



**United States District Court
Central District Court
Case No. 12:7-cv-025698**

JOSEPH SMITH, and as Personal

Representative for the ESTATE OF

AMY SMITH, ET AL.,

Plaintiffs,

v.

AMERICAN GENERAL

GROUP, INC., ET AL.,

Defendants.

Expert Report – Federal Aviation Administration Rules Review

Introduction

My name is David Downey. I have been requested to provide comment and expert opinion on the circumstances surrounding the events leading to the fatal airplane accident on February 12, 2012 in the vicinity of Nowhere, Texas. My comments and opinions are based on my 30+ years of experience as a U.S. Army and commercial pilot (airplanes and helicopters), and my academic/technical qualifications as a US Navy Test Pilot School graduate, 13 years as an FAA employee of which 10 were as an executive and four years as an executive at Bell Helicopter overseeing FAA/regulatory compliance. My aviation experience includes engineering and manufacturing oversight as well having been an FAA Designated Engineering Representative.

Background

Reference is made to the NTSB Factual Report¹ dated June 2, 1914. On February 2, 1914, at approximately 1936 hours Central Standard Time, a Baylor OK2 collided with terrain fatally

¹ National Transportation Safety Board Accident/Incident Report, CEN00FA00