

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

FRIENDS FOR ALL CHILDREN, INC., as legal
guardian and next friend of the named 150
infant individuals, et al.,

Plaintiff

-against-

Civil Action No. 76-0544

LOCKHEED AIRCRAFT CORPORATION

Defendant and Third-Party Plaintiff

-against-

THE UNITED STATES OF AMERICA

Third-Party Defendant

Transcript of Videotaped

Deposition of:

HARRIET MARY NEIL

Wednesday, November 25, 1981

Washington, D. C.

CONDOR REPORTING COMPANY
General Stenotype Reporting
400 South Capitol Street, SW, Suite 408
Washington, D. C. 20003

CONFIDENTIAL

Deposition of HARRIET MARY NEIL was taken, pursuant to notice, before Albert J. Gasdor, a Notary Public in and for the District of Columbia, commencing at 2:25 p.m., Wednesday, November 25, 1981, in Conference Room A, Main Justice Department Building, 10th & Pennsylvania Avenue, N. W., Washington, D. C.

APPEARANCES:

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Wednesday, November 25, 1981
Washington, D. C.

<u>DEPONENT:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
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EXHIBITS

		<u>FOR ID.</u>	<u>TRANSCRIPT REFERENCE</u>
Plaintiff's Ex. T-2	Photograph		14
Defendant's D-1210	Aircraft Diagram		14, 15, 26
Traynor 207 (D-1321)	Photograph		30, 31
Defendant's D-1210-1	Aircraft Diagram [Same as D-1210] Contains writing of Deponent	45	45

1 MR. CONNORS: For the record, my name is John
2 Connors, and I am representing the Defendant, Lockheed Air-
3 craft Corporation.

4 MR. LEWIS: For the record, my name is Oren R.
5 Lewis. I am one of the attorneys for the guardian infant
6 plaintiff.

7 MAJOR PARR: For the record, my name is Major Glenn
8 Parr, and I represent the United States.

9 HARRIET MARY NEIL

10 was called as a witness and, having been first duly sworn by
11 the Notary Public, was examined and testified as follows:

12 DIRECT EXAMINATION

13 BY MR. CONNORS:

14 Q Please state your full name and address.

15 A Harriet Mary Neil, [REDACTED]
16 Sekeko, Athens, Greece.

17 Q Are you presently employed?

18 A No, I am not.

19 Q Were you formerly employed?

20 A Yes, I was.

21 Q In what capacity?

22 A I was employed in the District of Columbia as a

1 registered nurse running the office of Doctor Julius Fogel.

2 Q Could you state briefly your nursing training.

3 A I attended classes at the University of Evans-
4 ville in Evansville, Indiana and I graduated after four
5 years with a Bachelor of Science in nursing.

6 Q Subsequent to getting your degree what, if any,
7 nursing did you do as an occupation?

8 A I worked for six months in my hometown hospital
9 in Tell City, Indiana. After the six months, I joined the
10 Air Force and I was stationed at Eglin Air Force Base in
11 Florida for a year where I worked Orthopedics and Surgery.

12 Q What, if any, training or nursing experience did
13 you have in the field of pediatrics?

14 A I had three months of experience when I was a
15 junior in college and then I had a small amount of exper-
16 ience in my hometown hospital when I worked there for six
17 months.

18 Also, during my nursing school, during the entire four
19 years I worked part time and did take care of pediatric
20 patients during that time.

21 Q Was this before you entered the Air Force?

22 A Yes, it was.

1 Q When did you enter the Air Force?

2 A I entered the Air Force -- I entered onto
3 active duty on January 7, I believe, 1973.

4 Q After you entered the Air Force, did you receive
5 any additional training?

6 A Yes, I did. I went to Officers Orientation
7 Course for two weeks in January of that year of 1973 and
8 then I went to Flight Nurses School in January and February
9 of 1974 for five to six weeks.

10 Q Where was the Flight Nurses School located?

11 A The Flight Nursing School was located at Brooks
12 Air Force Base in San Antonio, Texas.

13 Q What type of training, if any, did you receive
14 at Brooks?

15 A We were trained as to how to take care of
16 patients in flight, how to deal with in-flight problems that
17 might occur. We were trained in the altitude chamber as
18 to the effects of altitude on patients and the effects of
19 altitude on ourselves.

20 Basically, we were trained as to how to take care of
21 patients at altitude.

22 Q Could you describe for us, please, your training

1 with regard to the altitude chamber.

2 A I believe we went through the altitude chamber twice,
3 at least twice that I recall. We were taken to a certain
4 altitude in the chamber, not in an actual aircraft. I don't
5 know what altitude that was that we were taken to, but we
6 did twice at least each time we went to altitude we experi-
7 enced a rapid decompression, and one time we were told to keep
8 our masks off and do sums and write our name and such things
9 as this so that we could see what our time of useful con-
10 sciousness was.

11 The second time that I recall, we were taken to altitude
12 and we were instructed to observe our classmates as they did
13 the same, while we had our own oxygen masks on so we could
14 observe other people who were operating under conditions of
15 hypoxia.

16 Q What were the signs of hypoxia you were trained
17 to observe?

18 A We were trained to observe a cyanotic color, which
19 is a dusky or bluish color. We were trained to observe
20 changes in respiration, changes in the level of consciousness,
21 changes in the ability to function as a person should when
22 they were not hypoxic. We were trained as to how to pick up

1 those signs.

2 Q After your training at Brooks, where were you
3 assigned for duty with regard to your Air Force assignments?

4 A I was assigned to the Ninth Aero-Medical Evacuation
5 Group at Clark Air Base in the Philippines.

6 Q Could you describe for us what an Aero-Medical
7 Evacuation Group does?

8 A An Aero-Medical Evacuation Group consists of nurses
9 and med-techs and, in our case, we also had pilots that were
10 assigned to our aircraft as well. We were responsible for
11 carrying patients from one facility to the other, responsible
12 for picking up people who were seriously injured and carrying
13 them to a medical facility that could deal with their injury.

14 We were also responsible for carrying clinic pa-
15 tients from one facility that did not have the facilities
16 that they required for treatment to a facility that did have
17 the particular facility that they needed for their care.

18 Q Prior to April 1975, had you had occasion to make
19 any trips to Vietnam?

20 A Yes, I had. We had a regular flight that went in
21 once a week at some times and at every other week at other
22 times. We regularly serviced the 7th Adventist Hospital in
Saigon.

1 Q Did there come a time on or about April 4, 1975
2 when you were assigned to a flight crew with a C5A in Vietnam?

3 A Yes, there did. I was alerted at six o'clock in the
4 morning, and when I got to the squadron I found out that I had
5 been assigned to the C5 to go to Saigon. However, before the
6 C5 actually took off for Saigon, I was deleted from the crew
7 because the crew was reduced from two crews to one, so I did
8 not go to Saigon on the C5.

9 Q Did you, in fact, travel to Saigon that day?

10 A Yes, I did. I traveled some hours later on a
11 C-141 to Saigon.

12 Q Did there come a time when you were assigned to
13 the C5A in Saigon?

14 A Yes, there did. We arrived in Saigon and discover-
15 ed that we would not be unloading infants at Saigon, as we
16 had intended to do, so we requested to be transferred to the
17 C5 to augment that crew.

18 Q What was your reason for requesting the augmenta-
19 tion to the C5A?

20 A We discovered that we would be carrying only passen-
21 gers and no orphans, as I've stated, and knew that we could
22 be well used on the C5 as an augmentation to the medical crew

1 that was already aboard the C5.

2 Q Where, on the C5A, were you assigned?

3 A I was assigned to the troop compartment in the C5.

4 Q Where is that located?

5 A It is located at the top of the aircraft.

6 Q What is the method of entry into the top portion
7 of the aircraft?

8 A The method of entry is through a ladder that ex-
9 tends from, I believe, the rear portion of the cargo compart-
10 ment to the rear portion of the troop compartment.

11 Q When you got to the aircraft and went to the troop
12 compartment, what did you observe there when you first
13 entered the aircraft?

14 A When I first entered the aircraft or when I first
15 entered the troop compartment?

16 Q The troop compartment.

17 A I observed many children already seated. I ob-
18 served crew members and civilian people who were busily trying
19 to settle in the children that were in the seats. I ob-
20 served people giving the children juice and water and tighten-
21 ing seat belts, padding the children. The children were
22 crying because it was hot. I observed perspiration falling

1 from people because it was so very hot.

2 Q How were the children dressed?

3 A The children were dressed, as best I recall, in
4 light-colored clothing. Some had caps on, some had sweaters
5 on, but not all of them had caps and sweaters.

6 Q With respect to the seating arrangements, can you
7 tell us how the infants were seated?

8 A The infants were seated two to a seat. They were
9 padded. Their stomachs were padded with pillows and then the
10 seatbelt was over the pillow, so the pillow was between the
11 infant and the seatbelt.

12 A How many children were seated in each seat?

13 A There were two infants per seat, but there were
14 some older children who were seated one child to a seat.

15 Q Did you see any of the younger children, that is
16 to say, the age of an infant, six months to a year-and-a-
17 half, in seats which were not positioned two to a seat?

18 A I don't recall any.

19 MR. CONNORS: Can we go off tape, please.
20

21 BY MR. CONNORS:

22 Q Mrs. Neil, I have given you a copy of Plaintiff's

1 Exhibit 2-T and ask if that picture describes what you
2 observed as to how the younger infants were seated in the
3 aircraft?

4 A Yes, it does.

5 Q Are they the pictures of the infants in the troop
6 compartment?

7 A Yes, as far as I can tell, this is a picture of
8 those infants.

9 Q In what direction are those seats facing?

10 A The seats are facing toward the rear of the air-
11 craft with the seat-back toward the forward part.

12 MR. LEWIS: May we go off the record.

13 (Off the record.)

14 MR. LEWIS: Mr. Reporter, whatever happens here, I
15 would appreciate it if you would take down everything that is
16 said unless somebody says go off the record. That way, even
17 though the television and recording is not on, we will have
18 a record of what happens, so I want my objection on the
19 record but not necessarily on the television, to reduce the
20 problems of editing. You get these terrible glips and it
21 is a terrible problem.

22 I do object to your leading questions. If you want
me to object every time, I will do so. However, if you agree,

1 I can have a continuing objection to leading questions, that
2 is satisfactory.

3 I have not objected but she is obviously intelligent,
4 she was there and she ought to be able to answer non-leading
5 questions. I don't mind your calling her attention to this
6 as a picture or something else, but let her give the answers.

7 MR. CONNORS: I want to hear the objections so I
8 have an opportunity to make any corrections for the record.

9 MR. LEWIS: Then I object to the last series of
10 questions as leading and ask it be stricken. And while we
11 are on the record, but not on the television, I would like to
12 note our objection that we have not had the opportunity to
13 use the life science report, and I gather, because of the
14 order of the court, that I am not to cross examine this wit-
15 ness using the life science report. Obviously, that is a
16 severe handicap in the cross examination of the witness. So
17 I just want to note that for the record and object to the
18 deposition for that, among other reasons.

19 MR. CONNORS: I will repeat the last question so
20 we have a clean flow on the record.

21 BY MR. CONNORS:

22 Q Mrs. Neil, I have given you a copy of a photograph

1 which has been marked as Plaintiff's Exhibit 2-T, and ask if
2 you can describe for us what is depicted in that photograph?

3 A In this photograph we have represented the infants
4 that were in the troop compartment as they were seated.

5 Q In what direction are those seats facing?

6 A The seats are facing toward the rear of the air-
7 craft which means that the seat back is toward the front and
8 people sitting in these seats would be traveling in a back-
9 ward fashion.

10 Q Is that true throughout the troop compartment?

11 A As far as I recall, it is true with regard to all
12 the passenger seats with the exception of two that are on the
13 rear bulkhead, I believe, of the troop compartment.

14 MR. CONNORS: Can we go off the tape, please.

15 MR. LEWIS: For the record, John, if you would
16 identify the exhibit number. You showed the witness -- it
17 may show up on the tape or it may not. I know we know the
18 number, but it would be helpful to have the exhibit numbers
19 as we go along.

20 MR. CONNORS: I will be referring to 1210.

21 MR. LEWIS: I appreciate we have all seen it.

22 What is the exhibit number of this exhibit?

1 MR. CONNORS: D-1210.

2 BY MR. CONNORS:

3 Q Do you recall whether you were assigned to any
4 specific rows or numbers of children?

5 A I was assigned to a specific area of the troop com-
6 partment. I don't recall at this point just exactly how the
7 assignment took place, but I do know that I was assigned to a
8 specific area of the troop compartment.

9 Q We have placed beside you an enlargement of De-
10 fendant's Exhibit D-1210. I am going to ask if you could
11 point out on that diagram where, in fact, you were assigned
12 in the troop compartment.

13 A Okay. I was assigned to this row of seats with
14 infants, this row and this row. [Indicating]

15 Q Approximately how many children were in your area?

16 A All of the children in my area were infants, so I
17 have six, 10 seats, so I must have had 20 infants to take
18 care of.

19 Q In connection with your responsibilities, what did
20 you do as to those children?

21 A I made sure that they had juice and that they had water, if
22 they wanted juice and water, if they were awake. I made sure that the

1 seat belts were securely fastened and that the padding was
2 in place and just in general tried to make them as comfortable
3 as I could.

4 MR. CONNORS: Could we go off tape.

5 I would like to have it focused on here but I will
6 go back to that later.

7 MR. LEWIS: May I inquire if you are using close-
8 ups?

9 CAMERAMAN: Yes. There is a little difference on
10 the drawing.

11 MR. LEWIS: Do you shift from a close-up of here to
12 a more distant focus of here?

13 CAMERMAN: No, it is strictly close-up.

14 MR. LEWIS: But you are keeping the same focus on
15 here all the time?

16 CAMERAMAN: Right.

17 BY MR. CONNORS:

18 Q Did there come a time when the aircraft took off?

19 A Yes, there did.

20 Q Did you have a seat at that time?

21 A No, I did not.

22 Q Where were you during the takeoff?

1 A During the takeoff, I was either between the second
2 and the third rows of seats or between the third and the fourth
3 rows of seats at the very forward part of the troop compartment.

4 Q To your knowledge, did any of the adults in the
5 troop compartment have seats?

6 A I was not aware of any adults that did have seats.

7 Q Following the takeoff, did you have an opportunity
8 to observe the children in your area?

9 A Yes, I did.

10 Q What, if anything, did you observe?

11 A Following the takeoff, the children had quieted
12 down substantially. As I entered the troop compartment, most
13 of them were crying because they were frightened, and they
14 were very hot and uncomfortable; but following the takeoff,
15 most of the children quieted down, some remained awake, but
16 many fell asleep that were in my section of the troop compart-
17 ment. Some of the children continued to take juice and water
18 from the bottles that I had given them.

19 Q What, if anything, do you know as to whether the
20 air conditioning system in the aircraft was utilized during
21 that flight?

22 A I assume that the air conditioning system was used
because it got quite a bit cooler after the doors were shut

1 and the engines were run up, preparing to take off.

2 Q As the airplane climbed up and gained altitude, at
3 some point prior to the decompression, did you also have an
4 opportunity to observe the children?

5 A Yes, I did.

6 Q What did you observe during that period?

7 A Prior to the decompression?

8 Q Yes.

9 A The children were basically reacting in the same way
10 that they had been on the ground after the doors were shut,
11 and it became cooler inside. They were -- some were sleeping,
12 some were awake; again, some were still holding their juice
13 bottles. Many were asleep at this point, though, because the
14 drone from the engines had also assisted in putting them to
15 sleep, as well as the cooler temperature inside.

16 Q During that period, did you make any observations
17 about the general appearance of the children?

18 A Do you mean as far as healthwise or as far as did
19 they appear to be comfortable?

20 Q Their health appearance.

21 A The children that I was responsible for seemed to be
22 basically healthy and again all the ones that I was responsible

1 for were infants. There was one child that I noticed when I
2 boarded the aircraft and was assigned to that area who was
3 seated next to one of the side bulkheads, I believe on the
4 lefthand side of the aircraft, that appeared to not be as
5 well as the other children. He had a runny nose -- he or
6 she -- I don't know which. The child had a runny nose and
7 had a somewhat reddened face and felt a little warm to me,
8 although I did not have an opportunity to take that child's
9 temperature.

10 Q Did you make any other observations regarding the
11 condition of the children?

12 A Most of the children in the troop compartment, it-
13 self, as I walked through very quickly, seemed to be fairly
14 healthy. There was one child I remember who had braces on
15 his or her legs and I don't know whether the child was a female
16 or a male because I very quickly observed the braces.

17 Some of the children appeared to be thin, not to the
18 point of being ill but just thinner children, but most of
19 them did appear to be reasonably healthy.

20 Q When you say thin, what are you comparing them to?

21 A I am comparing them to a normal -- I suppose to a
22 normal American child.

1 Q Did there come a time when there was a rapid decom-
2 pression?

3 A Yes, there did.

4 Q Would you tell us what you observed at that time?

5 A The first thing that I remember about the rapid de-
6 compression was that there was a loud pop. There was conden-
7 sation in the air. I remember looking around and seeing
8 pieces of what I thought were insulation fuzz -- it looked
9 like cotton -- in the other crew members' hair and in the
10 civilian ladies' hair. I remember a slight feeling of cool-
11 ness that lasted for a very, very short time after the rapid
12 decompression. At least, I did not notice that it was cold
13 or remained cool for very long. All the oxygen masks de-
14 ployed at least in my area and seemed to be functioning
15 properly as near as I could tell.

16 Q How were the people in the troop compartment be-
17 having during that period?

18 A The people in the troop compartment, as far as the
19 crew and civilian ladies went, behaved without any noticeable
20 panic that I recall. I remember hearing either a medical
21 crew member or a flight crew member explain to the civilian
22 ladies what to do with the oxygen masks with regard to the

1 children in their areas. I believe everyone put on their
2 oxygen masks though and did as we were trained, which is put
3 your own oxygen mask on and then give oxygen to the passen-
4 gers that are unable to do it for themselves as quickly as
5 possible.

6 Q Specifically, with regard to yourself, what did you
7 do after the decompression?

8 A I immediately put my oxygen mask on, extended the
9 tube to the fullest extent so that the oxygen flow would be
10 started, and then I began passing oxygen masks to the infants
11 that I had under my care. I also gave oxygen masks to the
12 two children I believe that were in the latrine at the time
13 of the rapid decompression.

14 Q As to those children that you gave oxygen, what, if
15 anything, did you observe as to their condition?

16 A I didn't observe any change in their condition from
17 before the rapid decompression to, during or after the rapid
18 decompression. The children that were awake before the de-
19 compression were still awake. The children that were asleep
20 for the most part, as I recall, were still asleep. I didn't
21 recall any added difficulties that the rapid decompression
22 has given to any of the infants that I was responsible for.

1 Q Did you observe any of the signs that you had
2 previously described for us that you learned at flight school
3 as to the effects of decompression or hypoxia?

4 A No, I did not.

5 Q Did you observe any infants that were cyanotic?

6 A No, I did not.

7 Q Did you observe any infants who were exhibiting any
8 signs of hypoxia?

9 A No, I did not.

10 Q With respect to those infants to whom you gave
11 oxygen, did you observe whether or not they were breathing?

12 A All of the infants that I gave oxygen to were very
13 definitely breathing and they were breathing normally, as far
14 as I could tell.

15 Q Did you notice any condensation about the face
16 masks?

17 A Not that I recall.

18 Q As to these children, did you notice any evidence
19 of shallow breathing?

20 A Not that I recall.

21 Q Did you, yourself, notice any ear problems at the
22 time of the rapid decompression or immediately thereafter?

1 A No, I did not.

2 Q Can you tell us what happened after the decompres-
3 sion after you donned your mask and then were giving oxygen
4 to the infants?

5 A I simply kep my mask on and passed oxygen down the
6 row to as many infants as I could reach. When I had to move
7 to another row of infants, I took the mask off from the row
8 that I was leaving and donned one that had fallen from the
9 ceiling in the row that I was moving to. For the most part,
10 I had my mask on, but there were period that I did not have it
11 on. I just made sure that I passed the oxygen to as many
12 children as quickly as I could.

13 Q Were the children able to reach the oxygen masks
14 from their seats?

15 A As I recall, the children in the two seats next to
16 the aisle and in the middle seats in the rows of three were
17 able to reach the oxygen masks or the oxygen masks were able
18 to reach them, but the children in the seat next to the bulk-
19 head were not tall enough for the tubing to extend all the
20 way to their mouth and nose, so I had to unfasten them and
21 give them a whiff of oxygen, and then I just immediately
22 fastened them back in and then moved on to the next infant.

1 Q Have you got any estimate as to the time from the
2 time of takeoff -- strike that.

3 Have you got any estimate as to time as to when you
4 took off your mask in order to do that sort of activity?

5 A No, I don't. I can't tell you in seconds or
6 minutes.

7 Q Did there come a time when you took your oxygen
8 mask off without replacing it?

9 A Yes, there did.

10 Q Can you tell us what period of time tha was be-
11 tween the time of the decompression and the time you dis-
12 carded your mask?

13 A It was just a few minutes but, again, I can't give
14 you an estimate of time.

15 Q What was the temperature like in the troop compart-
16 ment after the rapid decompression and during the descent?

17 A Immediately after the rapid decompression, it was
18 slightly cooler, but then I don't recall there being any
19 difference in the temperature other than in a normal aircraft
20 cabin.

21 Q During the descent after the decompression, did you
22 observe anything as to the children indicating any problems

1 with hypoxia or from decompression?

2 A No, I did not.

3 Q During the period of the descent did you observe
4 any of the children that were unconscious?

5 A No, I did not.

6 Q Do you recall yourself experiencing any feelings or
7 symptoms relative to hypoxia?

8 A None whatsoever.

9 Q Did there come a time when the aircraft landed?

10 A Yes, there did.

11 Q Prior to that time, what, if anything, did you do?

12 A I checked all of the infants under my care to
13 make sure they were securely fastened and well padded in
14 their seats and then I braced myself for the impact or the
15 landing.

16 Q Could you explain to us what you meant by "well
17 padded"?

18 A I just made sure that the pillows were between the
19 seat belt and the infant's stomach and made sure the seat
20 belts were secure and that they were tight enough to hold the
21 infants securely in the seat.

22 Q Can you describe for us just exactly, as best you

1 can, how you were braced?

2 A As best I recall, I was braced between the second
3 and third rows of seats on the lefthand side of the aircraft.
4 I was kneeling on the floor, sitting on my heels more or less
5 with my arms braced against the seat in front of me, against
6 the arms or against the seatback. I can't remember at this
7 point exactly how I was braced.

8 MR. CONNORS: Off tape, please.

9 I would like to place in front of the witness a
10 copy, a small version of Defendant's Exhibit D-1210 that I
11 am going to be asking her to mark her position on at the time
12 of the accident. I will give a copy to Plaintiff's counsel
13 and also a copy for Third-Party Defendant.

14 BY MR. CONNORS:

15 Q Can you show us on the enlargement of the troop
16 compartment diagram, which is Defendant's Exhibit D-1210,
17 where you were located at the time of the landing?

18 A As best I recall, I was located -- I was braced
19 right in this area here between the 2nd and 3rd rows of sets.

20 Q I have also placed in front of you a small version
21 of Defendant's Exhibit D-1210. For the purposes of the
22 record, I will ask for you to place an X at the location you

1 were braced and draw a line from that and write your name
2 under that, please.

3 A (Witness complied.)

4 Q Would you show that to the camera, please.

5 A (Witness complied.)

6 MR. CONNORS: Thank you very much.

7 MR. LEWIS: Can I see that, please.

8 MR. CONNORS: I will make copies for you.

9 MR. LEWIS: Thank you. I just want to see it now.

10 BY MR. CONNORS:

11 Q Was anyone else located in the forward part of the
12 troop compartment with you?

13 A At the time of impact?

14 Q Yes.

15 A There were two children in the latrines, here and
16 here. One was a child that had braces on its legs and the
17 other was another young man. There was also a flight crew
18 member who I now know was Sergeant Dowdy who was braced in
19 the latrine with the child that had braces on his or her legs.

20 Q Do you know which latrine Sergeant Dowdy and the child
21 with braces or the other child were in?

22 A I believe that Sergeant Dowdy and the child were

1 in the forward latrine, but at this point in time I am not
2 positive, but I believe that they were in the forward la-
3 trine and the other young man was in the latrine behind them.

4 Q I would ask you now to mark on the small version
5 of defendant's Exhibit D-1210, the location of the child
6 with the braces and Sergeant Dowdy and write Sergeant
7 Dowdy's name and some mark or symbol for the unidentified
8 child and also to identify on the small exhibit the location
9 of the child in the other latrine, please.

10 Would you display that to the camera, please.

11 A (Witness complied.)

12 Q After you braced yourself for a landing, can you
13 tell us what happened?

14 A After I braced myself for the landing, we landed,
15 I thought, and it was a very hard landing, such as a hard
16 landing that a commercial airliner would make, so at that
17 point I relaxed my grip somewhat although I did not get up
18 from my braced position because we were still in motion.
19 Then we impacted what I now know was the second time and I
20 was thrown forward toward the forward part of the troop
21 compartment.

22 Q Can you show us on the large copy of defendant's

1 D-1210 the area in which you were thrown?

2 A I was thrown from here to a point on the forward
3 bulkhead wall down the aisle basically.

4 Q At the time of the first impact, which you described
5 as a hard landing, were you thrown forward at all at that
6 time?

7 A No, at that time I was not thrown forward whatsoever.

8 Q With regard to the second impact when you were
9 thrown forward, do you recall the approximate distance from
10 the location where you were braced to where you were eventu-
11 ally landed?

12 A It was just a few feet but, again, I don't know
13 exactly what the distance was.

14 MR. CONNORS: Off tape, please.

15 BY MR. CONNORS:

16 Q What happened after you were thrown forward?

17 A After I was thrown forward, I was in motion for
18 several minutes -- well, not several minutes. I am not sure
19 how long. It seemed like a very short period of time and I
20 ended upside down against the bulkhead with pieces of debris
21 on top of me. I don't know what these pieces of debris were.
22 But there was also someone on top of the debris on top of me

1 to the point where I could not get myself out alone.

2 Q What did you do then?

3 A I remember calling for someone to help me get out
4 from under the pieces of debris, and Sergeant Dowdy, who had
5 been in the forward part of the troop compartment in the
6 latrine with me at impact, did help me get out.

7 Q What did you do after you were removed from under
8 the debris?

9 A After I was removed from under the debris, Sgt.
10 Dowdy pointed to the hole that was in the very forward part
11 of the troop compartment, which was on the bulkhead wall,
12 and I climbed out through that hole.

13 MR. CONNORS: Off tape, please.

14 I am not going to show the witness a copy of a
15 photograph produced at the deposition of Major Traynor, the
16 pilot of the aircraft, and we have marked it for purposes of
17 identification as Defendant's Exhibit D-1321.

18 MR. LEWIS: That is not the picture that Major
19 Traynor identified. Major Traynor identified a color phot-
20 graph.

21 MR. CONNORS: Mr. Lewis is entirely correct. We
22 have not yet obtained the color copies. They are only in

1 your possession.

2 MR. LEWIS: We would be happy to let you use our
3 color photograph, if you would like.

4 We may have that one. I think we do. Here it is.

5 MR. CONNORS: There are some numbers. On the back
6 is written Traynor 207 and on the front 66-8. Are any of
7 those useful for identification purposes?

8 MR. LEWIS: I believe the Traynor number on the
9 back is the number agreed on.

10 MR. CONNORS: On the record I will refer to Traynor
11 207. However, on the tape I will continue to refer to this
12 as Defendant's D-1321 for identification.

13 I thank you very much for lending us that color
14 picture.

15 MR. LEWIS: You are welcome.

16 MR. CONNORS: For the record, some of my strange
17 comments obviously reflect I am talking with the cameraman,
18 who is running the equipment.

19 BY MR. CONNORS:

20 Q Mrs. Neil, I have just given you a copy of a photo-
21 graph which we have marked for identification as Defendant's
22 Exhibit D-1321 and I will ask if you can tell us what is

1 depicted in that photograph?

2 A This is the forward end of the troop compartment, and
3 this area right here is the hole that I crawled out of after
4 I was freed from the debris inside the troop compartment.

5 MR. CONNORS: Thank you.

6 Off tape.

7 BY MR. CONNORS:

8 Q Prior to the time that you crawled out of the troop
9 compartment or after you got out, did you observe any fire
10 in the troop compartment?

11 A I did not.

12 Q Did you see any smoke in the troop compartment?

13 A I did not.

14 Q Did you smell or experience any fumes of any kind?

15 A I did not.

16 Q After you crawled out, what did you do?

17 A After I crawled out I looked around to try to assess
18 the situation. I turned around and looked back at the hole
19 and I noticed that there was a flight crewman who was in the
20 hole partly blocking the hole I had crawled out of. I at
21 that time tried to pull who I now know was Sergeant Parker
22 from the hole. At that point in time the young man that I

1 indicated was in one of the latrines had crawled out the hole
2 behind me, and I enlisted his help in trying to pull Sergeant
3 Parker out of the hole so we could use it as an exit if we
4 had to since I did not know what condition the rest of the
5 troop compartment was in.

6 Q Can you describe the area in front of and around
7 the troop compartment that you observed?

8 A The area that I observed seemed to be marshy. There
9 was mud. There was a certain amount of water and mud, but I
10 don't remember that there was water immediately in front of
11 the troop compartment where I crawled out of the whole. I
12 do remember that it was muddy and it was soft.

13 Q Was the troop compartment or any area around the
14 troop compartment on fire?

15 A Immediately around the troop compartment, no.

16 Q Are you familiar with the smell of aviation fuel?

17 A Yes, I am.

18 Q Did you smell any aviation fuel in or around the
19 troop compartment?

20 A I did not.

21 Q Did you smell any unusual odors in or around the
22 troop compartment?

1 A I did not, only mud.

2 Q Did you notice any irritation in your nose or eyes?

3 A No, I did not.

4 Q Did you have any trouble breathing?

5 A No.

6 Q Did you do anything else while outside the troop
7 compartment?

8 A The only other thing that I did before I got back
9 into the troop compartment through that same hole was to talk
10 to Lt. Wirtz. She came around the lefthand side of the troop
11 compartment. Apparently she had gotten out of one of the nor-
12 mal exits of the aircraft on the lefthand side and came around
13 the side of the troop compartment to see if I was okay and to
14 see if there was anything she could do to help me at that
15 particular point around the groop compartment.

16 Q Has Lt. Wirtz married since that time?

17 A Yes, she has. Her name is Captain Tate.

18 Q Thank you. Did there come a time when you re-
19 entered the troop compartment?

20 A Yes, there did.

21 Q How did you re-enter the troop compartment?

22 A I re-entered through the same hole that I had
initially crawled out of.

1 Q What did you observe when you returned to the troop
2 compartment?

3 A I remember seeing the crew members and both the
4 flight and the medical crew members, as well as the civilian
5 attendants that we had on board busily trying to make sure
6 that the infants and the children were okay. The infants and
7 the children were crying. The older children who knew what
8 was going on were very scared. Basically, everyone was just
9 very busy looking over the situation to see what we had to
10 work with.

11 Q Did you have an opportunity to observe any of the
12 infants individually?

13 A Yes, I did, as I carried them from the seats to
14 the exits to evacuate them.

15 Q I doing that, did you have an opportunity to handle
16 them or actually examine them?

17 A I had an opportunity to handle them and to do a
18 cursory examination as I picked them up and carried them to
19 the exit or carried them to the next person up the line.

20 Q What, if anything, did you observe as to their
21 condition?

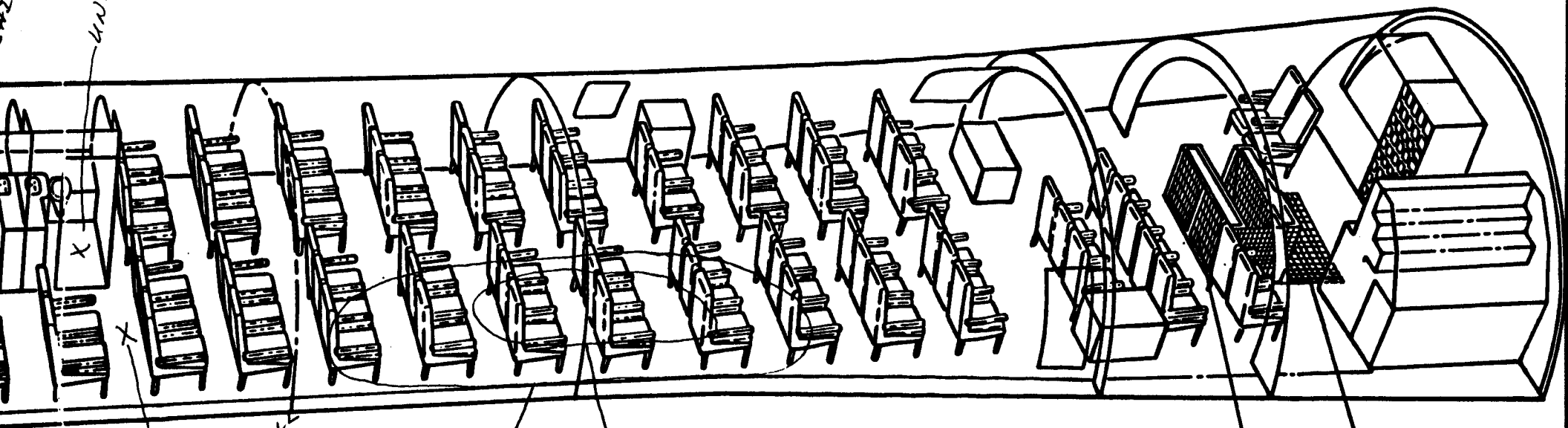
22 A They seemed to be in pretty good shape. They were
very dirty. They were not all very dirty, but some of them

A. P. J.

11/25/81

UNIDENTIFIED CHILD WITH SEARS

UNIDENTIFIED CHILD



HARRIET NEILL

C5AM-4

APPROXIMATE
LOCATION OF
DEAD CHILD TO
THE BEST OF MY
RECOLLECTION

APPROXIMATELY
11th ROW OF
"BENT" OR
DISLOGED
SEATS

40"x64" GR

WIRE MESH ENCL
40"x64" STAIR-W

with Mary Neill

1 were pretty well covered with mud, while others did not seem
2 to have much mud on them at all. They seemed to be acting as
3 normal infants would act, given the same circumstances.

4 Q After the decompression and during the descent, in-
5 cluding the period up until the time the aircraft came to
6 rest, did you observe any signs of hypoxia in these children?

7 A No, I did not.

8 Q During that entire period, did you notice any ear
9 problems with your own ears?

10 A No, I did not.

11 Q You mentioned that you were assisting in the evacu-
12 ation of the children. Do you have any idea how long that
13 evacuation took?

14 A No; I can't really estimate in time. It seemed
15 like a long time and a short time at the same time, so I
16 really have no idea how long it took.

17 Q Did you remain in the aircraft until all of the
18 children were evacuated?

19 A Yes, I did.

20 Q What, if anything, di you do after they were
21 evacuated?

22 A After all the children were evacuated and before I
left the aircraft, I made one last walk-through to make sure

1 that all the children had been taken from the aircraft. There
2 were pieces of debris on the floor. Again, I don't know what
3 those pieces of debris were, so I just turned over all of
4 those pieces of debris to make sure that there were no
5 children underneath those pieces of stuff.

6 Q During the walk-through, did you find any children
7 under any debris?

8 A During the very last walk-through that I made, I
9 did not, but I made two or three walk-throughs as I recall,
10 and on the first walk-through that I made, after most of the
11 children were gone, I did find one child who was on the floor
12 asleep underneath one of the seat cushions.

13 Q What did you do with regard to that child?

14 A I picked the child up, and I believe I gave the
15 child to Sergeant Dowdy who carried him to the exist.

16 Q Could you describe how the child reacted when you
17 picked him up?

18 A The child reacted as a normal infant would if you
19 picked it up out of its crib. It woke up and it cried, and
20 there didn't seem to be any problems as far as the child
21 being limp or anything. It just appeared to be a normal re-
22 action from a normal infant.

Q Did that child display any signs of visible injury?

1 A No, none.

2 Q During any of those occasions which you walked
3 through the troop compartment, did you observe any child
4 that was injured or appeared to be injured?

5 A I did not see any children who appeared to be in-
6 jured. I did see one child at the time that I was evacuating
7 the infants that appeared to be dead.

8 Q Did you examine that child?

9 A I didn't do a thorough examination, no, but I did
10 feel the child and looked to see what had apparently hap-
11 pened to the child, and there was a bag of personal belong-
12 ings that was tied around the child's neck and from appear-
13 ances it looked like that bag had strangled the child
14 because the string was still very tight.

15 Q Do you recall any other children having anything
16 wrapped around their necks?

17 A I remember that some of the children did have
18 things wrapped around their necks. Each of the children, as
19 I recall, was boarded with a bag of personal belongings on his
20 or her person. Some were pinned to the shirts and some were
21 tied around the neck by pieces of string.

22 Q After you completed your last walk-through, what, if

1 anything, did you do?

2 A I was assisted, or I should say I was assisted from
3 the exist to the helicopter that was waiting to take those of
4 us who were left to the Seventh Adventist Hospital.

5 Q Did you have an opportunity to observe what, if any,
6 portion of the aircraft was burning?

7 A Immediately after we impacted and I crawled out of
8 the hole, I noticed that there was a piece of wreckage burning
9 forward of our position, but at that point in time I was not
10 able to identify which piece of wreckage it was that was burn-
11 ing or which part of the aircraft it was.

12 Q Was that same piece of wreckage burning when you
13 left the troop compartment--

14 A As best I recall, it was.

15 Q I have to complete my question before you answer.

16 At the time you left the troop compartment, was
17 that same piece of wreckage still burning?

18 A As best I recall, it was, yes.

19 Q Do you have any estimate as to how far that burning
20 wreckage was from the troop compartment?

21 A I would say it was around 100 yards but, again, I
22 couldn't say that for sure. That is a rough estimate.

Q As best as you can determine, was any smoke from

1 that fire blowing towards the troop compartment?

2 A I did not smell any.

3 Q Were all of the children out of the troop compart-
4 ment when you left the aircraft?

5 A Yes, they were.

6 Q Did you find any children unconscious after the
7 accident other than the one child you described with the bag
8 around its neck?

9 A No, I did not.

10 Q What happened after you left the troop compartment?

11 A After I left the troop compartment, as I said be-
12 fore, I was assisted to the helicopter that was waiting, and
13 we were taken to the Seventh Adventist Hospital in Saigon.

14 Q Did you travel by helicopter?

15 A Yes, I did.

16 Q Were any children on the helicopter with you?

17 A As best I recall, there were two children. I be-
18 lieve there was another lady that was on the helicopter with
19 me -- another lady or gentleman with me. I don't remember at
20 this point, and I recall holding one of the children on my
21 lap, and I believe that whoever was with me held the other
22 child. I don't remember whether these were infants or whether
they were older children, but I do remember there were

1 other children in the helicopter with me.

2 Q Can you describe the condition of those children
3 at that time?

4 A I don't remember them being injured. They were very
5 frightened. I don't recall that they were acting other than
6 normally frightened children would act.

7 Q You stated that you were taken to the Seventh Day
8 Adventist Hospital; is that correct?

9 A Yes.

10 Q Did you receive any treatment there?

11 A Yes, I did. I waited -- excuse me.

12 Q Did you receive any treatment there?

13 A Yes, I did.

14 Q Can you describe that for us?

15 A I waited for a certain period of time because the
16 people at the Seventh Day Adventist Hospital were very busy
17 treating the rest of the injured who were more severely in-
18 jured than I was. I was X-rayed. I should say my left
19 shoulder was X-rayed because there was obviously something
20 broken. I had a figure 8 bandage put on that shoulder in
21 the emergency room after they determined that my collar bone
22 was broken.

1 Q Did you stay at the hospital?

2 A I did for a number of hours, but I was not admitted
3 and I did not spend the night.

4 Q Where did you go when you left the Seventh Day Ad-
5 ventist Hospital?

6 A I was aerovac'd on a 9th Aeromedical Evacuation
7 Group C-9 to Clark Air Force Base Hospital in the Philippines.

8 Q Were you admitted to that hospital?

9 A Yes, I was.

10 Q Was that in connection with your shoulder?

11 A Yes, it was.

12 Q Had you ever been to the Seventh Day Adventist
13 Hospital before the day of the accident?

14 A I had been to the hospital one time, as I recall.
15 Even though I made many trips in and out of Saigon in the
16 course of my duties, normally the nurses at the hospital
17 brought the patients to the flight line, so it was not neces-
18 sary that we go to the hospital to pick them up. However, I
19 was there once, and I don't recall the circumstances of that
20 trip to the hospital.

21 Q After you left the troop compartment, did you have
22 occasion to walk to the helicopter?

1 A Yes, I did.

2 Q Could you describe the terrain through which you
3 walked?

4 A As best I recall, again, it was like the terrain
5 outside the front part of the troop compartment. It was
6 rather marshy. It was muddy.

7 Q Have you ever had occasion to examine the condition
8 of your clothing after the time of the accident?

9 A Yes, I did. My clothing, I believe, when I was ad-
10 mitted to the hospital at Clark, in the emergency room, my
11 clothing was removed so that they could examine and, and the
12 clothing was packaged in a plastic garbage -- I am sure it was
13 a garbage bag -- and, as with all personal effects, those are
14 always given to the patient when the patient is discharged
15 from the hospital. When I was discharged, I was given that
16 bag of clothing, and I took them home with me to my BOQ. I
17 opened the bag and I went through the clothing to make sure
18 noth8ng had been left in the pockets of my uniform. I also
19 wanted to see if I could salvage my uniform shoes.

20 Q At that time, did you notice any odor or smell
21 about the clothing?

22 A The only odor that I noticed was an odor of just

1 mud. They smelled really bad, but it was mostly mud that I
2 had had sprayed on me during the crash.

3 Q Was there any smell or odor of aviation fuel?

4 A No, there was not. It was only mud.

5 Q Have you had occasion to fly since the time of
6 the accident?

7 A Yes, I have, many times.

8 Q Have you had any problems during those flights?

9 A No, I have not.

10 Q While you were at the 7th Day Adventist Hospital
11 after the crash, did you have occasion to see any of the
12 children from the C5A?

13 A Yes, I did.

14 Q Can you describe them for us?

15 A The children that I recall were infants. They
16 were seated along the wall, on the floor, in the hallway
17 that I walked through and I don't know which part of the
18 hospital it was but I just recall the children being seated
19 against the wall. They were very, very dirty. They were
20 covered with mud -- not covered, but they were dirty, their
21 clothing did have mud on it. I did not see any blood. I
22 didn't see any broken bones. They looked like normal infants

1 to me but I remember feeling at the time that those were
2 the infants we had evacuated from the troop compartment.

3 Q Did they appear to be exhibiting any of the signs
4 of shock?

5 A No, they did not. They were alert and they were
6 watching everything that went on.

7 MR. CONNORS: You may inquire.

8 Can we go off the tape for a moment.

ad 2 9 For the record, I will ask that the copy of
10 Defendant's Exhibit D-1210 that Mrs. Neil wrote on be
11 identified as Defendant's Exhibit D-1210-1.

12 MR. LEWIS: I have no objection.

INDEX 13 (Said document marked Exhibit
14 D-1210-1 for identification.)

INDEX 15 CROSS EXAMINATION

16 BY MR. LEWIS:

17 Q How many times did the airplane bounce or strike
18 the ground on the east side of the Saigon River?

19 A I can't answer that because I didn't know which
20 side of the river we were on at the time we were impacting.

21 Q This would be at the time of the first impact.

22 Q Again, I don't know where we were when we impacted

1 so I can't answer which side of the river we were on or how
2 many times we struck the ground on either side of the river.

3 Q Without reference to the river, how many different
4 times did the airplane strike the ground from your impression?

5 A I remember that we struck the ground twice.

6 Q You were thrown over the top of the seats and into
7 the bulkhead on the second impact; is that right?

8 MR. CONNORS: Objection.

9 THE DEPONENT: On the second impact I was thrown
10 forward. I don't know that I was thrown over the top of the
11 seats. I don't know how I was thrown.

12 BY MR. LEWIS:

13 Q But you were between two rows of seats as the air-
14 plane proceeds in a forward direction. Isn't that right,
15 Ma'am?

16 A That is correct.

17 Q If the airplane continued to go forward and if your
18 motion was in the direct line of the airplane's travel, you
19 would have gone forward over the top of the seats and into
20 the bulkhead; is that correct?

21 A That is possible but I don't recall.

22 Q I understand that but I am just talking about

1 logically from your position, if the airplane stopped, as I
2 gather is what happened, and you went over the top of the
3 seats and hit the bulkhead, you must have proceeded over the
4 top of the seats; is that true?

5 A That would seem to be correct.

6 Q A number of oxygen masks did not deploy at the
7 time of the explosive decompression; isn't that so?

8 A I did not see any oxygen masks that did not deploy.

9 Q Do you know whether they deployed in the other
10 sections of the aircraft?

11 A I did not look at all the sections of the aircraft
12 so I don't know that. I do know that they all deployed in
13 my area of the aircraft.

14 Q Can you tell me how long the oxygen line is from
15 the overhead to the mask?

16 A I don't know. I couldn't estimate that in inches
17 or feet.

18 Q You had to use that mask and at the same time give
19 oxygen one at a time to the individual children; is that
20 correct?

21 A That is correct.

22 Q So you were only able to give a relatively small

1 amount percentage-wise to each child; is that correct?

2 A That is correct.

3 Q Did you ever feel any heat in the crash-landing
4 procedure?

5 A At the time of the second impact, when I was thrown
6 forward, I remember a momentary feeling of heat on my face.

7 Q You felt something hot coming through the grate --
8 is that correct? -- in the forward part of the troop compart-
9 ment?

10 A Yes, I did, through the hole that was in the for-
11 ward part of the troop compartment.

12 Q And cinders hit your face; isn't that correct?

13 A As best I recall, yes.

14 Q And heat?

15 A Yes.

16 Q Can you tell me where Barbara Adams was in the troop
17 compartment?

18 A No, I can't. I did not know Barbara Adams.

19 Q Did anybody ever tell you who she was?

20 A No, I don't believe so. I recall hearing the name,
21 but I have no idea who she was or is.

22 Q You know she died, didn't you?

A No, I did not know that.

1 Q You didn't know that she died in the troop compart-
2 ment?

3 A No, I do not associate that name with the lady that
4 I saw.

5 Q Did you see a dead lady in the troop compartment?

6 A I saw a lady lying on the floor in front of the two
7 latrines who was obviously very gravely injured. At that
8 point in time, she was still making movement.

9 Q But she was clearly in extremis, in any event; is
10 that right?

11 A That was my observation at the time, yes.

12 Q Can you describe her?

13 A Can I describe what she looked like or---

14 Q Yes, what color her hair was or what she had on or
15 anything that would help us identify who she might have been.

16 A At this point in time, with any accuracy, I cannot.
17 I thought she had sandy-colored hair. I don't believe her
18 hair was black, but that is about all I can tell you about
19 her. I don't remember what she was wearing.

20 Q She was grotesquely bent backwards; is that correct?

21 A That is correct.

22 Q It was clear to you she had broken her neck for sure
and she probably had several broken spinal bones; is that right?

A Yes, that is correct.

1 Q So you thought she was going to die?

2 A Yes, I did.

3 Q Where was Sergeant Parker?

4 A Sergeant Parker, as best I recall, was partly in
5 the opening in the front of the troop compartment and partly
6 outside the opening and partly in the troop compartment.

7 Q He died, too, didn't he?

8 A I learned later that he did die, yes.

9 Q He was obviously very gravely wounded; is that
10 correct, Ma'am?

11 A Yes, he was.

12 Q What could you see about his wounds?

13 A I could see that he had a very severe head wound.
14 Basically, that is what I observed about Sergeant Parker.
15 He was breathing very irregularly.

16 Q Did you examine him further?

17 A I did a very brief examination of him. I did not
18 take his pulse, but I examined him by observing the gravity
19 of his head wound.

20 Q Where was the dead baby located in the aircraft?

21 A The dead baby was located in one of the rearward-
22 facing seats, as best as I recall, on the lefthand side of

1 the aircraft.

2 Q That child could well have died of internal in-
3 juries; is that not correct?

4 MR. CONNORS: Objection.

5 THE DEPONENT: I am sure the possibility exists
6 but that is not what I observed.

7 MR. LEWIS: Let's go off the record.

8 (Whereupon, a brief recess was taken.)

9 BY MR. LEWIS:

10 Q Ma'am, when did you return to flying status?

11 A I did not return to flying status after the
12 incident.

13 Q Never?

14 A No, I did not. I separated from the Air Force
15 a month after the incident.

16 Q Was that before your regular separation time?

17 A It was about three weeks before my regular separa-
18 tion time, yes.

19 Q Did any other nurse not resume flying status?

20 A I believe Lieutenant Wirtz or Captain Tate now,
21 did not resume flying status.

22 Q Now, with respect to your own injuries and the other

1 members of the crew, you were all flown to Clark Air Force
2 Base; is that correct, Ma'am?

3 A Yes, we were.

4 Q And every member of the crew was hospitalized; is
5 that correct?

6 A I don't know that for a fact.

7 Q Are you saying they were not or you don't know?

8 A I simply don't know whether they were hospitalized
9 or not. I know that many of them were, but I do not know
10 that all of them were.

11 Q How long were you in the hospital?

12 A I was in the hospital -- I was at Clark from the
13 5th of April and I was discharged on the 9th of April.

14 Q Who else was hospitalized, to your knowledge?

15 A Lieutenant Owney was hospitalized, Sergeant Gim-
16 rick, Sergeant Perkins, a member of the flight crew, I believe,
17 and I don't recall the other names. I know of a couple of
18 other crew members who were hospitalized but I don't recall
19 their names.

20 Q Everybody got a very thorough physical exam --

21 MR. CONNORS: Just a moment. She does not have a
22 microphone on.

1 MR. LEWIS: Do we have it?

2 CAMERAMAN: Yes, we still have it.

3 BY MR. LEWIS:

4 Q Everyone on the crew got a thorough physical
5 exam, did they not, following the crash?

6 A As far as I know, yes.

7 Q Regardless of whether they reported any injuries
8 or not?

9 A As far as I know, yes.

10 Q You told the counsel for the Lockheed Aircraft
11 Corporation that you didn't think that the troop compartment
12 was on fire. Did you see any flames?

13 A After I crawled out the hole in the forward part
14 of the troop compartment, I did see flames in the distance
15 to the forward of us.

16 Q Did you see flames in the troop compartment be-
17 fore you crawled out of the hole?

18 A After we came to a stop, no, I did not see flames
19 in the troop compartment until I crawled out of the hole.

20 Q Just to be clear, then, from the time you left
21 Saigon until, through the explosive decompression and the
22 crash until you crawled out of the hole, you saw no flames;

1 is that correct?

2 A No, that is not correct.

3 Q Tell me when you saw flames.

4 A I remember seeing flames for an instant as we
5 impacted the second time, just about the same time I was put
6 in motion and thrown forward.

7 Q You were inside the troop compartment?

8 A Yes, I was.

9 Q So you saw flames inside the troop compartment
10 during the crash sequence?

11 A I don't remember seeing flames inside the troop
12 compartment. As I recall, the flames that I saw, I saw
13 through the hole in the forward bulkhead, that I could look
14 down into the cargo compartment. That is where I remember
15 seeing the flames.

16 Q Did you make this statement: "On initial impact, I
17 saw flames and felt all this hot air, and cinders hit me in
18 the face because I was facing forward and I was the forward-
19 most crew member. Apparently it came up from the hole in
20 front of the flight compartment where you can look down into
21 the cargo compartment."

22 A Yes, that is my statement, I believe.

1 Q Is the hole into the cargo compartment the hole
2 that you crawled out of?

3 A Yes, it is.

4 Q I thought the cargo compartment was below.

5 A The cargo compartment was below.

6 Q You didn't crawl below, did you, Ma'am?

7 A No, I did not.

8 Q You crawled forward to leave the aircraft?

9 A That is correct. The hole was in the forward
10 bulkhead. It is not in the floor.

11 Q So the flames then came up through this hole; is
12 that correct, Ma'am?

13 A I don't recall that they came through the hole. I
14 remember seeing flames through the hole. I don't recall that
15 the flames came through the hole.

16 Q Well, the last time that you remembered before you
17 came to a stop was flames; is that not right?

18 A That is correct. I remember looking through that
19 hole and seeing flames.

20 Q That was while your portion of the airplane was
21 still moving, is that right?

22 A Yes.

1 Q And you saw flames on the initial impact?

2 A I saw flames on, as I now know, the second impact.
3 The initial impact I thought was the landing when, in actual
4 fact, it was the initial impact, so I saw the flames on the
5 second impact.

6 Q When you gave your statement on the 15th of April
7 in 1975, in the Philippines, you did say you saw flames at
8 the time of the initial impact; is that correct, Ma'am?

9 A That is correct, but I considered the initial bump
10 I felt to be a landing, not an impact.

11 Q Did you ever go to the office of the Lockheed Air-
12 craft Corporation to be interviewed?

13 A No, I did not.

14 Q Did you ever go to the lawyers' offices?

15 A Yes, I did.

16 Q When was the first time?

17 A I don't recall, I am sorry. It would have been
18 before the first time I testified, but I don't recall even
19 when the first time was that I testified.

20 MR. CONNORS: For the record, I will object to this
21 entire line of questioning.

BY MR. LEWIS:

1 Q How many times did you go to their lawyers' office?

2 A I have been to the lawyers' office, I believe, four
3 times, as best I can recall, but it has been over the span or
4 two or three years, I suppose. I don't remember exactly at
5 this point in time.

6 Q Did Mr. Carrol Dubuc interview you?

7 A I would not say that he interviewed me. I spoke to
8 him.

9 Q Who else did you speak to there?

10 A I spoke to Mr. Jones, Mr. Aidan Jones; I spoke to
11 Mr. John Connors and Mr. Tom Almy, as I recall.

12 Q Those are all lawyers for the Lockheed Aircraft
13 Corporation?

14 A Yes, they are, as far as I know.

15 MR. CONNORS: Mr. Lewis, I assume you are giving me a
16 continuing objection here. I don't want to continue inter-
17 rupting.

18 MR. LEWIS: If you have an objection, I think you should
19 make it every time.

20 MR. CONNORS: Please note that I am objecting to every
21 one of the questions.

22 MR. LEWIS: I am not agreeing to a continuing objection.

BY MR. LEWIS:

Q Now, Ma'am, you fractured a clavicle; is that

1 correct?

2 A That is correct.

3 Q How long did it take for that to heal?

4 A I was not released to return to work until approxi-
5 mately two months, approximately two-and-a-half months after
6 the accident.

7 Q Then you were out of the service at that point;
8 is that correct?

9 A Yes, I was.

10 Q So you continued being seen or treated or what
11 have you for some period of time after you got out of the
12 service?

13 A Approximately a month-and-a-half, I believe.

14 Q Have you gotten regular physicals on an annual basis
15 since the crash?

16 A I have had regular physicals, not on an annual basis
17 but I have had regular physicals.

18 Q Provided by the United States?

19 A No, I have not. They have been by my private
20 physician.

21 Q The fracture that you had, was it a displaced
22 fracture?

1 A I don't believe it was displaced. It did not have
2 to be pinned or set in any way.

3 Q But it was a clean fracture. I don't mean compound
4 but it was a clean fracture?

5 A As far as I recall, yes.

6 Q You told counsel for the Lockheed Aircraft Corpor-
7 ation about mud spraying on you during the crash landing.
8 Did mud spray all through the troop compartment?

9 A I don't know that it sprayed all through the troop
10 compartment but I do know it sprayed some areas of the troop
11 compartment.

12 Q Did it spray you thoroughly?

13 A It did spray me fairly thoroughly, yes.

14 Q And the babies around you?

15 A The babies around me were not sprayed as much as
16 I was because they were protected by the seat backs.

17 Q But were they sprayed?

18 A They did have mud on them, yes.

19 Q Were generally all of the people in the troop
20 compartment sprayed with mud?

21 A I don't know that for a fact, so I can't really
22 answer that question.

1 Q Did you see any people who were not muddled?

2 A At this point in time, I can't recall.

3 Q What kind of an alarm did the pilot or the crew
4 sound prior to the first impact?

5 A There was a call throughout the troop compartment
6 to brace.

7 A It came over the loudspeakers?

8 A No; as best I recall, it did not. It was given in
9 a room-level tone of voice.

10 Q But by the members of the flight crew?

11 A The warning that I remember was given by the medi-
12 cal crew NCO who was in charge of the NCO's on the medical
13 crew.

14 Q What kind of an alarm was broadcast at the time of
15 the explosive decompression?

16 A I don't recall that any alarm was given. I don't
17 remember.

18 Q Was there a horn?

19 A I don't remember.

20 Q Are you saying there wasn't one or that you don't
21 remember one?

22 A I am saying that I don't remember.

1 Q During your flight training, you say you experienced
2 an explosive decompression?

3 A Yes.

4 Q How fast was it?

5 A It was -- it was just that. It was an explosive
6 decompression. It was an immediate drop to sea level from
7 whatever altitude we happened to be at at the time.

8 Q But you don't know the altitude or the speed of the
9 decompression?

10 A At this point, I don't recall.

11 Q Can you tell me where anyone else was, and I am
12 speaking of the adults now, where anyone else was in the troop
13 compartment as far as their station was concerned?

14 A I can't specifically tell you where anyone was
15 stationed in the troop compartment. I do know that they were
16 all -- that their duty stations were all to the rear of my
17 position.

18 Q Can you tell me why you didn't or the Air Force did
19 not use a hospital plane to transport the children?

20 A To transport the children from what point to what
21 point?

22 A Out of Vietnam prior to the C5A crash.

1 A No, I cannot. I don't know.

2 Q You arrived there in a hospital plane; is that
3 correct?

4 A Arrived in a plan that can be used as a hospital.
5 plane. It was not configured as such when I arrived.

6 Q But it was convertible into a hospital plane; is
7 that correct?

8 A I don't believe it could have been converted to a
9 hospital plane after it left Travis Air Force Base in Cali-
10 fornia. I believe it had to be converted at Travis Air Force
11 Base and then flown to the Pacific area.

12 Q And your regular duty station, this was the Philippines

13 A Yes, it was.

14 Q Were there hospital planes there?

15 A Yes, there were.

16 Q And you were regularly assigned to one; is that
17 correct?

18 A That is correct.

19 Q Were hospital planes sent to Vietnam for Vietnamese
20 orphans at the time of the C5A?

21 A On that day, before the C5A was sent, there were no
22 hospital planes sent but, after that, I don't recall.

Q But they were available at Clark Air Force Base

1 but were not used. Is that your testimony?

2 A I don't recall that they were available. They
3 would not have all been available at that point in time
4 because they would have been out on their regularly-
5 scheduled missions.

6 Q But there were hospital planes there and capable
7 of being used; is that not correct?

8 A I don't know that for a fact.

9 Q Are you saying that is not true?

10 A I am saying that I don't know. I don't know
11 whether that is true or not because I don't know which air-
12 planes were available that day.

13 Q The hospital planes would have been a preferable
14 method of transporting babies of that age as opposed to a
15 cargo airplane, would it not?

16 A Yes, it would have.

17 MR. LEWIS: Let's go off the record a minute.

18 (Off the record.)

19 BY MR. LEWIS:

20 Q How many seats were torn loose or were bent in the
21 crash?

22 A I remember seeing one row of three that was not at

1 its proper angle in the aircraft after the crash.

2 Q About where was that row?

3 A As best I can recall, it was approximately in the
4 middle of the lefthand side of the aircraft.

5 Q When you say "middle," you mean between the front
6 and the back of the troop compartment it was more or less
7 in the middle; is that correct?

8 A Between the most forward seat that was rearward-
9 facing and the most rear seat that was rearward-facing, it
10 was in the middle of the rows of seats, basically.

11 MR. LEWIS: Counsel, could I see the exhibit that
12 she marked?

13 MR. CONNORS: Certainly.

14 MR. LEWIS: Would you hand that to the witness,
15 please.

16 BY MR. LEWIS:

17 Q Ma'am, counsel has given you the exhibit you marked
18 as to your location. Can you tell us after the crash and
19 mark the approximate location of the seats that were bent
20 over?

21 A Yes.

22 MR. LEWIS: Thank you, Mr. Connors.

1 BY MR. LEWIS:

2 Q Would you put a note there which says "row of bent
3 seats" or whatever you think would fairly describe that so
4 somebody can look at that exhibit and tell what you meant.

5 Would you read us what you wrote, Ma'am.

6 A I wrote "approximate row of bent or dislodged
7 seats."

8 Q Thank you.

9 When you got out of the airplane after the crash,
10 what did you see?

11 A When I got out of the airplane immediately after
12 the crash, I saw a piece of wreckage burning in the distance
13 to the forward of my position, and I saw Sergeant Parker
14 lying in the hole that I had crawled out of.

15 Q Where was the rest of the airplane that you got on?

16 A The rest of the C5 was, I assume, in pieces, but I
17 did not see -- I did not really take a look at the entire
18 area. I was more concerned with the immediate area of the
19 troop compartment.

20 Q When you got on the airplane, you had to go up to
21 the second floor of the airplane, in effect; is that not
22 correct?

1 A That is correct.

2 Q When you got all the airplane, that first floor was
3 completely gone; isn't that right?

4 A It was not -- I did not have to go down two flights
5 to get on the ground; that is correct.

6 Q The tail had completely broken off, hadn't it?

7 A I do not know that. I did not see that at that
8 time.

9 Q The wings were not there either?

10 A I did not see the wings.

11 Q The front of the airplane where the pilots operate
12 the aircraft, that was gone, too, wasn't it?

13 A It was not in our immediate vicinity.

14 Q How many people died in that crash?

15 A I don't recall exactly, but it was over 200, I
16 believe.

17 Q How many babies?

18 A I don't recall that.

19 Q A large number; is that right?

20 A There were over 200 people that were killed, and

21 I don't remember exactly how many of those were infants and how

1 many were adults.

2 Q There was a period of time between the explosive
3 decompression and the time the airplane hit the ground the
4 first time; is that not so?

5 A Yes, that is true.

6 Q There was time to bring some of the people that
7 were in the troop compartment up the stairs to the -- strike
8 that.

9 Let's go off the record. I want to cut out that piece
10 and I will start the question again.

11 (Off the record.)

12 BY MR. LEWIS:

13 Q Ma'am, there was time between the time of the
14 original explosive decompression until the first impact to
15 bring people into the troop compartment from the lower cargo
16 compartment, if that had been ordered. Is that not so?

17 A I suppose that is true but, again, I don't know
18 exactly how much time there was so I can't say that for a
19 fact.

20 Q Did you ever see anyone brought up the stairs, any
21 of the babies or small children that were lying on the cargo
22 floor in the cargo compartment? Did you ever see any of them

1 brought up to the troop compartment at any time after the
2 explosive decompression?

3 A No, I did not.

4 Q In the impact, some parts of the ceiling came
5 loose; is that right?

6 A That is right, they came loose. Well, they did
7 come off during impact, yes. At least, I thought they were
8 parts of the ceiling. I don't know that for sure but that
9 is what I thought they were.

10 Q There was debris, in any event?

11 A That is correct.

12 Q Now, Ma'am, did you see either a life raft or
13 a slide, one of those pneumatic slides, expand in the troop
14 compartment?

15 A No, I did not.

16 Q Were you ever aware that that occurred?

17 A A member of the crew told me that it had begun to
18 occur, but I don't believe that it ever actually expanded
19 fully. I did not see it if it did.

20 Q But you were not aware of it occurring at the time
21 it started; is that correct, Ma'am?

22 A No, I was not.

1 Q You only learned whatever you learned after the
2 crash?

3 A From one of the crew members, I believe, immediately
4 after the crash.

5 Q Did you ever get any photographs from anyone of
6 either the wreckage or anything that happened in the crash?

7 A No, I did not.

8 MR. LEWIS: Let's go off the record.

9 (Off the record.)

10 MR. LEWIS: Back on the record.

11 BY MR. LEWIS:

12 Q Now, Ma'am, with respect to the baby that died in
13 the troop compartment, how many children died in the troop
14 compartment?

15 A At the time I know that one died in the troop
16 compartment.

17 Q Did you ever hear, in your duties as a nurse sub-
18 sequently, that more than one died?

19 A Yes, I heard that there were two babies that had
20 died in the troop compartment.

21 Q Can you tell me where they were seated in the troop
22 compartment?

1 A I can't tell you exactly. The baby that I saw that
2 I thought was dead was on the lefthand side of the troop
3 compartment, but I don't know exactly. I don't recall, and
4 I did not see the other one at all.

5 Q You didn't say anything about a baby being strangled
6 in your statement, did you?

7 A I don't recall that I did. I don't believe anyone
8 asked me. I would have to look at my statement to see,
9 though.

10 Q You have seen it since you gave it, have you not,
11 Ma'am?

12 A Yes, I have. I don't recall exactly everything
13 that is in that statement because it has been a number of
14 years.

15 Q Did the child have a red mark on its neck?

16 A The child still had the piece of string or the piece
17 of cord tightly wound around its neck. I don't remember
18 that it had a red mark.

19 Q Did the child have any bulging eyes?

20 A I don't remember at this point.

21 Q What clinical signs of strangulation, if any, did
22 you observe?

1 A I observed that the child was not breathing, that
2 the child had no visible signs of injury. The child did
3 have a somewhat reddened face, but that is all I remember
4 noting at the time.

5 Q And the child could have died from internal injuries;
6 isn't that so?

7 A The possibility does exist but there were no ob-
8 vious injuries to the child other than the piece of string
9 tied around its neck.

10 Q Did you ever say on an earlier occasion that you
11 did not remember whether any of the other children had things
12 hanging around their necks?

13 A I don't remember whether I did or not.

14 Q Isn't it a fact that in your testimony on April 28,
15 1980 that you said that you could not remember specifically
16 whether any of the other children had things hanging around
17 their necks?

18 A I would have to see the copy of the testimony. I
19 don't recall at this point exactly what I did say word for
20 word.

21 Q Do you say that you now remember clearly that the
22 children had things hanging around their necks?

1 A I would say yes.

2 Q How many Air Force nurses were in the troop com-
3 partment?

4 A There were two Air Force nurses besides myself.

5 Q That makes three of you, Ma'am?

6 A Yes.

7 Q Would a competent nurse allow a child to start out
8 on an airplane ride with something like that around its neck?

9 A Under ordinary circumstances, no.

10 Q It should have been removed from the child's neck;
11 is that correct?

12 A That is correct, and we would have removed them
13 had we had the time.

14 Q Well, there was some time before the impact, was
15 there not?

16 A There was some time but we had no idea how much
17 time.

18 Q I understand that but there was plenty of time to
19 take a dangerous string from around a child's neck, was
20 there not, if you were a careful person?

21 MR. CONNORS: Objection.

22 THE DEPONENT: Again, I don't remember how much

1 time we had so I honestly cannot answer that question one way
2 or the other.

3 BY MR. LEWIS:

4 Q It was more than 20 minutes from the time the air-
5 plane took off until the time the plane crashed, was there not?

6 A I don't know that for a fact.

7 Q If you assumed that that was true, would that have
8 been enough time to have removed the string from around the
9 child's neck?

10 A It depends upon what occurred during that 20 min-
11 utes as to whether there would have been time or not. There
12 might have been other things that took the time up or occupied
13 the time rather than that.

14 Q Each group of children had their own attendant; is
15 that not correct?

16 A That is correct, as far as I know.

17 Q So the person under whose jurisdiction or care that
18 child was, that should have been a first-priority item,
19 shouldn't it, as opposed to giving it water or some other
20 thing that might make it more comfortable?

21 A I suppose you could say that, yes. However, in
22 these bags of goods that were either pinned to the children's

1 shirts or tied around their necks were their identification as
2 well, and we did not want to remove the identification from
3 the children.

4 Q It could have been tied to their leg just as easy as
5 their neck, couldn't it?

6 A I suppose it could.

7 Q And that would have been safer?

8 A It would have.

9 Q Let me read you what you said on an earlier occas-
10 ion and ask you if this is an accurate statement of what you
11 said. This is in a proceeding that occurred on Monday,
12 April 28, 1980, and it is on page 190. This was in the
13 United States District Court for the District of Columbia,
14 and the Honorable Lewis F. Oberdorfer was presiding. Do you
15 remember being there and testifying?

16 A I do, yes.

17 May I have a copy of the testimony?

18 Q I am just going to read you one question and answer
19 and if you need to see the copy, I will be happy to let you
20 have that, but I only have the one.

21 This is on line 3 at page 190:

22 "QUESTION: Did you see any of the other children with

1 things hanging around their necks, with their papers and
2 things like this child?

3 "ANSWER: I don't remember specifically at this stage.
4 It has been five years."

5 Did you say that?

6 A If my prior testimony says that I did, yes, I did.

7 Q My question is, did you give that answer to the
8 question that was asked of you?

9 A May I see the testimony?

10 A You surely may.

11 MR. LEWIS: Would you show it to the witness. I
12 will be happy to show her my copy.

13 MR. CONNORS: I will be happy to show the witness
14 a copy.

15 MR. LEWIS:

16 Q Do you see page 190 there?

17 A Yes.

18 Q Do you see line 3? Do you see the question?

19 A Yes.

20 Q Would you read the question.

21 A "Did you see any of the other children with things
22 hanging around their necks, with their papers and things

1 like this child."

2 Q Line 6 has your answer. Would you read your
3 answer.

4 A "I don't remember specifically at this stage. It
5 has been five years."

6 Q Is that your answer to the question that was asked?

7 A That is my answer apparently, yes.

8 MR. LEWIS: Let's go off the record.

9 (Off the record.)

10 MR. LEWIS: Those are all the questions I have of
11 this witness at this time.

12 MAJOR PARR: Can we go off the record a second at
13 this time.

14 (Off the record.)

15 MR. CONNORS: For the record, I think counsel for the
16 third party may have a question.

17 MAJOR PARR: I have no questions at this time.

18 REDIRECT EXAMINATION

19 BY MR. CONNORS:

20 Q Mrs. Neil, counsel for the plaintiff inquired as
21 to the time that you left the service of the Air Force. Did
22 the accident in question have any connection with your leaving

1 the service?

2 A No, it did not. I was leaving in any event. My
3 time was up.

4 Q Counsel for plaintiff also inquired as to the
5 seats which you indicated were dislodged or at an unusual
6 angle; is that correct?

7 A That is correct.

8 Q How many children were in those seats, to the best
9 of your recollection?

10 A The row of seats that I saw dislodged was a row
11 of three and, if I remember correctly, there were infants in
12 those seats so there would have been six children.

13 Q Did you see the children in the seats at the time
14 you noticed the unusual angle?

15 A I don't remember at this point.

16 Q Do you remember having any observations at all
17 as to the condition of those children?

18 A I don't remember seeing the children in the seats
19 for sure, so I can't answer that.

20 Q Counsel for plaintiff also inquired as to the
21 reasons why a "competent nurse" would not have taken the
22 time to take the bag from around a child's neck. During the

1 time from the rapid decompression to the time of the landing,
2 what sorts of activities were you and, to your knowledge, any
3 of the other adults in the troop compartment engaged?

4 A I was immediately after the rapid decompression
5 busy giving the children oxygen. I don't remember how long
6 it was before I was informed by someone in the cabin that we
7 could discard our oxygen masks, that we no longer needed them.
8 Up until that time, I was kept very busy trying to give the
9 infants in my care the oxygen. Following that, I remember a
10 very short period of time where I was making sure that the
11 pillows were still adequately positioned and making sure that
12 the seat belts were secure around the children, and then not
13 too long after that -- just a matter of a very short period of
14 time -- we were told by the medical crew member to brace
15 for impact.

16 Q Do you regard any of that time during which you
17 were carrying out those activities to have been wasted?

18 A No, I do not.

19 MR. CONNORS: I have no further questions.

20 RECROSS EXAMINATION

21 BY MR. LEWIS:

22 Q Ma'am, would you mark on the diagram that you have

1 in front of you the location of the dead child.

2 MR. CONNORS: Objection.

3 MR. LEWIS: She said she saw it sitting in a seat.
4 I just wanted her to locate where it was when she saw it in
5 a sat.

6 MR. CONNORS: She also state, I believe, to the
7 best of her recollection, she indicated it was on one side
8 of the aircraft. I don't believe she knew the specific seat.

9 BY MR. LEWIS:

10 Q Do the best you can, and write "dead child" or
11 whatever you think is fair.

12 A Okay.

13 Q Would you put your initials at every place where
14 you made a marking on there, Ma'am.

15 A Okay.

16 Q The reason for that is so that we will be able to
17 know which are your entries. Would you sign it -- any place.

18 A Okay.

19 MR. LEWIS: Those are all of my questions.

20 MR. CONNORS: I would just ask before we go off
21 the record that the witness show the diagram to the camera,
22 please.

1 MR. LEWIS: I have no objection.

2 MR. CONNORS: If we have a good picture of that, I
3 have no further questions.

4 MAJOR PARR: I have no questions.

5 MR. LEWIS: Those are all the questions I have.

6 MR. CONNORS: Thank you very much.

7 For the record, I have taken custody of Defendant's
8 Exhibit 1210-1, the document which Mrs. Neil marked on, and
9 we have agreed with counsel that the photographer will retain
10 the original copy of the videotape and will furnish to each
11 side a three-quarter-inch tape of the complete deposition.

12 [The deposition was concluded at 4:30 o'clock.]

CERTIFICATE OF NOTARY PUBLIC/REPORTER

UNITED STATES OF AMERICA

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) ss.

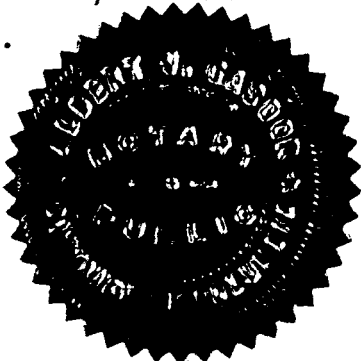
DISTRICT OF COLUMBIA

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I, ALBERT J. GASDOR, a Notary Public in and for the District of Columbia, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness is a true and accurate transcription of the stenographic notes taken by me and thereafter reduced to written form by me and/or under my direction and supervision.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to this action in which this deposition was taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this litigation.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my notarial seal this 21st day of December,
[98].



James V. Lasdon

Albert J. Gasdor

Notary Public in and for
the District of Columbia

My Commission expires:

July 31, 1985