20          A.    About my size.

21          Q.    And you said the vessel was leaning over to the left  
22 side?

23          A.    Yes.

24          Q.    Okay.

25          A.    I noticed but maybe others didn't but from where I

1 was sitting I could see it.

2 Q. Okay, you don't happen to recall hearing any kind of  
3 briefing as to where these or other safety equipment was?

4 A. Personally, there was a lot of noise and people  
5 talking and gabbing. But from where I was sitting I heard  
6 nothing.

7 Q. You hurt both of your knees, sir?

8 A. No, just the one.

9 Q. What did you do for a living prior to retiring?

10 A. I was a stationary engineer. I operated steamers,  
11 boilers in school systems. I was sent to places like Detroit  
12 to operate equipment.

13 Q. And you mentioned that you canoed?

14 A. Yeah.

15 Q. Did you do any other type of boating?

16 A. Oh, yeah. I have a small fishing boat. That's about  
17 the most of it that I do. Fishing, great lakes fishing in the  
18 summer.

19 Q. What is the size of your fishing boat?

20 A. (indiscernible).

21 Q. And how many years have you done this?

22 A. Over thirty years.

23 Q. Okay, and now you were sitting on the right side of  
24 the boat and you say the boat that was creating a wake was on  
25 the left side?

1 A. Uh-huh.

2 Q. Now, you didn't see anything on the right side?

3 A. No. Well I really wasn't looking but I saw this boat  
4 coming towards us and I was kind of watching it. There might  
5 have been something on the right, but, I was kind of -- my  
6 first thoughts were that guy could give us a little more room.  
7 But it was just the one wave but it wasn't a real big one.

8 Q. And when the captain started to maneuver?

9 A. Some of them slide off their seats and landed over in  
10 that spot where it was low. And that kind of --and I think  
11 that's what kind of made the difference. It didn't just start  
12 a little bit I mean, it was right now. It all happened at one  
13 time. Well, you see it threw me out the gushing of the water  
14 coming in there and threw me out the window and I don't know.  
15 Just given what happened I didn't give it a thought except I  
16 realized we were a little bit low over there.

17 Q. But the gentleman sitting next to you did he make it  
18 out?

19 A. Yeah because we both hung on the side of the ship for  
20 quite awhile. And he helped another lady who is in the  
21 hospital right now to hang on. So, he's going home but I can't  
22 remember his name.

23 MAJ. RIVENBURGH: At this point I have no further  
24 questions. Thank you.

25 BY MS. BURER:

1 Q. The man that actually came on board with you or step  
2 on the boat with you is he also the same person that was  
3 sitting next to you or was he sitting somewhere else?

4 A. No, that wasn't the same person, no.

5 Q. Do you know where he ended up sitting? The same  
6 person.

7 A. I didn't even pay any attention but I wasn't  
8 conscious of the fact that it moved a little more than I  
9 thought it should.

10 Q. Okay, and you said something about a couple of ladies  
11 landed on the low side. Can you describe what the low side --  
12 what does that mean to you?

13 A. Well, the front on the right. No, no, I'm sorry, the  
14 left. The front of the boat on the left. It was already  
15 tipped that way a little bit and when they slide off their  
16 seats and went that way I think that kind of started the whole  
17 process.

18 Q. Okay, are you a good swimmer?

19 A. No, I'm not. Of course if you've got your shoes on  
20 and a pair of pants but I managed to get back to the boat. If  
21 the boat had sunk there would have been a lot more of us,  
22 because we were -- the boat held us up for quite awhile until  
23 other boats got there.

24 MS. BARNES: I just want to redirect.

25 BY MS. BARNES:

1 Q. I just want to verify that you recall the capsizing  
2 basically as one action, there was no rocking in the water?

3 A. No, just things that happened.

4 MS. BARNES: Okay, that's all I have. Thank you.

5 BY MAJ. RIVENBURGH:

6 Q. The ladies up front, was one of them the director  
7 that was thrown into the water?

8 A. No, I'm not sure where she was but these ladies were  
9 quite heavy ladies. They were enough the weight -- personally  
10 I would have thought I would have had one of them sat on the  
11 other side. At least one of them on the other side to  
12 counteract, but, it happened.

13 Q. They were sitting in front or behind the tour  
14 director?

15 A. I'm not sure where she was sitting. I don't  
16 remember.

17 Q. And when you go fishing, do you wear your BFD, your  
18 life jacket?

19 A. No.

20 MAJ. RIVENBURGH: I have no further questions.

21 MS. BURER: Okay. Thank you so much. Could you just  
22 acknowledge that this conversation here has been recorded?

23 MR. QUICK: Yes, I understand that this conversation  
24 has been recorded.

25 MS. BURER: Okay, thank you so much.

1                   (Whereupon, the interview in the above-entitled  
2 matter was concluded.)

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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 Russell Quick

DOCKET NUMBER:           DCA 06 MM 001

PLACE:                       Washington, D.C.

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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Peggy Daniels  
Transcriber