

UNITED STATES SENATE

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

STAFF MEMORANDUM TO MEMBERS OF THE SUBCOMMITTEE

June 17, 2024

Preliminary Information from the Subcommittee's Inquiry into
Boeing's Safety and Quality Practices

MEMORANDUM

To: PSI Members
From: PSI Majority Staff
Date: June 17, 2024
Re: Preliminary Information from the Subcommittee’s Inquiry into Boeing’s Safety and Quality Practices

SUMMARY OF THE SUBCOMMITTEE’S INQUIRY TO DATE

On March 19, 2024, the Permanent Subcommittee on Investigations (“the Subcommittee”) opened an inquiry into The Boeing Company’s (“Boeing” or “the company”) quality and safety practices. The Subcommittee requested from Boeing information and records about the company’s safety culture and practices, including its whistleblower policies, and whistleblower Sam Salehpour’s allegations that Boeing was taking shortcuts in the process of manufacturing 787 and 777 aircraft that increased safety risks.¹ The Subcommittee also sent a letter to Federal Aviation Administration (“FAA”) Administrator Michael Whitaker seeking additional information about the agency’s oversight of Boeing and its investigation of Mr. Salehpour’s allegations.² Although the Subcommittee’s investigation is ongoing, this memorandum presents new information based on documents obtained from Boeing and whistleblowers.

Since opening the inquiry, the Subcommittee has received outreach from additional whistleblowers in the aviation industry, including individuals with firsthand knowledge of Boeing’s operations and policies, who have come forward with new information about additional safety risks stemming from Boeing’s manufacturing practices. Specifically, these whistleblowers have provided information about Boeing’s ongoing mismanagement of nonconforming parts and its removal of quality inspections. Some whistleblowers who have come forward to the Subcommittee wish to remain anonymous, but others have either spoken out publicly or are willing to have their stories be public for the first time.

Documents and accounts provided by whistleblowers familiar with Boeing’s production at facilities in Washington state and Charleston, South Carolina, paint a troubling picture of a company that prioritizes speed of manufacturing and cutting costs over ensuring the quality and safety of aircraft. These misplaced priorities appear to contribute to a safety culture that insufficiently values and addresses the root causes of employee concerns and insufficiently deters retaliation against employees that speak up.

¹ Letter from Sens. Richard Blumenthal and Ron Johnson, Perm. Subcomm. on Investigations, to David Calhoun, CEO, Boeing (Mar. 19, 2024), <https://www.hsgac.senate.gov/wp-content/uploads/2024.3.19-PSI-Letter-to-Boeing-CEO-David-Calhoun.pdf>.

² Letter from Sens. Richard Blumenthal and Ron Johnson, Perm. Subcomm. on Investigations, to Michael Whitaker, Adm’r, Fed. Aviation Admin. (Mar. 19, 2024), <https://www.hsgac.senate.gov/wp-content/uploads/2024.3.19-PSI-Letter-to-FAA-Administrator-Michael-Whitaker.pdf>.

ALARMING MISMANAGEMENT OF NONCONFORMING PARTS

Whistleblower reports spanning more than a decade raise questions about Boeing’s ability to timely source and track aircraft parts and ensure that damaged or inadequate parts (“nonconforming parts”) are not used in aircraft production. The tracking and disposition of aircraft parts that do not conform to their quality or design specifications is heavily regulated, and criminal penalties apply to knowing or intentional falsification, concealment, or materially fraudulent misrepresentation in connection with records documenting the disposition of aircraft parts.³ Aircraft manufacturers are required to maintain a written quality system that includes “[p]rocedures to ensure that only products or articles that conform to their approved design are installed on a type-certificated product. These procedures must provide for the identification, documentation, evaluation, segregation, and disposition of nonconforming products and articles. Only authorized individuals may make disposition determinations.”⁴ Aircraft manufacturer quality systems must also prescribe “[p]rocedures to ensure that discarded articles are rendered unusable.”⁵ At Boeing, when parts are deemed “nonconforming,” they are marked with a red tag or red paint and stored in a secure area of the factory called the Material Review Segregation Area (“MRSA”).⁶

a. “The 737 program was losing hundreds of non-conforming parts”—Whistleblower Sam Mohawk’s Allegations of Nonconforming Parts Mismanagement in Renton, Washington

In May 2024, Sam Mohawk, a current Boeing Quality Assurance investigator at the MRSA in Renton, Washington, informed the Subcommittee that he has witnessed systemic disregard for documentation and accountability of nonconforming parts at Boeing’s Renton facility, where the 737 MAX is manufactured.⁷ On June 11, 2024, Mr. Mohawk filed a claim with the Occupational Safety and Health Administration (“OSHA”), which is attached as Attachment 1. This complaint has not been previously released publicly.

Mr. Mohawk’s current role at MRSA includes handling nonconforming parts, work that he alleges became significantly more complex and demanding following the resumption of 737 MAX production when the FAA authorized the aircraft to return to service following two crashes in 2018 and 2019.⁸ Mr. Mohawk alleges that “[c]ompared to pre-grounding, MRSA was experiencing a 300% increase [of nonconformance reports]” and that “the 737 program was losing hundreds of non-conforming parts.”⁹

Mohawk feared that non-conforming parts were being installed on the 737s and that it could lead to a catastrophic event.¹⁰

³ See 14 C.F.R. § 21.137; 18 U.S.C. § 38.

⁴ 14 CFR 21.137(h)(1).

⁵ 14 CFR 21.137(h)(2).

⁶ See Complaint (AIR2-21), Mohawk v. Boeing Co., 2 (U.S. Dep’t of Lab. Occupational Safety and Health Admin., June 11, 2024), Attachment 1.

⁷ *Id.* at 2–12, Attachment 1.

⁸ *Id.* at 5, Attachment 1.

⁹ *Id.* at 6, Attachment 1.

¹⁰ *Id.* at 6, Attachment 1.

Mr. Mohawk alleges that the Renton Factory’s inability to adequately manage nonconforming parts led to the company “intentionally hid[ing] improperly stored parts from the FAA” during one on-site inspection.¹¹

*In June 2023, the FAA notified Boeing’s Renton plant that it would be conducting an inspection. Once Boeing received such a notice, it ordered the majority of the parts that were being stored outside to be moved to another location to intentionally hide improperly stored parts from the FAA. There were approximately 60 parts being stored outdoors, including 42 rudders alone, plus flaps, winglets, ailerons, stabilizers, and vertical fins. Approximately 80% of the parts were moved to avoid the watchful eyes of the FAA inspectors. When the FAA inspectors saw the remaining parts stored outside, they required Boeing to expand its storage capacity and add more workers in MRSA. Since then, those parts that were hidden from the FAA inspection have been moved back to the outside area or lost completely.*¹²

Mr. Mohawk alleges that the overwhelming number of nonconforming parts eventually led his superiors to direct him and others to eliminate or “cancel” the records that designate a part as nonconforming; these records are referred to as a nonconformance report (“NCR”).¹³ During an August 2023 meeting, the head of Boeing’s Material Review Board for the 737 MAX program “reiterated his order for everyone to cancel and delete NCRs, and not to keep a written record of non-conforming parts,” an order that violated Boeing’s own policies and federal regulations.¹⁴ Concerned about the implications of this order, Mr. Mohawk filed a Speak Up report, which is a report on Boeing’s internal system for receiving employee safety-related concerns.¹⁵ After months during which no apparent action was taken, Mr. Mohawk alleges that his report was directed to the same group of managers that he complained about in his report.¹⁶

**b. “These are \$41,000.00 EA and takes 18 months to get replacements”—
Whistleblower Merle Meyers’ Allegations of Nonconforming Parts
Mismanagement in Everett, Washington**

On April 24, 2024, former Boeing quality manager Merle Meyers alleged that he witnessed extensive mismanagement of nonconforming parts during his years of employment at Boeing’s factory in Everett, Washington.¹⁷ Mr. Meyers left Boeing in 2023 after a 30-year career at the company.¹⁸ As reported by *The New York Times*, Mr. Meyers “was particularly troubled that workers at Boeing’s Everett factory felt such pressure to keep production moving that they would

¹¹ *Id.* at 6–7, Attachment 1.

¹² *Id.* at 6–7, Attachment 1.

¹³ *Id.* at 7, Attachment 1.

¹⁴ *Id.* at 7, Attachment 1.

¹⁵ *Id.* at 8–9, Attachment 1.

¹⁶ *Id.* at 9, Attachment 1.

¹⁷ Niraj Chokshi, *Former Boeing Manager Says Workers Mishandled Parts to Meet Deadlines*, N.Y. TIMES (April 24, 2024), <https://www.nytimes.com/2024/04/24/business/boeing-airlines-plane-issues.html>.

¹⁸ *Id.*

find unauthorized ways to get the parts they needed.”¹⁹ According to Mr. Meyers, this included “taking parts assigned to other planes, taking newly delivered components before they could be inspected or logged, or trying to recover parts that had been scrapped.”²⁰ When he shared his story with the Subcommittee, Mr. Meyers alleged that Boeing manufacturing personnel regularly sought to retrieve nonconforming parts from a “reclamation” area, after they were initially sent there for disposition.²¹

Mr. Meyers provided information to the Subcommittee which has not previously been made public, including allegations that the pressure on manufacturing personnel to obtain parts from the reclamation area was so prevalent that reclamation area personnel “collaborated to generate a bootleg form to at least track who signed for what part numbers.”²² According to Mr. Meyers, reclamation area personnel titled the form “REQUIREMENTS FOR RELEASING PARTS/RAW MATERIAL FROM RECLAMATION.”²³ Mr. Meyers relayed that the “bootleg form” circumvents a “robust, documented process . . . for removing scrapped parts from reclamation.”²⁴ A completed example of this form is attached as Attachment 2, which has not previously been publicly released. That form and several other examples provided by Mr. Meyers to the Subcommittee include responses that appear to justify the removal of parts from reclamation with the explanation: “Parts were sent [to reclamation] in error,” which Mr. Meyers alleged was a common pretext used by manufacturing personnel to move parts back into aircraft production.²⁵ The example forms reviewed by the Subcommittee, some dating as far back as 2002, appeared to relate to a variety of small and large aircraft parts, including “787 leading edge slats”, “landing gear fitting”, “787 nacelle forgings”, and “wire bundles.”²⁶ The form provided as Attachment 2 also appears to cite the individual cost and time required to obtain a new, identical replacement as justification for removing the part from reclamation: “Parts were sent in error. ENG has a possible rework plan. These are \$41,000.00 EA and takes [sic] 18 months to get replacements.”²⁷

c. “It was just totally out of control”—Whistleblower John Barnett’s Allegations of Nonconforming Parts Mismanagement in Charleston, South Carolina

Whistleblower John Barnett worked at Boeing for over 30 years, including seven years as a quality manager in Charleston, South Carolina, where the 787 is assembled.²⁸ Prior to his departure from the company in 2017, Mr. Barnett was responsible for the disposition of

¹⁹ *Id.*

²⁰ *Id.*

²¹ Notes of Subcommittee staff call with Mr. Merle Meyers, June 7, 2024 (on file with the Subcommittee).

²² *Id.*

²³ Summary Compilation provided to Subcommittee staff by Mr. Merle Meyers (on file with the Subcommittee).

²⁴ *Id.*

²⁵ *See e.g.*, Requirements for Releasing Parts/Raw Material from Reclamation Example Form (June 3, 2015), Attachment 2; Notes of Subcommittee staff call with Mr. Merle Meyers, June 7, 2024 (on file with the Subcommittee).

²⁶ Requirements for Releasing Parts/Raw Material from Reclamation Example Forms (on file with the Subcommittee).

²⁷ Requirements for Releasing Parts/Raw Material from Reclamation Example Form (June 3, 2015), Attachment 2.

²⁸ First Amended Complaint, *Barnett v. Boeing Co.*, 2021-AIR-00007, 2 (U.S. Dep’t of Lab. May 4, 2021), <https://www.scribd.com/document/715444070/Barnett-First-Amended-Complaint-5-4-21-Redacted>.

nonconforming parts placed in the MRSA at the South Carolina facility between 2015 and 2017.²⁹ In 2017, Mr. Barnett filed a whistleblower retaliation complaint against Boeing that is still in litigation today.³⁰ Attachments 3 and 4 are the non-public transcripts of Mr. Barnett’s March 7 and 8, 2024, deposition conducted as part of his retaliation proceedings.³¹ Mr. Barnett died by suicide the morning of what was scheduled to be the third day of his deposition.³²

Among Mr. Barnett’s allegations, he suspected that Boeing’s overriding priority to assemble and deliver aircraft as fast as possible pressured production employees to use nonconforming parts on aircraft in production, which violates FAA regulations and Boeing’s own policies.³³ According to Mr. Barnett, “the environment at Charleston was, **it’s all about production.** And, Don’t want to hold them up. . . . **I was told several times I’m not allowed to tell manufacturing no,** that it’s their responsibility to follow procedures.”³⁴

*We don’t have time to follow processes; we’re building airplanes. . . . that was a common theme all the time.*³⁵

Nonconforming parts that are not accurately tracked and secured (sometimes considered “lost”) pose a risk to aircraft quality because they could be installed on aircraft in production, potentially resulting in failure of the nonconforming component.³⁶ In his deposition, Mr. Barnett alleged that his superiors at the South Carolina factory directed him to falsify records that would resolve the disposition of lost nonconforming parts in the company’s Quality Management System, where parts are tracked.³⁷ When Mr. Barnett refused, insisting that the parts either had to be found, or their missing status reported to the FAA, he allegedly was told, “**Absolutely not. We are not reporting anything to the FAA.**”³⁸

*We actually found scrap parts out there [on the production line]. And the way I know they’re scrap parts is because our processes say, before you scrap a part, you paint it red. And we found numerous parts out in production that were painted red, that had come out of the scrap bin.*³⁹

Mr. Barnett alleged that he followed Boeing’s procedures for securing nonconforming parts in the MRSA to ensure those parts would not end up installed on aircraft in production.⁴⁰

²⁹ See Barnett Dep. Vol. 1, Barnett v. Boeing Co., 2021-AIR-00007, 47–48, 218 (U.S. Dep’t of Lab. Mar. 7, 2024), Attachment 3 [hereinafter “Barnett Dep. Vol. 1”].

³⁰ First Amended Complaint, Barnett v. Boeing Co., 2021-AIR-00007 (U.S. Dep’t of Lab. May 4, 2021), <https://www.scribd.com/document/715444070/Barnett-First-Amended-Complaint-5-4-21-Redacted>.

³¹ Barnett Dep. Vol. 1; Barnett Dep. Vol. 2, Barnett v. Boeing Co., 2021-AIR-00007 (U.S. Dep’t of Lab. Mar. 8, 2024), Attachment 4 [hereinafter “Barnett Dep. Vol. 2”].

³² Sara Smart, *Boeing Whistleblower Died by Suicide, Police Investigation Reveals*, CNN (May 17, 2024, 9:36 PM), <https://www.cnn.com/2024/05/17/business/boeing-whistleblower-suicide-police-investigation/index.html>.

³³ See Barnett Dep. Vol. 2 22–24, 57–60, Attachment 4.

³⁴ *Id.* at 33, Attachment 4.

³⁵ *Id.* at 37, Attachment 4.

³⁶ *Id.* at 13, Attachment 4.

³⁷ *Id.* at 10–13, Attachment 4.

³⁸ *Id.* at 11, Attachment 4.

³⁹ *Id.* at 17–18, Attachment 4.

⁴⁰ *Id.* at 14–17, Attachment 4.

According to Mr. Barnett, those procedures included limiting access to the MRSA to authorized personnel, which did not include manufacturing personnel.⁴¹ Mr. Barnett alleged that, despite his objections, keys to the MRSA area were issued to manufacturing personnel.⁴²

*Manufacturing lead had keys [to the MRSA]. And they were just able to walk in, unlock the cage, and take any part they wanted. . . . And immediately after those keys were issued our, we noticed lost nonconforming parts were disappearing again. We found parts pulled out of our scrap bin that [were] out on the production floor being used. **We had nonconforming parts out on the floors being used. It was just totally out of control.***⁴³

Mr. Barnett alleged that when he spoke up about violations of Boeing procedures with superiors, his concerns were never fully addressed and that he experienced retaliation and pressure to “find . . . ways to work in the grey areas to help manufacturing out.”⁴⁴

*So they would tell you that verbally. Oh, yeah, speak up. Raise your hand. We take it seriously. But then, **when you actually do it is when you start getting actions that, you know, you’re a troublemaker or you’re . . . just trying to hold up production.***⁴⁵

In 2017, the FAA substantiated at least part of Mr. Barnett’s allegations.⁴⁶ In addition to filing a retaliation complaint with OSHA, Mr. Barnett submitted a safety complaint to the FAA on January 19, 2017.⁴⁷ The FAA investigated Mr. Barnett’s allegations by conducting interviews with MRSA personnel and reviewing Boeing’s quality procedures and nonconforming parts records.⁴⁸

*An FAA review of the [Boeing South Carolina] investigation showed 45 nonconforming part records have been researched so far and [Boeing South Carolina] has identified **53 nonconforming parts that are considered lost.** The [Boeing South Carolina] investigation is still in progress and **176 nonconforming part records need to be researched.** The FAA concluded, after review of the [Boeing South Carolina] investigation documentation/records and [Boeing Commercial Aircraft] nonconforming part processes, that **[Boeing South Carolina] personnel did not follow approved quality system processes to track and disposition nonconforming parts.** As a result, 53 nonconforming parts are known to have been lost.*⁴⁹

⁴¹ *Id.* at 14–17, Attachment 4.

⁴² *Id.* at 17, Attachment 4.

⁴³ *Id.* at 16–17, Attachment 4.

⁴⁴ *Id.* at 46, Attachment 4.

⁴⁵ *Id.* at 79–80, Attachment 4.

⁴⁶ Memorandum from Dir., Aircraft Certification Serv., AIR-1, Fed. Aviation Admin., to Manager, Audit and Analysis Branch, AAE-100, Fed. Aviation Admin., *Whistleblower Complaint EWB17544, The Boeing Company -- Boeing South Carolina* (Mar. 21, 2017), Attachment 5.

⁴⁷ *Id.* at 2, Attachment 5.

⁴⁸ *Id.* at 2, Attachment 5.

⁴⁹ *Id.* at 3, Attachment 5.

REMOVAL OF QUALITY INSPECTIONS

a. Importance of Quality Inspections to Airplane Safety

Quality inspections are legally mandated and critical to the safe manufacturing and performance of airplanes.⁵⁰ FAA regulations require aircraft manufacturers to maintain a quality management system “that ensures that each product and article conforms to its approved design and is in a condition for safe operation.”⁵¹ Among other requirements, that system must include “[p]rocedures for inspections and tests” and “[p]rocedures for documenting the inspection and test status”⁵² Importantly, after manufacturers establish and secure FAA approval for those procedures, manufacturers are required to “[m]aintain the quality system in compliance with” those established procedures.⁵³ Those procedures usually involve employees on quality teams working as a “second set of eyes” to perform inspections and, ultimately, formally sign-off on work once they are comfortable that the aircraft is in conformance (called “acceptance”).⁵⁴ Because each airplane produced must conform to the FAA-approved design, quality inspections are crucial to mitigating the risk that manufacturers sell airplanes that vary from the approved design in potentially unsafe ways.⁵⁵

According to a series of FAA enforcement letters from 2016 to 2021, public reporting, and whistleblower allegations, Boeing engaged in a repeated, years-long effort to eliminate quality inspections and instead relied on the workers building the planes to inspect their own work.⁵⁶ Despite efforts to both comply with the FAA directive to restore the removed inspections and even add more in the wake of the January Alaska Airlines incident, as recently as May 2024, the FAA opened a new investigation into Boeing for potentially failing to complete required inspections on the 787 while falsely recording those inspections as being completed.⁵⁷

⁵⁰ See 14 C.F.R. § 21.137; see generally *Quality and Safety Management*, FED. AVIATION ADMIN. (November 17, 2021) https://www.faa.gov/about/initiatives/sms/explained/quality_and_safety_management.

⁵¹ 14 C.F.R. § 21.137.

⁵² 14 C.F.R. § 21.137(a), (g).

⁵³ 14 C.F.R. § 21.146(b).

⁵⁴ Dominic Gates, *Boeing Overhauls Quality Controls: More High-Tech Tracking but Fewer Inspectors*, SEATTLE TIMES (Jan. 20, 2019, 5:01 PM), <https://www.seattletimes.com/business/boeing-aerospace/boeing-overhauls-its-quality-controls-more-high-tech-tracking-but-fewer-inspectors/>.

⁵⁵ See generally *Quality and Safety Management*, FED. AVIATION ADMIN. (November 17, 2021) https://www.faa.gov/about/initiatives/sms/explained/quality_and_safety_management.

⁵⁶ See Notes of Subcommittee staff call with Anonymous Whistleblower (June 11, 2024) (on file with the Subcommittee).

⁵⁷ BOEING, PRODUCT SAFETY AND QUALITY PLAN: EXECUTIVE SUMMARY 2 (May 30, 2024), https://www.boeing.com/content/dam/boeing/boeingdotcom/safety/Safety-and-Quality-Plan_Executive%20Summary-5-30-2024.pdf; Russell Lewis, *FAA Is Investigating Boeing for Apparent Missed Inspections on 787 Dreamliner*, NAT’L PUB. RADIO (May 6, 2024, 4:46 PM), <https://www.npr.org/2024/05/06/1249432229/faa-investigation-boeing-787-dreamliner>.

b. “[N]ot acceptable”—FAA’s Efforts to Rein in Boeing’s Iterated, Multi-year Effort to Remove Quality Inspections

Boeing’s efforts to remove inspections spanned several years and included various strategies for removing inspections.⁵⁸ As early as 2016, the FAA sent Boeing a formal compliance action request following an FAA audit that alleged that a Boeing policy adopted in 2015 “create[ed] a process that **bypasse[d] the Quality organization** and allow[ed] . . . Manufacturing Technician[s] to accept” certain tests of airplanes’ functionality without holding the requisite authority to do so.⁵⁹ In response, Boeing blamed that problem on “unclear” language in their policy documents “causing confusion” within the quality team, and promised to update their documents and training to “clearly define the role of Quality in accepting” the relevant tests.⁶⁰

In November 2017, the FAA sent Boeing three letters raising similar concerns about quality inspections.⁶¹ A letter dated November 8, 2017 (“November 8 letter”) alleged that two new Boeing policies (one of which was adopted just four months after Boeing had pledged to address the inspection problems the FAA identified in 2016) appeared to “modify and/or **circumvent**” the requirement that planes be properly inspected and tested in part by replacing quality inspections—which involve direct, physical examinations of planes—with “verifications”—which instead involve “[i]ndirectly demonstrating” compliance “by the use of data and analytical tools.”⁶² The November 8 letter again raised concern about allowing employees without the required training (and thus without the appropriate authority) to perform product acceptance.⁶³ The FAA put it clearly:

*Grant[ing] acceptance responsibility without appropriate training is unacceptable to the Quality requirements. . . . [R]emoving inspections and replacing them with verifications . . . is not acceptable and does not meet the minimum requirements of [FAA regulations].*⁶⁴

⁵⁸ See Notes of Subcommittee staff call with Anonymous Whistleblower (June 11, 2024) (on file with the Subcommittee).

⁵⁹ Letter from Senior Manager, Boeing Com. Airplanes, to Aircraft Certification Serv., Fed. Aviation Admin., 6-1031-RQSO-KGP16-279R1, at 3 (May 20, 2016) (on file with the Subcommittee).

⁶⁰ *Id.* at 3–5.

⁶¹ Letter from Senior Aviation Safety Inspector, Certificate Mgmt. Off.-Boeing, Fed. Aviation Admin., to Ernesto Gonzalez-Beltran, Vice President of Quality, Boeing, CMP2018NM420004 (November 8, 2017) (on file with the Subcommittee) [hereinafter “November 8 Letter”]; Letter from Senior Aviation Safety Inspector, Certificate Mgmt. Off.-Boeing, Fed. Aviation Admin., to Ernesto Gonzalez-Beltran, Vice President of Quality, Boeing, EIR2018NM420001 (November 17, 2017) (on file with the Subcommittee) [hereinafter “November 17 Letter”]; Letter from Senior Aviation Safety Inspector, Certificate Mgmt. Off.-Boeing, Fed. Aviation Admin., to Ernesto Gonzalez-Beltran, Vice President of Quality, Boeing, CMP2018NM420008 (November 20, 2017) (on file with the Subcommittee) [hereinafter “November 20 Letter”].

⁶² November 8 Letter at 2.

⁶³ *Id.* at 2.

⁶⁴ *Id.* at 2–3.

The FAA’s November 8 letter did not identify any non-compliant Boeing procedures that the FAA had approved, but noted that several non-compliant Business Process Instructions (“BPIs”) appeared to “modify and/or circumvent” the FAA-approved procedures.⁶⁵ A November 17 letter explicitly rebuked Boeing’s practice of using non-FAA approved practices to contravene the policies the FAA did approve.⁶⁶ The November 17 letter explains that, in 2015, Boeing had promised to undertake several corrective actions in response to a 2015 FAA audit of the 787 Everett factory that identified documents “throughout all aircraft programs . . . that modif[ied] and/or appear[ed] to circumvent” approved policies but which themselves “can be **modified or changed without notification to the FAA.**”⁶⁷ But in a subsequent 2017 audit completed just five months after the FAA issued its acceptance of Boeing’s 2015 corrective actions, the FAA again discovered important safety documents that Boeing had not cleared with the agency, and thus the FAA informed Boeing of its “**failure to implement**” and “**unsatisfactory implement[ation]**” of **its promised actions.**⁶⁸ The FAA’s November 20 letter identified similar problems.⁶⁹ On January 16, 2018, in response to the November 8 and 17 letters, Boeing pledged to revise the inappropriate documents to comply with the law.⁷⁰

One year later, Boeing’s effort to remove quality inspection apparently continued despite the October 2018 LionAir 737 MAX crash, which took the lives of 189 passengers and crew.⁷¹ In January 2019, *The Seattle Times* reported that Boeing aimed to eliminate a total of 900 inspector positions across their Washington state factories in 2019 and 2020—a nearly one-third reduction in inspector headcount.⁷² At the time, Boeing claimed that new, automated tools were so accurate that they made quality inspections unnecessary.⁷³ Boeing’s manufacturing union, District 751 of the International Association of Machinists and Aerospace Workers, on the other hand, argued that Boeing had artificially depressed the number of recorded defects in order to justify eliminating inspections by pressuring inspectors to approach mechanics informally to repair defects rather than formally document them, “**essentially masking defects.**”⁷⁴ Indeed, even before *The Seattle Times*’ reporting, the union was the first to raise concerns about Boeing’s plan to cut inspections.⁷⁵ By

⁶⁵ *Id.* at 2. The FAA proactively reviews and approves high-level Boeing system changes (called “Procedures,” or “PROs”), while merely requiring Boeing to notify the agency of lower-level changes (called “Business Process Instructions,” or “BPIs”). See Notes of Subcommittee staff call with Anonymous Whistleblower (June 11, 2024) (on file with the Subcommittee).

⁶⁶ November 17 Letter at 1.

⁶⁷ *Id.* at 1.

⁶⁸ *Id.* at 2.

⁶⁹ See November 20 Letter.

⁷⁰ See Letter from Senior Manager, Boeing Com. Airplanes, for Dir., Boeing Com. Airplanes, to Aircraft Certification Serv., Fed. Aviation Admin., 6-1032-RQSO-MAS18-018R1, at 6 (Jan. 16, 2018) (on file with the Subcommittee).

⁷¹ Niniek Karmini et al., *Lion Air Crash Report Points to Boeing, Pilots, Maintenance*, ASSOCIATED PRESS (Oct. 25, 2019, 6:59 PM), <https://apnews.com/article/ede40d989be64863a9405802d6bb083b>.

⁷² Dominic Gates, *Boeing Overhauls Quality Controls: More High-tech Tracking but Fewer Inspectors*, SEATTLE TIMES (Jan. 20, 2019, 5:01 PM), <https://www.seattletimes.com/business/boeing-aerospace/boeing-overhauls-its-quality-controls-more-high-tech-tracking-but-fewer-inspectors/>.

⁷³ *Id.*

⁷⁴ *Not OK to Cut QA is Message on Boeing’s Plan*, DISTRICT 751 AERO MECHANIC, Dec. 2018–Jan. 2019, at 4, https://www.iam751.org/docs/Dec_2018Jan2019Aero.pdf.

⁷⁵ See *id.* at 1.

2019, the FAA had substantiated several instances of Boeing failing to document defects, which Boeing claimed represented isolated instances of employees not following the rules.⁷⁶

Boeing Vice President of Quality, Ernesto Gonzalez-Beltran—the same individual to whom all three 2017 FAA letters were addressed—was “spearhead[ing]” the inspection removal effort, which aimed to shift from having inspectors “check[ing] every airplane” to now only “check[ing] once every 100 parts or every 1,000 parts.”⁷⁷ Boeing said it was “**trying to walk away from**” “**everybody [being] dependent on a second person,**” and instead have “the mechanic . . . verify their own work”—in doing so, Boeing observed that “**wait time is eliminated.**”⁷⁸ At the time, Boeing claimed that the FAA “endorse[s] and understand[s]” the changes, and assured the public that Boeing was only eliminating inspections in processes that experienced few defects.⁷⁹

Mr. Barnett observed similar trends in Charleston. He alleged that although the Puget Sound factories assigned one quality inspector to cover every nine mechanics (at least until Barnett left in 2010), in Charleston (where he worked from 2010 to 2017) he saw “times where one inspector was trying to cover 50 to 100 mechanics on two different airplanes,” explaining that even covering just nine mechanics “was a busy day” and that he “d[id]n’t see how in the world anybody could keep up with 50.”⁸⁰ Barnett highlighted an example of how management responded to his insistence that the factory allow for quality inspections:

*[I]t wasn’t three minutes later, [a manager] ringing me, you know, **chewing me out about stopping production.** . . . [A]nd I was called up to the office. . . . And they put me in the corner, in a chair. And **there’s about five of them standing over me with their arms crossed.** Where does it say we can’t do this?⁸¹*

In 2021, two years after *The Seattle Times* reported on the push to reduce inspections that Boeing came to call “Verification Optimization” (“VO”)—after another 737 MAX crash (Ethiopian Air Flight 302) led to the loss of 157 lives and the replacement of CEO Dennis Muilenburg with Dave Calhoun—the FAA issued a letter rebuking several elements of VO (“2021 letter”).⁸² This previously non-public letter is attached at Attachment 6.⁸³ The problems that the FAA’s 2021 letter identified were similar to those identified in the FAA’s earlier letters, which, according to a Whistleblower, had simply been repackaged after their initial rejection by the FAA.⁸⁴ According to the FAA, these problems included the following:

⁷⁶ Gates, *supra* note 73.

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ Barnett Dep. Vol. 1 34, Attachment 3; Barnett Dep. Vol. 2 49–50, 60, Attachment 4.

⁸¹ Barnett Dep. Vol. 2 32.

⁸² Braktkon Booker, *Boeing CEO Dennis Muilenburg Is Out*, NAT’L PUB. RADIO (Dec. 23, 2019, 10:26 AM), <https://www.npr.org/2019/12/23/790750329/boeing-ceo-dennis-muilenburg-to-step-down>; Letter from Senior Aviation Safety Inspector, Certificate Mgmt. Off.-Boeing, Fed. Aviation Admin., to Vice President of Commercial Airplanes Quality, Boeing, EIR2021NM420001 (May 18, 2021), Attachment 6 [hereinafter “2021 Letter”].

⁸³ 2021 Letter, Attachment 6.

⁸⁴ See Notes of Subcommittee staff call with Anonymous Whistleblower (June 11, 2024) (on file with the Subcommittee).

- “Boeing procedures [we]re **not adequate for determining the required inspections** and tests used to ensure the product conforms to its approved design”⁸⁵
- A new program, Manufacturing Assurance and Process Surveillance (“MAPS”), that “enable[ed] the removal of . . . inspections performed by Quality Inspectors” and instead inappropriately assigned “inspections to manufacturing personnel” did “**not meet Boeing quality system requirements or FAA regulatory requirements**”⁸⁶
- “The FAA found **no process** that describes how Boeing determines appropriate business decisions **to justify the removal of mandatory Quality inspections.**”⁸⁷
- Certain procedures “enable[ed] the removal of a Quality inspection/witnessing of the . . . functional tests. The FAA determined **Quality cannot accept a completed functional tests [sic] by relying on document review alone.** If the Quality organization does not witness the functional test, then it cannot verify the accuracy of the information collected”⁸⁸
- “The FAA found evidence that Boeing **inappropriately delegated inspection authority to Manufacturing personnel who did not have the appropriate training or certification,** inappropriately delegated Quality inspections associated with certain engineering requirements to Manufacturing personnel, and allowed the indication of product verification and acceptance with a Manufacturing stamp, in violation of the Boeing quality system requirements.”⁸⁹

It is not clear what actions have been taken either by the FAA or Boeing since the FAA issued the 2021 letter. The Subcommittee’s Whistleblower indicated that while they believe that Boeing had restored many of the eliminated inspections, some processes continue to go without a quality inspection.⁹⁰ Boeing’s repeated efforts to remove quality inspections raise a number of unanswered questions including:

- Has Boeing restored all of the removed inspections?
- How many planes are currently in service that were built after Boeing’s reduction of quality inspections?
- What corrective action has Boeing taken in response to the 2021 letter, and what enforcement action, if any, has the FAA pursued?

⁸⁵ 2021 Letter at 5, Attachment 6.

⁸⁶ *Id.* at 5–6, Attachment 6.

⁸⁷ *Id.* at 7, Attachment 6.

⁸⁸ *Id.* at 9, Attachment 6.

⁸⁹ *Id.* at 6, Attachment 6.

⁹⁰ See Notes of Subcommittee staff call with Anonymous Whistleblower (June 11, 2024) (on file with the Subcommittee); Email from Anonymous Whistleblower to Subcommittee staff (June 11, 2024) (on file with the Subcommittee).

According to the Subcommittee’s Whistleblower, Boeing continues to generate new iterations of VO.⁹¹ They told the Subcommittee that the program called “Multi-Function Process Performer” (“MFPP”) in Charleston essentially amounts to “the second generation” of the MAPS program that the FAA rejected in 2021.⁹² Although by late 2022 Boeing had reversed the element of MFPP that allowed Charleston mechanics to inspect their own work, the Whistleblower alleges that MFPP still allows two mechanics who work side by side to agree to inspect each others’ work.⁹³

⁹¹ See Notes of Subcommittee staff call with Anonymous Whistleblower (June 11, 2024) (on file with the Subcommittee).

⁹² See *id.*

⁹³ David Wren, *Boeing Makes Inspection Changes, Promises to Heed Worker Complaints in Safety Push*, POST AND COURIER (Dec. 4, 2022), https://www.postandcourier.com/business/boeing-makes-inspection-changes-promises-to-heed-worker-complaints-in-safety-push/article_1a48cf78-724e-11ed-b974-5b5f17e08841.html; Notes of Subcommittee staff call with Anonymous Whistleblower (June 11, 2024) (on file with the Subcommittee); *accord* Barnett Dep. Vol. 2 55, Attachment 4 (“[I]f you look back at the MFPP process, you know, that’s basically the same thing they were wanting to do with that is, have the mechanics buy off their own work.”).

Attachment 1

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June 11, 2024

VIA ELECTRONIC MAIL

[REDACTED]
Regional Administrator, Region X
Occupational Safety and Health Administration
United States Department of Labor
300 Fifth Ave., Suite 1280
Seattle, WA 98104
[REDACTED]

RE: Samuel H. Mohawk, Jr. v. The Boeing Company

Dear [REDACTED]:

On behalf of my client, Sam Mohawk, I am enclosing for filing a complaint of retaliation under the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, 49 U.S.C. § 42121. Please direct all correspondence regarding Mr. Mohawk's complaint to me or my co-counsel, Brian Knowles. We look forward to working with you as OSHA investigates this matter.

Please do not hesitate to contact us if you have any questions.

Respectfully submitted,

s/Robert M. Turkewitz

Encl: As described
cc: Sam Mohawk
Brian Knowles, Esq.

**IN THE UNITED STATES DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION**

SAMUEL H. MOHAWK, JR.,)	Case No. _____
)	
Complainant,)	
)	
v.)	COMPLAINANT'S INITIAL COMPLAINT
)	
THE BOEING COMPANY,)	(AIR-21)
)	
Respondent.)	
_____)	

Samuel H. Mohawk, Jr. (“Mohawk,” “Complainant,” or “Whistleblower”), by and through his counsel of the law firms of Knowles Law Firm, PC and the Law Office of Robert M. Turkewitz, LLC, hereby submits this Initial Complaint to the United States Department of Labor Occupational Safety and Health Administration (“OSHA”), against the Whistleblower’s current employer The Boeing Company (“Boeing” or “Respondent”) for unlawful retaliation in violation of the whistleblower protection provision of Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (“AIR-21”), 49 U.S.C. § 42121.

THE PARTIES

1. Samuel H. Mohawk, Jr. worked at Boeing in Quality Assurance as an inspector and investigator from approximately 2011 to the present.
2. The Boeing Company manufactures civilian aircraft, including but not limited to the 737 MAX, 777, and 787, along with military aircraft such as the P-8 (which is a modified 737 NG). Much of the 737 MAX and P-8 production occurs at its Renton, Washington plant. However, Boeing’s corporate offices are located in Arlington, Virginia.

FACTS

3. Complainant worked as a Line QA inspector at Boeing's 747 plant at Everett, Washington from 2011 to 2013. He worked as an inspector on the 777 for six months, then at the Material Review Segregation Area (MRSA) on Flight Test dealing with experimental aircraft from 2013 to 2016. From November 2016 to present, Mohawk worked as MRSA Rework Investigator 54506 for Boeing's 737 program covering the Delivery Center in Seattle (2017 to 2021) and the factory for the remaining time.

4. At MRSA, Complainant handles non-conforming material, scrap parts, emergent issues, and Non-Conformance Reviews (NCRs) for both the commercial and military 737 lines. **When an aircraft part is found defective or damaged, not per drawing or specification, it is deemed non-conforming.** The part then receives a Non-Conformance Review (NCR) number, is tagged with a red tag to physically indicate that it is a non-conforming part, and is held in the MRSA cage – larger parts are held outside of the cage but under the care of MRSA. **Non-conforming parts may not be used on an aircraft before an engineering disposition granting approval to do so.** Having "lost parts" means that the locations of these non-conforming parts are unknown. Notably, Mohawk believes that many of the missing parts were unlawfully installed on aircraft.

5. Non-Conformance Reviews (NCRs) can be either generated by Boeing or created by its suppliers when shipping a part that is defective or damaged (a Supplier Notice of Non-Conformance ("SNN")). Once the part receives an engineering disposition from Boeing, MRSA creates another NCR (child NCR), which is then unitized with the parent NCR **and becomes a part of the build record, if the part is used on an aircraft.** This process ensures an accurate build process and provides customers with notice that a non-conforming part was installed that has

been certified to have been safely repaired. Notably, installation of a repaired part could affect the life-span of the part, alter the inspection schedule, and impact the sale price of the aircraft.

6. While at the Renton plant between 2016 and 2017, Mohawk worked with highly trained and experienced Quality Inspectors, who also helped train him. As Mohawk recalls, MRSA at the Renton plant ran smoothly because it was staffed by highly trained and experienced Quality Inspectors.

7. MRSA at the 737 Delivery Center in Seattle was a fast-paced work environment, and although Mohawk was the only person working his shift, he was able to maintain support for delivery.

8. When the FAA grounded the 737 MAX, Mohawk's responsibility at the 737 Delivery Center went from supporting roughly 40-50 airplanes to supporting the 400 airplanes that were being parked and mothballed. He was unable to keep up with the workload and begged his management for support since he was the only one working his shift (first shift) at the Delivery Center. During an FAA audit, the Auditor observed that MRSA was backed up and asked Mohawk if he needed more support. Mohawk reported that he was working alone and had on several occasions requested support from management.

9. Upon information and belief, the FAA auditor communicated with Mohawk's senior manager, ██████ (unable to recall last name) and reported that the Delivery Center's MRSA needed support. While additional support was provided, management blamed Mohawk for allegedly moving too slowly and moved him out of the Delivery Center and back to MRSA at the 737 Factory in Renton.

10. Once back at MRSA Renton, Mohawk was assigned to 2nd shift and given the responsibility of non-conforming parts control. This responsibility required Mohawk to screen

non-unitized NCRs and scrap NCRs to make sure the NCRs conformed to BPI-1204 and PRO-5500. In the time that he was away from Renton, Mohawk noticed that most of the highly trained and experienced Quality Inspectors were gone. He was told that the reason for this loss of highly trained and experienced Quality Inspectors was two-fold. First, faced with overhead costs associated with parking the planes, Boeing had decided to cut Quality Assurance ("QA"). Boeing began with Volunteered Layoffs to entice the senior highly paid Quality Inspectors to take early retirement. Second, Boeing created a program of mechanics buying off their own work, allowing Boeing to cut Quality Inspectors staffing. Without highly trained and experienced Quality Inspectors, MRSA was no longer capable of running smoothly as it had previously.

11. During the 737 MAX grounding, while manufacturing of the planes ceased, Boeing continued to receive parts from its suppliers as if they were building at that same 40 planes per month rate. MRSA had multiple responsibilities in supporting the build, but it all came down to control of nonconforming parts and material segregation, so the non-conforming parts did not get installed on the airplanes.

12. One of the roles of MRSA is called Reinspection Requests ("R/Rs") for parts that may have become non-conforming. For example, parts being stored outside are subject to the weather and may have suffered corrosion, water or freeze damage, etc. Prior to the grounding, Boeing operated as a LEAN manufacturer and had "just in time" inventory. R/Rs required inspections of a limited and manageable number of parts at any given time. With hundreds of planes being parked, R/Rs required the inspection of 100s if not 1000s of parts. R/Rs that had previously needed only one MRSA Rework Investigator to support now needed upwards of 10 MRSA Rework Investigators to support. MRSA staffing did not increase. On or about Spring 2022, Mohawk raised with his senior management, [REDACTED] and [REDACTED] that MRSA needed additional staff to keep up

with the R/Rs and non-conforming parts control, as well as covered space to keep the parts out of the elements. Without any justification, Mohawk was told that he needed to make do with the current staffing levels and covered space.

13. When the FAA gave Boeing the green light to begin production again, Boeing attempted to build at a rate of 40+ planes a month with a goal of 50+ planes a month. Boeing quickly realized that the cuts in quality and the practice of having mechanics inspect their own work was ill advised. Boeing reversed its trend of cutting quality and started to hire. Unfortunately, many of the new Quality Inspectors had no aviation experience. The Quality Inspector support structure, including Quality Inspectors and mechanic training, had been drastically reduced for Quality Inspectors and mechanics prior to reaching the floor. Once on the floor, Quality Inspectors/Mechanics no longer had the support of experienced personnel working beside them. With reduced training and oversight, Boeing Corporate's push to get the airplanes out the door as quickly as possible was causing quality lapses and failures.

14. Mohawk was responsible for picking up the non-conforming parts and screening NCRs to make sure they were written according to Boeing's BPIs. As the production ramped up, Mohawk noticed mistakes. For example, many defective parts removed from airplanes were not documented per PRO-5500. Parts were left in MRA boxes for Mohawk to pick up or just thrown into a hanger/storage with no segregation control. These mistakes were making it difficult for Mohawk to do his job.

15. Mohawk emailed QA management to inform them of the non-compliance. Rather than taking action to solve the problem, management ordered him to "just pick up the parts." With new inexperienced Quality Inspectors and Mechanics not adequately trained and supervised working on the planes, the number of parts being removed was increasing. MRSA started to run out of

space to store the parts in its locked segregation area. In an attempt to fix the issues, Mohawk created a system of compiling a list of NCRs that were pre-screened and compliant for him to pick up and process. Anything not on this list was not picked up.

16. In the Winter of 2022, NCRs were being cancelled in CMES under the direction of lead MRB [REDACTED]. Of note, there is no process for allowing lost parts. Every aircraft part must be accounted for, pursuant to the regulations. All NCRs should be part of the aircraft build record. The primary purpose of the build record is to determine whether the aircraft meets the FAA's definition of airworthy: if the aircraft "meets its type design, or properly altered condition," and if "the aircraft is in a condition for safe operation." A review of the aircraft records is the usual starting point for a FAA Designated Airworthiness Representative (DAR) to evaluate the status of an aircraft and determine its eligibility for FAA certification.¹

17. Compared to pre-grounding, MRSA was experiencing a 300% increase in NCRs. This increase and the increase in R/Rs left MRSA grossly understaffed and with no additional room to lock/segregate the non-conforming parts. Of great concern, the 737 program was losing hundreds of non-conforming parts. Mohawk feared that non-conforming parts were being installed on the 737s and that it could lead to a catastrophic event. In Early Spring, 2023, Mohawk brought all this to the attention of his senior managers, including [REDACTED] and [REDACTED], and explained that the 737 program was out of compliance regarding control of non-conforming parts per PRO-5500.

18. In June 2023, the FAA notified Boeing's Renton plant that it would be conducting an inspection. Once Boeing received such a notice, it ordered the majority of the parts that were being stored outside to be moved to another location to **intentionally hide improperly stored parts**

¹ http://www.faa-aircraft-certification.com/aircraft_records.html

from the FAA. There were approximately 60 parts being stored outdoors, including 42 rudders alone, plus flaps, winglets, ailerons, stabilizers, and vertical fins. Approximately 80% of the parts were moved to avoid the watchful eyes of the FAA inspectors. When the FAA inspectors saw the remaining parts stored outside, they required Boeing to expand its storage capacity and add more workers in MRSA. Since then, those parts that were hidden from the FAA inspection have been moved back to the outside area or lost completely. Mohawk campaigned for help in the form of additional space and personnel, and he was continually told by his managers that they went to the Finance Department to request additional staffing and space and that their requests were denied. As of the day of this filing, MRSA is still without adequate staffing and space to do the job properly and in accordance with FAA regulations.

19. Not only has Boeing lost the large parts mentioned above, but it has also lost hundreds (400 at last count) of parts and has cancelled over 1,000 NCRs. Boeing is still losing parts to this day.

20. In August 2023, Mohawk learned of an illegal attempt by his management group to defraud the FAA by misrepresenting and actively concealing the nature and extent of Boeing's Compliance issues. At this time, the head of the Material Review Board (MRB) for the 737 MAX program, ██████████ held a meeting with management, including Mohawk's management, wherein ██████████ stated that he did not want the FAA to know how many parts were missing, or that Boeing was having this quality control issue. ██████████ then reiterated his order for everyone to cancel and delete NCRs, and not to keep a written record of non-conforming parts. **Notably, NCRs are required to be part of the aircraft build record of the aircraft and every non-conforming part should be identified as such.** Moreover, the cancelling of NCRs is not a process included in the Boeing Process Instructions (BPI). ██████████ refused to write a process or BPI for such an action, purportedly because any changes to BPIs must be authorized by the FAA, which would go

against Boeing's goal of hiding the lost parts from the FAA. Furthermore, the FAA would not authorize such egregious conduct that allows for an incomplete aircraft build record, misleads costumers, and places the flying public at risk.²

21. In and around that time, it was discovered that approximately 300-400 non-conforming 737 MAX aircraft parts were lost, and the majority of the records that were once kept of these parts were deleted from Boeing's internal aircraft build record system known as CMES.³ CMES is the computer system used at Boeing's Renton Plant to track and monitor all work performed and all parts installed in 737 MAX aircraft, and to identify all defects discovered and document remedial actions taken in the building of each 737 MAX aircraft. Notably, there is a backup system known as DCAC, wherein deleted records could be retrieved. Additionally, as Boeing Whistleblower John Barnett noted at his time on the 787 MRSA, keys are presently floating around and being used by unauthorized personnel to take non-conforming parts out of the lock boxes and cages at the Renton MAX site. The Whistleblower (Barnett?)once observed an individual using a bottle cap to pick the lock on a box, and there are rumors that employees are making copies of the keys at the nearby Home Depot.

22. On October 10, 2023, Mohawk utilized Boeing's "Speak Up" program to file a report, which stated:

Non-conforming parts are missing/lost. MRBD is requesting if part is lost in REV 0 to cancel NCR. Canceling NCRs wipes out all information from record so if we do find the part we no longer know what the discrepancy is and what airplane it goes to. MRB is stating if part is found then they will create a new NCR and attach to whatever plane is in position. I have stated MRSA will not be canceling any

² Notably, Mohawk complained to all possible levels of management, including attempting a meeting with the MAX Director [REDACTED] (the director cancelled the meeting). These individuals include [REDACTED] (former direct manager), [REDACTED] (current direct manager), [REDACTED], [REDACTED], [REDACTED] (second level managers), and [REDACTED] (third level manager).

³ The Whistleblower estimates around 25% of the lost defective parts are being shipped out of the Boeing Moses Lake site but are not arriving to the Renton site.

NCRs, MRB is going to initiators to have them cancel their tags. Losing track of our nonconforming parts can lead to inevitable installation of those non-conforming parts onto the airplane and is in violation I believe of 14 CFR 21.137(k)

See Exhibit A. Where lost parts cannot be located, the CFR regulations mandate that FAA be notified. Mohawk reported that his management decided not to notify the FAA:

My management [REDACTED] [REDACTED] met with MRBD and in the meeting MRBD stated that they did not want to create a process because that would alert FAA of all the lost parts that we have. We have hundreds of lost non-conforming parts over the past couple years as our Quality System has broken down.

Id

23. For months, Mohawk's Speak Up report appeared to go nowhere. Finally, in December that report went to the same management group that Mohawk reported on - [REDACTED] [REDACTED] [REDACTED] and [REDACTED] Mohawk was shocked and extremely worried that a Speak Up about illegal activity was being given to the same group he reported on. In an attempt to close Mohawk's Speak Up, the Senior Manager at the time, [REDACTED] tried to close it by suggesting a process for a "material return to stores (MRS)". Notably, the MRS process was never intended to control non-conforming parts. Only PRO-5500 was allowed to be used for this control process and it was not being followed. Mohawk pushed back by asking for an opinion on the legality of Boeing's action and by refusing to close his Speak Up until he received an answer as to whether the process was legal or illegal.

24. Upon Mohawk's return from Christmas Break, the door plug incident on Alaska Airlines occurred. The Senior Manager who was handling Mohawk's Speak Up, [REDACTED] suddenly left the company, and a new Senior Manager, [REDACTED] took over. [REDACTED] brushed Mohawk's concern for non-compliance issues to the side and placed his Speak Up on hold. Mohawk reached out to HR and asked for his Speak Up to be moved to a different management group since he

thought it was a conflict whereby the perpetrators were the ones who were investigating and that they were in fact stonewalling.

25. Upon assuming his role as senior manager, ██████ made clear that they were to move the parts regardless of compliance. Beginning around early 2024, Mobawk became the focus of what was “not working” in MRSA. Mohawk experienced harassment and intimidation, which left him feeling that management was trying to force him out of the company by either making his work unbearable or by finding any issue and elevating them to Corrective Actions (CAMs) in order for Boeing to fire him.

26. As the MRSA 2nd shift Lead Quality Investigator, Mohawk trains his crew to follow the correct processes and procedures, which includes following the BPIs to validate non-unitized NCRs prior to pick up with the Quality Inspection stamp. This stamp certifies that all BPIs were followed when the NCR was routed forward to the disposition queue. Beginning around March 2024, Management began removing Mohawk’s 2nd shift crew members and forcing them to work 1st shift, during which they were told it was not necessary to fully validate each NCR. As a result, the 1st shift only checks a few areas before routing the NCRs forward. It is believed that this is being done to speed up the work. Mohawk and his 2nd shift Rework Inspectors have raised this issue in Speak Ups and while the Materials Review Board Lead determined that full validation was required, the 1st shift is still being directed by management that it is not required. This not only leaves 2nd shift shorthanded, but it also violates Boeing’s BPIs and PRO-5500.

27. Over the past eight months, Mohawk reported a number of non-compliant parts making their way back to the airplanes for installation. He retrieved as many of these parts as he could from the line and segregated them in MRSA. Following that, he went to Senior Manager ██████ for guidance and requested a Corrective Action investigation be conducted to prevent such quality

escapements in the future. In Early April, ██████ directed Mohawk to complete Corrective Action (CA) investigations himself, something he had never previously performed and not within his job responsibilities. An email was sent to Mohawk by ██████ on Tuesday, April 16 giving him two days (by Thursday) to complete the CA investigations. Mohawk explained that because of the second shift's lack of staffing, his need to actively support production on a daily basis, his training his new Rework Investigators, and his handling of emergent issues, he was unable to complete the CA investigations within two days. Mohawk emailed ██████ and indicated he could complete the CA investigations over the following weekend during overtime since the CA investigations would take hours of concentration to complete. He did not receive a response to his email. That following Monday, April 22, 2024, Mohawk was summoned into a meeting and asked to bring a Union Steward. In the meeting ██████ threateningly attempted to issue a CAM against Mohawk for not obeying a direct order (on the grounds of insubordination, which is an offense subject to termination). Based on the circumstances and the fact that Mohawk completed the CA investigations, ██████ was forced to withdraw his CAM.

28. Making Mohawk responsible for completing the CA investigation with an impossible deadline was done in retaliation for Mohawk bringing up issues of non-compliance. In his duties as MRSA Lead, Mohawk runs into quality escapements daily that need to be investigated as required by federal law, but he has not received support from his management to remedy the situation. Mohawk fears that any issues with non-compliance will be thrown back into his lap to deal with and that if he does not complete them in a timely manner, he will face the CAM process which includes termination.

29. Mohawk had previously informed his management group that MRSA's non-compliance could lead to an FAA audit finding and possible penalties. On May 16, 2024, Mohawk again

emailed his management regarding MRSA's lack of staffing, space, and organization. In response, on May 17, 2024, Mohawk was issued a disciplinary CAM. (See Exhibit B) In a meeting regarding the CAM, Senior Manager [REDACTED] told Mohawk that by threatening to go to the FAA to report non-compliance issues, he was causing people to be afraid and to feel threatened. This CAM is retaliatory on its face and was issued in an attempt to silence Mohawk from raising non-compliance issues under the threat of a CAM and termination.

30. Mohawk only wants to build safe airplanes. He loses sleep at night knowing about the quality escapements and non-compliance issues in the 737 program and that these failures can lead to a catastrophic accident. In the past couple of years of speaking up and trying to bring Boeing back into compliance, Mohawk has faced an uphill battle and is now facing retaliation and termination. And with the statement from Mohawk's Senior Manager that people are afraid of him reporting non-compliance issues to the FAA, Mohawk now fears for his personal safety.

31. As of the filing of this Complaint, Boeing continues to lose non-conforming parts and is out of compliance regarding control of non-conforming parts per PRO-5500.

LEGAL CLAIMS

COUNT I: VIOLATION OF THE WENDELL H. FORD AVIATION INVESTMENT AND REFORM ACT FOR THE 21ST CENTURY

32. Paragraphs 1-31 above are hereby incorporated by reference as if set forth fully herein.

33. The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century ("AIR-21") prohibits retaliation against employees of contractors of air carriers such as Boeing who complain about activities they reasonably believe to constitute a violation of any FAA order, regulation, or standard, or any other provision of Federal law relating to air carrier safety. 49 U.S.C. § 42121(a)(l).

34. To state a prima facie case of AIR-21 retaliation, a complainant must show: (1) protected activity; (2) a materially adverse employment action; and (3) that the protected activity was a contributing factor to the adverse action. 49 U.S.C. § 4212l(b)(2)(B)(i). Mohawk has hereby established a prima facie case of retaliation under AIR-21.

35. Mohawk engaged in protected activity under AIR-21 when:

- a. Since the summer of 2022 to present, he complained to Company management that the 737 program was out of compliance regarding control of non-conforming parts per PRO-5500.
- b. Having learned of his management group's illegal attempt to defraud the FAA by misrepresenting and actively concealing the nature and extent of Boeing's Compliance issues, Mohawk utilized Boeing's "Speak Up" program to file a report on October 10, 2023.
- c. On May 16, 2024, Mohawk emailed his management group regarding MRSA's lack of space, lack of staffing, and lack of organization.
- d. Having become aware of non-conforming parts being installed on the 737 airplanes, Mohawk went to Senior Manager [REDACTED] for guidance on these and requested a Corrective Action investigation be conducted to prevent quality escapements in the future.

36. Mohawk also engaged in protected activity when he submitted his complaints about these safety issues to the DOT IG and other government authorities in the Winter of 2023.

37. Boeing was aware that Mohawk engaged in protected activity.

38. On multiple occasions, Mohawk experienced retaliation directly in response to his protected activity, including the following:

- a) Assigning Mohawk's Speak Up to the management group that Mohawk reported on - [REDACTED] [REDACTED] and [REDACTED];
- b) Putting Mohawk's Speak Up on hold for months;
- c) Moving members of Mohawk's team to a different shift, leaving him shorthanded;
- d) Making Mohawk the focus of what was "not working" in MRSA;
- e) Making Mohawk responsible for completing the CA investigations with an impossible deadline;
- f) Then threatening Mohawk with a CAM for insubordination in a meeting with a Union Steward when Mohawk explained that he could not meet the impossible deadline;
- g) Giving Mohawk a CAM in response to his email to management about MRSA's lack of staffing, space, and organization; and
- h) Issuing a disciplinary CAM against Mohawk for stating that MRSA's non-compliance could lead to an FAA audit finding and possible penalties.

All of the above constitute materially adverse actions. See *Halliburton, Inc. v. Admin. Review Bd.*, 771 F.3d 254, 259-60 (5th Cir. 2014) (an action is "materially adverse" and thus actionable if it is "harmful enough that it well might have dissuaded a reasonable worker from engaging in statutorily protected whistleblowing"). Any reasonable worker who knew that the Company would respond to their complaints in this manner might well have been dissuaded from engaging in protected activity.

39. Because these adverse actions occurred close in time and directly in response to Mohawk's protected activity, and because of Boeing's openly hostile response to his protected activity and comments from managers criticizing Mohawk for raising safety concerns, it is unquestionable that

the protected activity contributed to the adverse actions, and that Boeing would not have taken the adverse actions in the absence of that behavior. See 49 U.S.C. § 42121(h)(2)(B)(ii) (employer must prove by clear and convincing evidence that it would have taken the same adverse action “in the absence of” the protected activity); *Halliburton, Inc.*, 771 F.3d at 262-63.

40. As a result of the Company’s unlawful conduct, Mohawk has experienced significant reputational, emotional, and professional harm.

REQUESTED RELIEF

Complainant prays the Secretary of Labor for the following relief:

- (a) Issue a finding that the Company violated the anti-retaliation provisions of AIR-21;
- (b) Award Complainant damages for the economic losses he has sustained or will likely sustain as result of the Company’s unlawful adverse actions against him;
- (c) Award Complainant compensatory damages for the pain, suffering, reputational harm, and emotional distress;
- (d) Direct Boeing to remove negative comments about Complainant in his performance reviews;
- (e) Award Complainant’s attorneys’ fees and costs; and
- (f) Grant such other relief as the Secretary of Labor deems just and necessary

Respectfully Submitted,

LAW OFFICE OF ROBERT M. TURKEWITZ, LLC

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June 11, 2024
Charleston, South Carolina

Attorneys for the Complainant

Exhibit A

Mohawk-Jr (US), Samuel H

From: Mohawk-Jr (US), Samuel H
Sent: Tuesday, October 10, 2023 9:58 PM
To: Mohawk-Jr (US), Samuel H
Subject: speaking up

Non-conforming parts are missing/lost. MRBD is requesting if part is lost in REV 0 to cancel NCR. Canceling NCRs wipes out all information from record so if we do find the part we no longer know what the discrepancy is and what airplane it goes to. MRB is stating if part is found then they will create a new NCR and attach to whatever plane is in position. I have stated MRSA will not be canceling any NCRs, MRB is going to initiators to have them cancel their tags. Losing track of our non-conforming parts can lead to inevitable installation of those non-conforming parts onto the airplane and is in violation I believe of 14 CFR 21.137(k):

(k)Control of quality records. Procedures for identifying, storing, protecting, retrieving, and retaining quality records. A production approval holder must retain these records for at least 5 years for the products and articles manufactured under the approval and at least 10 years for critical components identified under § 45.15(c) of this chapter.

Here is a comment I made in the routing comments of [REDACTED]

"MRSA at SDC and Renton have made an attempt to locate, unable to. NCR is not written for "lost" it is written per BPI-1204 to document damage, see REV 0. Part has been lost in transit, damage still exists on part. Please make lost part disposition stating administrative scrap, and to rev once found. I will cancel NCRs only if Management sends directive via email."

My management [REDACTED] met with MRBD and in the meeting MRBD stated they did not want to create a process because that would alert FAA of all the lost parts that we have. We have hundreds of lost non-conforming parts over the past couple years as our Quality System has broken down.

Current requests for cancellation by MRBD:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Canceled NCRs:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] - deleted
[REDACTED] - deleted

The last (2) were deleted not canceled in CMES. Can not do any search in completed EPD for those. This is by no means a completed list.

Speak Up Report Submitted Succ

ASR # [REDACTED]

Your report has been received. It will be reviewed by the Speak Up

Please click the below link and bookmark it to access this report.
This link is unique to you and not shareable.

[REDACTED]

** If you close this page without saving the link above, you will not be able to

[REDACTED]

Sam Mohawk

MRSA Lead, 2:30pm – 11:00pm
Bldg 4-21, Col P-15, M/S 98-256
Cell [REDACTED]

NOTICE: This communication may contain proprietary or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this e-mail in error, and delete the copy you received.

Exhibit B

EMPLOYEE CORRECTIVE ACTION MEMO

Case Number: [REDACTED]

Name: Samuel Mohawk-Jr BEMSID: [REDACTED]

Violation Category: Treat others and expect to be treated with respect, dignity and trust

Violation Code: 1E - Unacceptable/Disruptive Behavior or Communication

Action Being Taken: Written Warning

This memo is to inform you that you are not in compliance with the company's values, behaviors and expectations:

It has been determined you engaged in unacceptable/disruptive behavior or communication. The company deems your behavior unacceptable and in violation of its values, behaviors and expectations.

It is expected that you will comply with the company's values, behaviors, and expectations. Future violations or retaliation by action, word or behavior will result in a review for additional corrective action up to and including discharge.

Previous related corrective action(s) that you have received include the following (showing 5 most recent Employee Corrective Action records):

Please be aware company services are available to assist you if you have concerns of a medical or personal nature.

Manager Signature:

[REDACTED]

Employee Signature:


Other Signature:

LOADING

Employee signature acknowledges receipt of this document only.

2024-05-17 18:34:50

Statement made on 5/17/24

Attachment 2

REQUIREMENTS FOR RELEASING
PARTS/RAW MATERIAL FROM RECLAMATION

Date 6-3-2015

Part Number [REDACTED] QTY 4 EA

MACCS ID/Tracking/Lot number _____

Description 787-9 Axles

Estimated Value \$164,000.00

Date sent to Reclamation 5-15-2015

Contact Person Location [REDACTED] Phone Number [REDACTED]

Sent from Plant Location Everett WA

Reason for return request Parts were sent in error. ENG has a possible Rework plan. These are \$41,000.00 EA and takes 18 months to get replacements

Is this Part/Material going back to Production? Yes () No ()

Manager Approval for return request Printed Name [REDACTED]

Signature and Date [REDACTED]

Is specialized return trucking required? If yes, budget number of requesting organization is required Budget Number [REDACTED]

Reclamation Sent Date 6-1-2015

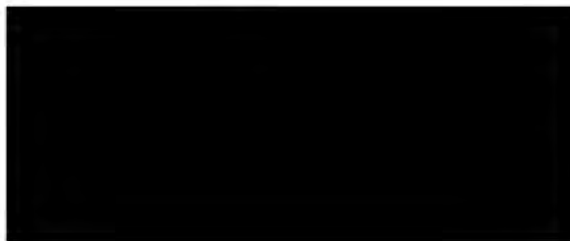
Attachment 3

Deposition of:
John Barnett - Confidential

Barnett
v.
The Boeing Company

Case #: 2021-AIR-00007

March 7, 2024



John Barnett - Confidential - 3/7/2024

Page 1

UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES
Case Number: 2021-AIR-00007

*** CONFIDENTIAL TRANSCRIPT ***

John M. Barnett,)
)
 Complainant,)
)
 v.)
)
 The Boeing Company,)
)
 Respondent.)

VIDEOTAPED DEPOSITION OF:

JOHN M. BARNETT - VOL 1

DATE TAKEN: Thursday, March 7, 2024

TIME: 10:00 A.M.

PLACE:



REPORTED BY: [Redacted] RPR, CLR, CVR-S
and Notary Public



John Barnett - Confidential - 3/7/2024

Page 2	Page 3
<p>1 APPEARANCES 2 REPRESENTING THE COMPLAINANT: 3 ROBERT M. TURKEWITZ, ESQUIRE 4 Law Office of Robert M. Turkewitz, LLC 5 768 St. Andrews Boulevard 6 Charleston, South Carolina 29407 7 (843) 628-7868 8 rob@rmllegal.com 9 BRIAN M. KNOWLES, ESQUIRE 10 MARTINA KNOWLES 11 Knowles Law Firm, PC 12 768 St. Andrews Blvd. 13 Charleston, South Carolina 29407 14 (843) 810-7596 15 brian@knowlesinternational.com 16 REPRESENTING THE RESPONDENT: 17 [REDACTED] 18 [REDACTED] 19 [REDACTED] 20 [REDACTED] 21 [REDACTED] 22 [REDACTED] 23 ALSO PRESENT: 24 [REDACTED] VIDEOGRAPHER 25 [REDACTED]</p>	<p>1 INDEX 2 3 Testimony of John M. Barnett 4 Direct Examination by [REDACTED].....6 5 Cross-Examination by Mr. Turkewitz.....387 6 CERTIFICATE.....389 7 8 INDEX OF EXHIBITS 9 10 Defendant's Exhibit No. 1 - Job Description - Quality 11 Multifamily Manager.....38 12 Defendant's Exhibit No. 2 - First Amended Complaint, 50 13 Defendant's Exhibit No. 3 - Emails 14 DEF 001484-001505.....74 15 Defendant's Exhibit No. 4 - Emails 231-233.....76 16 Defendant's Exhibit No. 5 - Barnett 2014 Performance 17 Management 7/15/24 18 DEF 007035-007039.....85 19 Defendant's Exhibit No. 6 - Email/60-Day Action Plan 20 2420, 3523.....96 21 Defendant's Exhibit No. 7 - Barnett 2014 Performance 22 Management 12/23/14 23 DEF 007028-007034.....104 24 Defendant's Exhibit No. 8 - Emails 25 DEF 001520-001522.....109 26 Defendant's Exhibit No. 9 - Emails 27 3678-3681, 3698.....115 28 Defendant's Exhibit No. 10 - Emails 29 3672-3674, 3678-3679.....119 30 Defendant's Exhibit No. 11 - Case Details Report 31 DEF 007363007365.....133 32 Defendant's Exhibit No. 12 - Emails 33 DEF 001289-001294.....140 34 Defendant's Exhibit No. 13 - Emails 35 DEF 001335-001336.....146 36 Defendant's Exhibit No. 14 - Emails 37 DEF 001207-001208.....149 38 Defendant's Exhibit No. 15 - Emails 39 DEF 002077-002080.....151 40 Defendant's Exhibit No. 16 - Email - Swampy Discussion 41 DEF 001404-001405.....152 42 Defendant's Exhibit No. 17 - Emails 43 DEF 001213-001220.....155 44 Defendant's Exhibit No. 18 - Email 45 1472.....166</p>
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<p style="text-align: right;">Page 6</p> <p>1 (The deposition commenced at 10:03 a.m.) 2 [REDACTED] Now on the record at 10:03 a.m. 3 on March 7, 2024. This is the video deposition of 4 John M. Barnett taken by the respondent in the 5 matter of John M. Barnett versus The Boeing 6 Company, United States Department of Labor, Office 7 of Administrative Law Judges, Case Number 8 2021-AIR-00007. 9 This video deposition is being held at [REDACTED] 10 [REDACTED] Charleston, South Carolina. 11 Today, the court reporter is [REDACTED] 12 [REDACTED] representing [REDACTED] 13 Her office is in Charleston, South Carolina. And 14 currently speaking, my name is [REDACTED] I'm 15 the legal videographer. And I'm with [REDACTED] 16 [REDACTED] My office is in [REDACTED] 17 South Carolina. 18 Counsel, please state your appearances for 19 the record. 20 [REDACTED] [REDACTED] on behalf 21 of The Boeing Company. 22 [REDACTED] [REDACTED] on behalf of 23 The Boeing Company. 24 MR. TURKEWITZ: Robert Turkewitz on behalf of 25 Mr. Barnett.</p>	<p style="text-align: right;">Page 7</p> <p>1 MR. KNOWLES: Brian Knowles on behalf of 2 Mr. Barnett. 3 JOHN BARNETT, SWORN. 4 DIRECT EXAMINATION BY [REDACTED]: 5 Q. Good morning, Mr. Barnett. 6 A. Good morning. 7 Q. We -- we just met. 8 A. Yeah. 9 Q. But my name is [REDACTED] and I 10 represent The Boeing Company in an action brought 11 against you -- or an action brought by you against The 12 Boeing Company. 13 A. Right. 14 Q. Have you ever been deposed before? 15 A. I have, yes. 16 Q. How many times? 17 A. Once. At least once, as far as I remember. 18 Q. And what case was that in? 19 A. That was the Bassett case. 20 Q. Okay. And have you ever been deposed any 21 other times? 22 A. Not that I can recall, no. 23 Q. How about in connection with the [REDACTED] 24 case? 25 A. I'm sorry?</p>
<p style="text-align: right;">Page 8</p> <p>1 Q. [REDACTED] 2 A. [REDACTED] 3 Q. [REDACTED] 4 A. I was -- I'm not sure if that was a 5 deposition or an interview -- 6 Q. Okay. 7 A. -- but that was possibly a deposition. 8 Q. Okay. 9 A. Yeah. 10 Q. So the only one you remember -- 11 A. I know I talked about it. 12 Q. -- is the [REDACTED] case? 13 A. Correct. 14 Q. Okay. So you're generally familiar with how 15 a deposition goes? 16 A. Correct. 17 Q. All right. I'm just going to go over -- just 18 remind you some ground rules. 19 A. Okay. 20 Q. The court reporter just swore you in, so 21 you're under oath. 22 A. Right. 23 Q. And you agree to testify truthfully -- 24 A. Yeah. 25 Q. -- today, just as if you were in a court of</p>	<p style="text-align: right;">Page 9</p> <p>1 law? 2 A. Right. 3 Q. If you don't understand a question that I 4 ask, just ask for clarification. I'm happy to ask a 5 better question. But if you answer a question that 6 I've asked, I will assume that you've understood it. 7 A. Okay. 8 Q. You agree with that? 9 A. Yes. 10 Q. Because the court reporter is transcribing 11 everything that we say, it's important that we 12 articulate our responses -- 13 A. Sure. 14 Q. -- and not use head nods or shoulder shrugs 15 or uh-huhs or uh-uhs. So if you could just make sure 16 you're articulating your responses, that would be 17 great. 18 A. Got it. 19 Q. You understand that? Okay. 20 Breaks are welcome. And if you need to take 21 a break, that's completely fine. As long as an answer 22 isn't pending, we can accommodate that. 23 A. Okay. 24 Q. I usually like to take a break every hour, 25 hour and a half, anyway. So that should be taken care</p>

3 (Pages 6 to 9)



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<p>1 of. But if you need one, just -- just let me know. 2 A. Okay. 3 Q. Okay? 4 A. Thank you. 5 Q. Do you have any questions about the rules 6 that I just discussed? 7 A. Uh-uh, nope. 8 Q. All right, great. Are you on any medications 9 today that would affect your ability to testify 10 truthfully and accurately? 11 A. No, I am not. 12 Q. What did you do to prepare for your 13 deposition today? 14 A. So, first off, I guess, I lived through it 15 for six years, from 2011 to 2017. And then from 2017 16 to today, it's constantly replaying in my head, over 17 and over and over again. And in probably the last 18 month, I've been reviewing numerous documents to, not 19 only remind myself of some of the things, but also the 20 documents that Boeing provided, I've been reviewing 21 those and going through -- 22 Q. So you've been -- 23 A. -- the objective evidence. 24 Q. So you've been reviewing the discovery that 25 Boeing produced?</p>	<p>1 A. That's correct. 2 Q. What -- any other documents? 3 A. Can -- well, you mean other than just the 4 documents Boeing produced? 5 Q. Uh-huh. 6 A. Right. So I know we've submitted quite a 7 few. 8 Q. Uh-huh. 9 A. I've been reviewing those. And, like the 10 [REDACTED] deposition that I did -- 11 Q. Uh-huh. 12 A. -- I reviewed that. I can't think of any 13 more right off -- 14 Q. Okay. 15 A. -- the top of my head. But there are quite a 16 few documents, so... 17 Q. Did you meet with your attorneys to prepare? 18 A. I did. 19 Q. How long? How long did that meeting go? 20 A. Oh, we've had several meetings, discussions 21 discussing documents and things like that. 22 Q. Uh-huh. 23 A. Yeah. 24 Q. Did you prepare last week? 25 A. I've been preparing, yes.</p>
<p>1 Q. Okay. Have you talked with anyone else, 2 other than your attorneys, about the deposition? 3 A. As far as the details of it or just that I 4 was having one? 5 Q. Both. 6 A. It's been mentioned several times that I was 7 here to do a deposition. I'm from Louisiana. 8 Q. Uh-huh. 9 A. So I have to have my parents and stuff -- 10 Q. Uh-huh. 11 A. -- handle my house and take care of my 12 kitties. And I have a guy that takes care of my 13 kitties. 14 Q. Uh-huh. 15 A. So what I would say is, I'm going to go do a 16 deposition. 17 Q. Sure. 18 A. And that was it. 19 Q. Have -- have you discussed the substance of 20 what your deposition will be with anyone? 21 A. No. 22 Q. How about [REDACTED]? Have you talked to 23 him about your deposition? 24 A. I've talked to [REDACTED], but not about the 25 deposition, just about --</p>	<p>1 Q. When was the last time you talked to [REDACTED] 2 [REDACTED]? 3 A. Oh, that was a few weeks ago. I can't 4 remember -- 5 Q. And -- 6 A. -- for sure. 7 Q. -- and what did you -- all -- 8 A. It's been a while. 9 Q. -- discuss? 10 A. Just the things that we saw while we were 11 there and things that we didn't agree with that were 12 going on, that type of thing -- 13 Q. Uh-huh. Did -- 14 A. -- just in general. 15 Q. Uh-huh. Did you talk to him about him taking 16 a deposition in this case? 17 A. No, I didn't. 18 Q. What about [REDACTED]? 19 A. Yes, I've talked to her, again, just in 20 general. You know, one of the questions she had asked 21 me is what to expect. 22 Q. Uh-huh. 23 A. And I gave them all the same pat answers, you 24 know, Just be honest. If you don't remember, say you 25 don't remember. And don't try to make something up.</p>

4 (Pages 10 to 13)



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<p style="text-align: right;">Page 14</p> <p>1 Q. Uh-huh. 2 A. Just be honest; tell the truth. 3 Q. Did you-all also discuss what you and [REDACTED] 4 [REDACTED] discussed? You said you discussed the issues 5 that had happened while you were there. 6 A. Right. So there were different issues that 7 Heather was involved with than what [REDACTED] was involved 8 with. 9 Q. Uh-huh. 10 A. So, again, we would just, kind of, discuss 11 some of the things we saw while we were there -- 12 Q. Uh-huh. 13 A. -- that kind of thing. 14 Q. Uh-huh. And those are things that you're 15 likely to testify to today, correct? 16 A. Some of it, yes. Some of it, no. 17 Q. Uh-huh. 18 A. Yeah. 19 Q. So you discuss the substance of what at least 20 some of your testimony would be with some of these 21 folks, right? 22 A. I -- I don't know if I'd say that because I 23 don't know what's going to be asked. 24 Q. Uh-huh. 25 A. It was more of a reminder and a refresher of</p>	<p style="text-align: right;">Page 15</p> <p>1 what we witnessed. 2 Q. Okay. 3 A. What we lived through. 4 Q. What about [REDACTED]? 5 A. Oh, I haven't talked to [REDACTED] in probably -- I 6 can't remember the last time I talked to [REDACTED]. 7 Q. Okay. [REDACTED]? 8 A. I did talk to [REDACTED] a couple of weeks 9 ago. And that conversation was, again, just refreshing 10 memories of what we saw, what we witnessed, that kind 11 of thing. 12 Q. Uh-huh. Did you talk to him about -- 13 A. Excuse me. 14 Q. -- the fact that he was going to be giving a 15 deposition in this case? 16 A. No, I didn't. We didn't -- we didn't talk 17 about that. 18 Q. You-all didn't mention that you were going to 19 be deposed or that he was going to be deposed? 20 A. I didn't discuss with him that he was going 21 to be deposed because I don't know that schedule. I 22 may have mentioned that I was going to go give a 23 deposition, but we didn't get into any detail of it. 24 Q. Okay. [REDACTED]? 25 A. Oh, I haven't talked to [REDACTED] in years.</p>
<p style="text-align: right;">Page 16</p> <p>1 Q. What about [REDACTED]? 2 A. I talked to [REDACTED] a few times over 3 the last, probably, seven or eight years, nothing 4 really specific to this deposition. 5 Q. Have you talked to her recently? 6 A. When was the last time I talked to her? I 7 don't think it's been recently. No, it's been quite a 8 while. 9 Q. [REDACTED]? 10 A. I talked to [REDACTED]. 11 Q. Uh-huh. 12 A. Yeah. 13 Q. And he was deposed last week, correct? 14 A. Correct. 15 Q. And you were on that deposition? 16 A. Correct. 17 Q. Did you talk to him after his deposition? 18 A. No. 19 Q. Did you talk to him before his deposition? 20 A. I did. 21 Q. And what did you-all discuss? 22 A. Again, as -- he just, kind of, asked me what 23 to expect. And I told him, you know, they're just 24 going to ask you about your experiences and what you 25 witnessed. And be honest. Tell the truth. If you</p>	<p style="text-align: right;">Page 17</p> <p>1 don't remember, don't try to make something up. Just 2 say you don't -- you don't remember, you know, you 3 don't recall. Just be honest and tell the truth. 4 Q. And did you-all -- did you have a similar 5 conversation with him that you had with the others, 6 where you-all were, kind of, reminding each other about 7 the issues that had happened? 8 MR. TURKEWITZ: Objection. 9 [REDACTED] 10 Q. You can answer. 11 A. I don't recall that we went into that detail 12 as much as it was just, kind of -- he was -- he was 13 nervous he didn't know what to expect. 14 Q. Uh-huh. 15 A. So I was just trying to ease his mind and 16 tell him what to expect and tell him to tell the truth. 17 Q. Okay. What about [REDACTED]? 18 A. Yes, I talked to [REDACTED]. Was a couple 19 of months ago, I guess, yeah. 20 Q. Did you talk about your deposition? 21 A. Did not. 22 Q. Okay. What did you-all discuss? 23 A. Again, she was, kind of, wondering what to 24 expect. So I told her the same thing, you know, just 25 don't make nothing up, tell the truth.</p>

5 (Pages 14 to 17)



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<p>1 Q. Uh-huh. 2 A. Be honest. She did go into a lot of -- she 3 was asking me a lot of questions about -- like, she'd 4 ask me, So who is the little, short guy that was the 5 director over the other buildings? 6 Q. Uh-huh. 7 A. You know, and I'd tell her, Well, that was 8 [REDACTED]. 9 Q. Uh-huh. 10 A. So she asked me quite a few questions about 11 who people were because she couldn't remember their 12 names. And she'd describe them and tell me what their 13 position was. And if I could remember, then I'll tell 14 her. 15 Q. Uh-huh. Okay. Anything else? 16 A. No, that was -- that was the majority of that 17 conversation. 18 Q. Okay. And [REDACTED], have you spoken 19 with her? 20 A. I haven't spoken to [REDACTED] in years -- 21 Q. Okay. 22 A. -- except for -- so we did text. So when -- 23 when -- when we're talking about speaking to them about 24 the deposition, no, I did not talk to her about that. 25 I did send her a text, when I was coming out here, and</p>	<p>1 asked her if they wanted to get together and get caught 2 up, me and her and [REDACTED]. 3 Q. Okay. 4 A. We were -- we were pretty tight when we were 5 working together, you know. 6 Q. Did she respond? 7 A. She did. 8 Q. And -- 9 A. At first, she said, yeah, she would like that 10 very much and she'd get in touch with [REDACTED]. 11 And then, I guess, probably a week later, I texted her 12 again and said, Hey, you know, you talked to [REDACTED]. 13 Y'all want to get together, go -- 14 Q. Uh-huh. 15 A. -- have a couple cocktails? And she told me 16 that she'd been contacted by the attorney and told not 17 to meet with me. 18 Q. Okay. Did she say who -- 19 A. No. 20 Q. -- contacted her? 21 A. She just said, "attorney." 22 Q. Okay. What is your home address, 23 Mr. Barnett? 24 A. [REDACTED] 25 [REDACTED]</p>
<p>1 Q. And how long have you been at that residence? 2 A. Let's see. I moved back home probably 3 2019ish, '18, end of '18, first of '19. 4 Q. Uh-huh. Were you in South Carolina prior to 5 that? 6 A. Correct. 7 Q. Okay. And you've been at this Pinehurst 8 residence the -- the whole time -- 9 A. Pineville. 10 Q. -- you've been in -- I'm sorry, Pineville -- 11 A. Right. 12 Q. -- the whole time you've been in Louisiana? 13 A. Correct. 14 Q. Okay. Are you married? 15 A. No, not any longer. My wife passed away a 16 year and a half ago. 17 Q. I'm sorry about that. 18 A. Thank you. 19 Q. Was your wife [REDACTED]? 20 A. Yes, she was. 21 Q. Okay. Do you have any children? 22 A. Not -- not of my own. I raised two stepsons, 23 but not of my own. 24 Q. Okay. What are your email addresses? 25 A. Swampy79@yahoo.com.</p>	<p>1 Q. Any others? 2 A. I've had others in the past, but I no longer 3 have them. That's the only one I have. 4 Q. Are you on social media? 5 A. I am. 6 Q. And do you have any handles that you use on 7 social media? 8 A. On Facebook, I'm Mitch Barnett. 9 Q. What's your cell phone number? 10 A. [REDACTED] 11 Q. Okay. I'd like to just talk to you briefly 12 about your educational background. Did you attend high 13 school? 14 A. I did. 15 Q. And where was that? 16 A. Alexandria, Louisiana, Bolton High School. 17 Q. Did you graduate? 18 A. I did. 19 Q. Did you attend college? 20 A. I did attend quite a bit of college. I 21 never -- I didn't finish for a degree. But I took 22 hundreds, if not close to a thousand, hours of college 23 classes at night and -- 24 Q. What college -- 25 A. -- you know, night courses --</p>

6 (Pages 18 to 21)



John Barnett - Confidential - 3/7/2024

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<p>1 Q. -- was that? 2 A. -- and that type of thing. It was Seattle 3 University, I believe. It was the -- it was an arm of 4 it. It was actually in Everett, but I think it was 5 under the Seattle University name. 6 Q. Was this in person or online? 7 A. Mostly in person, but there was some online, 8 too. But most of it was classroom. 9 Q. How many year -- years were you enrolled in 10 Seattle University? 11 A. So it was a total of four years. The first 12 three years, I was carrying a GPA of 4.0. And then the 13 fourth year, we went to mandatory 12-hour days, seven 14 days a week. And my grade -- GPA starting slipping, so 15 I dropped out of the classes -- 16 Q. Uh-huh. 17 A. -- so I could work. 18 Q. And what were you studying at Seattle 19 University? 20 A. It's called the APICS, program, A-P-I-C-S. I 21 forget what that acronym stands for. But, basically, 22 in a nutshell, it's inventory management, manage- -- 23 dealing with the supply chain and inventory and -- and 24 working with M-BOMs, which is material -- billing 25 material --</p>	<p>1 Q. Uh-huh. 2 A. -- or listing material, BOM -- billing 3 materials, excuse me. I took some management classes, 4 some off-hour, like, communicating across cultures and, 5 you know, communication classes -- 6 Q. Uh-huh. 7 A. -- and that type of thing. There's a whole 8 list. 9 Q. Okay. 10 A. Those are the main ones right off the top of 11 my head. 12 Q. And apologies if you already said this, but 13 what years were you enrolled? 14 A. Let's see. That'd go back to, I'd say, the 15 early 2000s, like, maybe 2000 to 2004. It might have 16 been, like, '99 to 2004, somewhere around in there. 17 Q. 1999 to 2004, you think? 18 A. Right, yeah, somewhere around there. 19 Q. And what did you say your GPA was when you -- 20 when you left; do you remember? 21 A. It seems like it was a -- like, a 3.75 or 22 somewhere around there. 23 Q. Okay. Have you received any education or 24 vocational training, not education -- strike that. 25 Have you have received any vocational</p>
Page 24	Page 25
<p>1 training, any certificates or training outside of 2 college? 3 A. Yeah. So Boeing has a pretty extensive 4 training program. And they offer -- offer off-hour 5 classes and off-hour training. And I took a lot of 6 advantage of that, again, probably hundreds, if not 7 close to a thousand, hours of off-hour training. And 8 within that training, you either earn qualifications or 9 certifications. 10 Q. Uh-huh. 11 A. I can't remember specific certifications that 12 I've gained, but quite -- quite extensive off-hour 13 training -- 14 Q. And that was all -- 15 A. -- through Boeing. 16 Q. -- through -- through Boeing? 17 A. That's correct. 18 Q. Do you hold any professional licenses or 19 certificates? 20 A. No. 21 Q. Okay. 22 A. No. 23 Q. All right. Let's talk a little bit about 24 your employment history prior to Boeing. Remind me 25 when you started at Boeing.</p>	<p>1 A. So this gets a little confusing. But -- so I 2 spent four years working with Rock- -- or five years -- 3 working with Rockwell International. I worked on the 4 space shuttle program for two and a half years. And I 5 worked on the B1 bomber program for about two and a 6 half years. And then -- and at this time, I was living 7 in Lancaster, California, or Palmdale, California. 8 And Boeing had come down to hire for the B2 9 program, the Stealth. And I had applied and was 10 accepted, was given a job offer on contention that I 11 complete a security clearance. So I went through a 12 security clearance. They did a -- they did a 13 background check and all that. I earned a secret 14 security clearance. But after that clearance came 15 through, I got a phone call saying they had overhired 16 there, but that if I wanted a job in Seattle, 17 Washington, they would transfer me and my family up 18 there. And they had a job for me up there, which I 19 accepted. 20 Q. Okay. And did -- did you have a family at 21 that time that you took with you to Seattle? 22 A. Yes. I was married and had two stepsons. 23 Q. Okay. And that was not [REDACTED] -- 24 A. No. 25 Q. -- though? Okay.</p>



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<p style="text-align: center;">Page 26</p> <p>1 And so you're -- you've been divorced? 2 A. Correct. 3 Q. Okay. Okay. So -- so when did you start at 4 Sea- -- in Seattle? Was that in 2004? 5 A. No. 6 Q. Or -- 7 A. So I was actually in Puget Sound. They 8 relocated me up there in 1988. '88? Yeah, '88. 9 Q. Okay. Well, when you say they relocated you, 10 you -- you mean -- that -- that -- you started at 11 Boeing in 1988? 12 A. Correct. 13 Q. In Puget Sound? 14 A. Correct. And that -- and, kind of, go back 15 to after I started at Boeing in Puget Sound, then 16 Boeing bought out Rockwell. And all of my time served 17 at Rockwell was added to my time at Boeing. 18 Q. Oh, I -- okay. 19 A. Yeah, so... 20 Q. Okay. So you were at Rockwell prior to 21 Boeing? 22 A. Correct. 23 Q. For, I think, you said four or five years? 24 A. Correct. 25 Q. And where were you before that?</p>	<p style="text-align: center;">Page 27</p> <p>1 A. Before Rockwell? 2 Q. Uh-huh. 3 A. So before Rockwell, I was at home in 4 Louisiana. 5 Q. And were you working? 6 A. Yeah, I was driving a cab and... 7 Q. Okay. 8 A. Yeah. Wasn't much job opportunity down 9 there. 10 Q. So you were a cab driver prior to working for 11 Rockwell? 12 A. Correct. 13 Q. And what was your position when you were at 14 Rockwell? 15 A. So I started off as a -- what we called soft 16 tooling. It was a plaster patternmaker on the space 17 shuttle program. 18 Q. Uh-huh. 19 A. And I was responsible for making the patterns 20 for the heat shields that's on the outside of the space 21 shuttle. So my responsibility was to make the patterns 22 for the tiles for the heat shields, so they could be 23 cut out and working within close tolerances to make 24 sure they fit lightly together. 25 Q. Uh-huh. So was it, kind of, like a plaster</p>
<p style="text-align: center;">Page 28</p> <p>1 molding kind of thing? 2 A. Some of that. We used foam. We used layups. 3 We used various different types of things like that. 4 Q. Okay. And did you have that position the 5 whole time you were at Rockwell? 6 A. No. So I did that for two and a half years, 7 roughly. And then the space shuttle program basically 8 closed -- closed down in Palmdale. They moved 9 everything to southern California and down to Florida. 10 And I was laid off. So, at that time is when I applied 11 for the B1 job. And I was hired on under the Air Force 12 to work on the B1 bomber. 13 Q. Uh-huh. 14 A. And I did that for about two and half years. 15 Q. Okay. And what did you do in that 16 position? 17 A. I was an electrician, so I ran wiring, 18 made -- hooked up connectors, ran wire bundles, 19 anything, really, to do with wiring, splices, 20 soldering, all that stuff. 21 Q. Okay. And you held that electrician position 22 the whole time, until the end of your employment at 23 Rockwell? 24 A. That's correct. 25 Q. And then you went to Boeing in 1988?</p>	<p style="text-align: center;">Page 29</p> <p>1 A. That's correct. 2 Q. And what position did you hold when you first 3 got to Boeing? 4 A. Electrician -- 5 Q. Okay. 6 A. -- on the 747 program. 7 Q. You didn't stay in that position, though, 8 obviously, right? 9 A. Right. Yeah. 10 Q. How many -- eventually, you made it to 11 quality multifamily manager, correct? 12 A. Correct. 13 Q. How many positions did you hold between the 14 electrician position that you first had at Boeing to 15 when you got to the quality family manager position? 16 A. So I was an electrician, took some off-hour 17 training and classes to qualify to get into quality. I 18 became a quality inspector on the 78- -- or the 747-400 19 program. I was an inspector on that program probably, 20 I'd say, a year, year and a half. 21 And that's when we had a big, long strike 22 there in Puget Sound. And we were out of work for, 23 like, 69 days. When we came back, they moved me over 24 to receiving inspection as an inspector. So I'd 25 inspect the parts coming in --</p>

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<p>1 Q. Uh-huh. 2 A. -- the products coming in from our suppliers. 3 And I did that for a while. I -- I can't remember 4 exactly how long, probably a year or so. 5 And then I was offered -- offered an 6 opportunity to join the planning group, where quality 7 planning, at that time, was responsible for pooling all 8 their requirements for inspection of product and 9 inspection of things coming through the door. So I -- 10 I created the inspection plans that the create -- that 11 the inspectors were working to. I did that for a 12 while. And then I was offered a position as an 13 auditor. So I -- I was lead auditor for receiving 14 inspection. 15 And -- and during that time, as -- as lead 16 auditor, I developed an 11-course curriculum to train 17 other auditors on how to audit processes and procedures 18 at Boeing. 19 And then -- let's see. After my auditing, I 20 believe that's -- I went from an auditor to -- I was 21 offered a first-line quality manager position on the 22 747, in production and body structures. 23 Q. Uh-huh. 24 A. And I worked that for a while. Then I was 25 transferred back to receiving inspection as a quality</p>	<p>1 manager. So I oversaw various areas within receiving 2 over the next couple of years. 3 Q. You're still talking about your -- when you 4 were at Everett; is that correct? 5 A. That's correct. 6 Q. Yeah. Your work record indicates that you 7 were a quality systems specialist 4, from June 2007 to 8 November 2010. And then you became a quality 9 multifamily manager in 2010; does that sound right? 10 A. Yeah. So the quality -- 11 Q. Okay. 12 A. -- specialist 4 is when I was the auditor -- 13 Q. Okay. 14 A. -- lead auditor, yeah. Yeah. 15 Q. But that's not a manager position? 16 A. That's correct. 17 Q. And you got the manager position in 2010. 18 Was that in connection with your transfer to Boeing 19 South Carolina plant? 20 A. No, that was Everett. 21 Q. Okay. And you mentioned you were -- there 22 had been a strike at Everett. That's a unionized 23 facility? 24 A. That's correct. 25 Q. Were you a member of the union?</p>
<p>Page 32</p> <p>1 A. Prior to that question, yes, I was. 2 Q. Prior to? 3 A. Select -- during the strike -- 4 Q. Uh-huh. 5 A. -- yes, I was -- I was a union member. Once 6 I went into the planning organization, it was no longer 7 a union position. Or it was actually under a different 8 union. 9 Q. Uh-huh. 10 A. It was under SPEEA -- 11 Q. Uh-huh. 12 A. -- whereas the other -- 13 Q. Did you -- 14 A. -- union was IAM. 15 Q. Uh-huh. Did you stay -- did you become a 16 member of the other union? 17 A. I did. 18 Q. Okay. So you were a union member the entire 19 time you were at Everett; is that right? 20 A. No. Because once you get into management -- 21 Q. Right. 22 A. -- you're no longer in the union. 23 Q. Right. 24 A. So... 25 Q. Yeah. Okay. So the quality multifamily</p>	<p>Page 33</p> <p>1 manager role, that's a level K position; is that 2 right? 3 A. Depending on where you're at, it could be a 4 level K or a level J. 5 Q. Uh-huh. 6 A. So if you're over hourly people in -- in 7 Puget Sound language, if you're over hourly union 8 people, it would be a K. And if you're over, like, 9 SPEEA representatives, it would be considered a J. 10 Q. Uh-huh. 11 A. And I might have got those reversed, but it's 12 a J and K -- 13 Q. Okay. 14 A. -- type role. 15 Q. But you were a level K, correct? 16 A. Yes. 17 Q. Okay. 18 A. Correct. 19 Q. And you held that role until the time of your 20 retirement; is that correct? 21 A. From the time I went to 747-400 to this? 22 Q. Well, right. Your work history indicates 23 that, from November 2010 until February 2017, you were 24 a level K quality multifamily manager? 25 A. Correct.</p>



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<p>1 Q. Okay. So your positions didn't change at all 2 in that seven-year time period, correct? I understand 3 you may have been over different -- in different 4 facilities or in different locations. But your title 5 was -- remained the same? 6 A. No. Actually, prior to going to South 7 Carolina, I was a Q- -- quality specialist 3 or 4. I 8 forget which. So I -- I held that position. So I was 9 in management for quite a while. And then I was a 10 quality specialist for a couple of years. And then I 11 was offered a management position, again, in 12 Charleston. And that's when I got back into 13 management. 14 Q. Okay. Well, I -- I think we just confirmed 15 that, from November 2010 until February 2017, at least 16 according to Boeing's records, you were a quality 17 multifamily manager, level K? 18 A. That's correct. 19 Q. And that did not change? 20 A. That's correct. 21 Q. Okay. And do you recall when you came to the 22 Boeing South Carolina plant? 23 A. So I actually relocated to Charleston 24 November 2010. And, at that time, final assembly 25 hadn't been completed, so we were working --</p>	<p>1 Q. Uh-huh. 2 A. -- off-site, but -- 3 Q. Right. 4 A. -- yeah, I was here. 5 Q. Right. So -- so, again, your elevation to 6 the quality multifamily manager level K position was in 7 connection with your transfer to the Boeing South 8 Carolina facility? 9 A. That's correct. That's correct. 10 Q. Okay. 11 A. I'm sorry. 12 Q. And I think you just mentioned this, but the 13 plant was just being built, correct? 14 A. Correct. 15 Q. And what were your duties at the time? 16 A. So -- so when we were off-site, my duties 17 were to develop different training programs, trying to 18 set up the site because it was considered a green site. 19 So it was a brand-new site, brand-new employees. So 20 what I was responsible for at that time was to figure 21 out what type of training we would need to provide our 22 inspectors, help develop that training. I worked with 23 training quite a bit to develop courses and -- and make 24 sure that the people we were bringing in were going to 25 be fully trained to --</p>
<p>1 Q. Uh-huh. 2 A. -- understand Boeing processes and 3 procedures, and work for them. 4 Q. Were you a part of the hiring process? 5 A. I was. 6 Q. And you trained the -- the new employees that 7 were hired? 8 A. So I develop -- I helped -- I worked with 9 training to develop the training courses. Training 10 actually implemented those and trained the employees. 11 Q. Okay. 12 A. Once they were trained and -- and we opened 13 up shop and they were assigned under me, then it was my 14 responsibility to make sure that they had the training 15 they needed and they could perform the functions that 16 were required. 17 Q. Okay. And did you work with [REDACTED] 18 during that time? 19 A. I did. 20 Q. Do you recall what your salary was then? 21 A. I don't. It seems like it was somewhere 22 around -- pushing a hundred thousand a year. I forget 23 the exact number. 24 Q. Your salary at the time of your retirement 25 was \$105,500. Does that sound right?</p>	<p>1 A. I thought it was a little more than that. I 2 remember one year I made 126,000. But... 3 Q. Okay. And what were your job 4 responsibilities as a quality multifamily manager level 5 K? 6 A. In which area? 7 Q. Just in general. Your -- just -- can you 8 give me a general description of the -- the job 9 duties? 10 A. Yeah. So a quality manager has dozens and 11 dozens of responsibilities. And -- and part of it is 12 done with your team, your employment -- your employees, 13 making sure, again, like, they're trained up, they -- 14 they know how to do their job, they're doing it 15 properly, that type of thing. I'm also responsible for 16 developing metrics and measures and data to show that 17 we're meeting compliance and process concerns. I was 18 responsible for addressing any concerns that were 19 brought forward. I was responsible for making sure the 20 quality of the product was -- met -- met Boeing 21 specifications and requirements and FAA requirements. 22 If I had an employee that wasn't performing, it was my 23 responsibility to take appropriate corrective action. 24 So it -- just dozens and dozens of responsibilities in 25 the daily workings of a quality manager.</p>

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<p>1 Q. Uh-huh. 2 A. And it talks about, you know, reviewing data 3 and understanding data, and type of thing, so -- 4 Q. Okay. 5 A. -- just a lot of different -- 6 Q. I'm -- 7 A. -- areas. 8 Q. -- I'm going to show you a copy of what I 9 believe is the multifamily manager level K job 10 description. 11 A. Yes, perfect. 12 (Defendant's Exhibit No. I marked for 13 identification.) 14 [REDACTED]: 15 Q. Does that look familiar to you? 16 A. Initially, yes, absolutely. 17 Q. And that -- 18 A. Yeah, here you go. 19 Q. -- page 2, representative major tasks -- 20 A. Right. 21 Q. -- that looks familiar to you? 22 A. Right. 23 Q. And would you agree that that -- 24 A. Yes. 25 Q. -- matches --</p>	<p>1 A. I'm sorry. 2 Q. -- your -- the -- the job duties that you had 3 when you held that position? 4 A. Correct. 5 Q. Okay. If you go to the third page, the -- it 6 says at the top, Competencies, and then, Competency 7 Type: General. Do you see that? 8 A. Yes. 9 Q. And the first paragraph, the heading is, 10 Adaptability? 11 A. Yes. 12 Q. Do you agree -- and -- and then there are a 13 couple other -- or several other headings. There's 14 Building Positive Relationship; do you see that? 15 A. Yes. 16 Q. Business (Operational) Acumen; do you see 17 that? 18 A. Yes. 19 Q. Communication, Continuous Improvement, and 20 Customer Focus? 21 A. Yes. 22 Q. Do you see that? Decision Making, I think, 23 is the last one on that page there. It goes on and on. 24 But these -- this -- this is describing, 25 essentially, the necessary attributes, what it takes to</p>
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<p>1 be a quality multifamily manager; is -- is that -- does 2 that sound right? 3 A. Well, that's a subset of all of it. But, 4 yes, I'd agree with that. 5 Q. Uh-huh. And if you look at Adapt- -- under 6 Adaptability, it says, Understand changes in own and 7 fellow K-level managers' work and situations; explains 8 the logic or basis for change to employees and/or 9 fellow first-level managers; is seen as an expert 10 first-level management resource on information about 11 changes -- changes affecting own and fellow first-level 12 managers' jobs. Treats changes and new situations as 13 opportunities for learning or growth; focuses on the 14 beneficial aspect of change; speaks positively about 15 the change to fellow first-level managers and external 16 customers. Quickly modifies behavior to deal 17 effectively with changes in the work environment; 18 readily tries new approaches appropriate for new or 19 changed situations; does not persist with ineffective 20 behaviors. 21 Did I read that correctly? 22 A. Yes. 23 Q. And you would agree that that was an 24 important attribute to have as a quality multifamily 25 manager?</p>	<p>1 A. I think, again, it's a subset. And -- and as 2 a quality manager and -- as far as -- if you look at 3 the major tasks, it talks about, Implements policies, 4 procedures, documents to ensure consistent execution of 5 processes within work group in support of Boeing and 6 regulatory requirements. 7 So I would say that this was my main 8 responsibility, this -- the -- the health of the 9 airplane, the product we were building. 10 Q. Uh-huh. 11 A. As a quality manager or anybody in quality, 12 that should be your main focus, is the health of the 13 airplane and the product we're -- 14 Q. Uh-huh. 15 A. -- producing. 16 Q. But this -- 17 A. These -- 18 Q. -- but you would agree that this is an 19 attribute that Boeing thought was important enough to 20 put in the job description, correct? 21 A. Yes. 22 Q. Okay. 23 A. Yes. 24 Q. All right. We can mark that. And I don't 25 think we'll need that anymore.</p>



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<p>1 A. Okay.</p> <p>2 Q. Okay. I just want to talk generally about</p> <p>3 your reporting structure. We don't have to get</p> <p>4 specific yet because I know you had several different</p> <p>5 managers during your tenure. And you had team --</p> <p>6 different team members that reported to you during your</p> <p>7 tenure. But just gen- -- as a general proposition, did</p> <p>8 you manage a team in your role as a quality multifamily</p> <p>9 manager?</p> <p>10 A. I'm sorry; could you ask that --</p> <p>11 Q. Yeah.</p> <p>12 A. Could you repeat that?</p> <p>13 Q. Did -- did you manage employees? Did</p> <p>14 employees report to you --</p> <p>15 A. I did.</p> <p>16 Q. -- when you were a manager?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And did you report to a manager?</p> <p>19 A. Yes.</p> <p>20 Q. What was -- what would have been that</p> <p>21 person's title?</p> <p>22 A. So my boss would have been a senior quality</p> <p>23 manager.</p> <p>24 Q. Okay. And would that be a level L?</p> <p>25 A. L level, correct.</p>	<p>1 Q. And did that senior quality manager report to</p> <p>2 anyone?</p> <p>3 A. Yes.</p> <p>4 Q. And what would their title have been?</p> <p>5 A. So his boss would have been the</p> <p>6 superintendent or level M.</p> <p>7 Q. And did he have a particular title, or she?</p> <p>8 A. Superintendent --</p> <p>9 Q. Superintendent?</p> <p>10 A. -- quality, yeah.</p> <p>11 Q. Sorry. Okay. And we just established that</p> <p>12 you -- you did manage employees as a level K manager.</p> <p>13 Were you responsible for overseeing those employees'</p> <p>14 work?</p> <p>15 A. Yes.</p> <p>16 Q. Did you evaluate their performance?</p> <p>17 A. I did.</p> <p>18 Q. You gave them performance reviews?</p> <p>19 A. That's correct.</p> <p>20 Q. Were you responsible for disciplining them,</p> <p>21 if appropriate?</p> <p>22 A. I was responsible for taking appropriate</p> <p>23 corrective action.</p> <p>24 Q. Uh-huh.</p> <p>25 A. A lot of times, if a situation came up, I</p>
<p>Page 44</p> <p>1 would need to report it to HR so they could actually --</p> <p>2 excuse me -- they could actually determine what level</p> <p>3 of corrective action would be warranted or needed.</p> <p>4 Q. Uh-huh.</p> <p>5 A. And then they would give that to me. And I</p> <p>6 would take that action with the employee.</p> <p>7 Q. So would you work with HR --</p> <p>8 A. Correct.</p> <p>9 Q. -- in -- in providing discipline or</p> <p>10 corrective actions to your employees?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. And was that Boeing's policy, to work</p> <p>13 with HR?</p> <p>14 A. Yeah. Yeah. Pretty much everything --</p> <p>15 any -- any issues that arise, the manager's responsible</p> <p>16 for taking appropriate corrective action, right. So if</p> <p>17 it came to -- when it comes down to disciplinary and</p> <p>18 employees, and that type of thing, you must get HR</p> <p>19 involved --</p> <p>20 Q. Uh-huh.</p> <p>21 A. -- to make sure that you're not stepping out</p> <p>22 the bounds.</p> <p>23 If it came to the product or the airplane,</p> <p>24 then I typically didn't get HR involved because I had</p> <p>25 my own corrective action processes to follow.</p>	<p>Page 45</p> <p>1 Q. Okay. Did you ever terminate anyone?</p> <p>2 A. I did.</p> <p>3 Q. And did you seek HR's guidance in doing that?</p> <p>4 A. Yes, every -- every time, except for once. I</p> <p>5 had a contract employee. And contract employees are</p> <p>6 held to a little different standard. And I had an</p> <p>7 employee I found was falsifying his time. So I --</p> <p>8 right when I found it, I called up security and had him</p> <p>9 escorted out.</p> <p>10 Q. Okay. How many employees did you terminate</p> <p>11 in your time as a K-level manager at Boeing; do you</p> <p>12 recall?</p> <p>13 A. I do not, no.</p> <p>14 Q. More than --</p> <p>15 A. And -- and -- and one reason is because, if I</p> <p>16 went to HR for an employee issue and they dealt it --</p> <p>17 or felt it warranted a deeper investigation, they would</p> <p>18 put the employee out on a leave or suspension or what</p> <p>19 have you.</p> <p>20 Q. Uh-huh.</p> <p>21 A. Suspended without pay pending further</p> <p>22 investigation.</p> <p>23 Q. Uh-huh.</p> <p>24 A. Once it reached that point, I was, kind of,</p> <p>25 out of the loop, and HR took over.</p>



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<p style="text-align: right;">Page 46</p> <p>1 Q. Uh-huh. 2 A. So I -- I really don't know how many they 3 terminated. 4 Q. Uh-huh. 5 A. Because if you get through that process, say, 6 as an employee, and you're put out on time -- time off 7 without pay pending an investigation, once that done 8 [sic], if they determine -- if -- terminate you, then 9 the employee is gone. But if they bring you back, it's 10 very likely they could be put in a different area. 11 They wouldn't be -- be put back -- 12 Q. Okay. 13 A. -- under the same area. 14 Q. Okay. 15 A. So I'm -- I'm really not sure how many 16 actually got terminated. 17 Q. Okay. So -- so Boeing had a process for 18 investigating issues surrounding potential terminations 19 and would do that without the manager's input, it 20 sounds like? 21 A. Well, they'd get our input. But they 22 wouldn't necessarily keep us in the loop on what their 23 final conclusions were. 24 Q. Right. They would complete their own 25 investigation. And it sounds like they would not get</p>	<p style="text-align: right;">Page 47</p> <p>1 your input on that -- their final conclusion? 2 A. Correct. 3 Q. Okay. Okay. Did you work in final assembly 4 when you first came to BSC? 5 A. I did. 6 Q. And was [REDACTED] your first manager in 7 final assembly? 8 A. He was. 9 Q. And then did you report to [REDACTED] for 10 a time? 11 A. Yeah, for, like, three weeks, I think, very 12 short period of time. 13 Q. Uh-huh. And then, after that, it was [REDACTED] 14 [REDACTED]? 15 A. Correct. 16 Q. And that was a longer period of time? 17 A. Right. 18 Q. And then, I believe, in 2013, [REDACTED] 19 became your manager in final assembly; is that right? 20 A. Right. 21 Q. And he remained your manager until you were 22 assigned to the MRSA? 23 A. Correct. 24 Q. And I think you were assigned to the MRSA in 25 March 2015. Does that sound right?</p>
<p style="text-align: right;">Page 48</p> <p>1 A. Sounds about right, yes. 2 Q. And who was your manager when you were 3 assigned to the MRSA? 4 A. [REDACTED] 5 Q. Okay. Did you have any other others? 6 A. Managers -- 7 Q. Uh-huh. 8 A. -- in MRSA? Yeah. So, periodically, 9 [REDACTED] would be taken out on special assignment, 10 so they -- they would have a temporary senior manager 11 sit in. I remember [REDACTED] was one of them. I 12 think [REDACTED] sat in for him a couple of times. 13 So, yeah, I've had -- 14 Q. Uh-huh. 15 A. There was a few mixtures. But it was on a -- 16 Q. Uh-huh. 17 A. -- temporary basis. [REDACTED] was my 18 report-to -- 19 Q. Uh-huh. 20 A. -- manager. 21 Q. Yeah. Your work history indicates that [REDACTED] 22 [REDACTED] was a manager -- 23 A. Right. 24 Q. -- for a time. And [REDACTED] was a 25 manager for a time, short periods of time?</p>	<p style="text-align: right;">Page 49</p> <p>1 A. Right. But they weren't over MRSA. That was 2 when I was on the production floor. 3 Q. Got you. 4 A. Right. 5 Q. Okay. Sounds like people were, kind of, 6 moving, shuffling around during this time. Does that 7 sound right? 8 A. I know, in my case, there was a lot of 9 movement, yes. 10 Q. Uh-huh. 11 A. Yes. 12 Q. Okay. I'd like to talk to you about the 13 issues that you raise in your amended complaint that 14 you filed -- that was filed on your behalf against The 15 Boeing Company. 16 A. Right. 17 Q. Let's see. 18 [REDACTED]: It's Exhibit 3. Get that. 19 MR. TURKEWITZ: What was Exhibit 2? 20 [REDACTED]: I -- we have our own 21 numbering system. Do you want to -- I'll give 22 that to him. And do you want to mark that for her 23 or -- 24 [REDACTED]: Yeah. 25 [REDACTED]: Thank you. So this will be</p>



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<p style="text-align: right;">Page 50</p> <p>1 Exhibit 2. 2 (Defendant's Exhibit No. 2 marked for 3 identification.) 4 [REDACTED]: 5 Q. You're familiar with this complaint, correct? 6 A. I am. 7 Q. It was filed on your behalf on May 4, 2021; 8 is that right? 9 A. I know -- 10 Q. It's at the end. 11 A. -- it was filed on my behalf. But, yeah, I 12 don't -- 13 Q. Did -- 14 A. -- know the date. 15 Q. -- did you review it prior to filing? 16 A. I did. 17 Q. And you made sure that everything was 18 accurate and truthful in it? 19 A. That's correct. 20 Q. And does it contain all of your allegations 21 against The Boeing Company? 22 A. It -- it -- it covers all of the -- so I'd 23 say, yeah, it hits on all the topics. It may not 24 include all of the examples. But -- but, yeah -- or 25 all the objective evidence. But, yeah, it hits on all</p>	<p style="text-align: right;">Page 51</p> <p>1 of them. 2 Q. All of the legal allegations that you're 3 making in this lawsuit are included in that -- 4 A. Correct. 5 Q. -- amended complaint, correct? Okay. 6 Okay. So in that complaint, you identify 7 various complaints -- internal complaints -- that you 8 made to -- at Boeing, and other issues that you allege 9 resulted in some sort of retaliation against you, 10 correct? 11 A. Correct. 12 Q. Okay. All right. So I'd like to talk about 13 those now. 14 A. Okay. 15 Q. Let's talk about the MFP -- MFPP program. 16 Does that stand for multifunction process program? 17 A. Multifunction process performer. 18 Q. Okay. Let's talk just a -- very briefly 19 about what that is. I believe it's a process that 20 Boeing instituted that would allow man- -- the 21 manufacturers to -- or excuse me -- the mechanics or 22 manufacturers? 23 A. Mechanics. 24 Q. -- mechanics to do their own inspection. 25 And, in certain instance -- instances, to inspect their</p>
<p style="text-align: right;">Page 52</p> <p>1 own work, in certain instances; is that right? 2 A. In a nutshell, yes. 3 Q. Okay. 4 A. Yes. 5 Q. And in your complaint, you allege that you 6 had raised complaints regarding the MFPP program; is 7 that correct? 8 A. Yes. 9 Q. And who did you make those complaints to? 10 A. So at that time -- let's see. That was back 11 when -- so [REDACTED] was there. When they first 12 started trying to push MFPP, it was really before the 13 site even opened, the final assembly site even opened. 14 Q. Uh-huh. 15 A. So, at that time, it would have been [REDACTED] 16 [REDACTED] -- 17 Q. Uh-huh. 18 A. -- that -- that group. 19 Q. Uh-huh. You also allege that [REDACTED] 20 complained; is that correct? 21 A. Correct. 22 Q. Okay. You -- so you said you complained to 23 [REDACTED] as well; is that right? 24 A. Correct. 25 Q. Okay. Did you complain to anyone else about</p>	<p style="text-align: right;">Page 53</p> <p>1 it? 2 A. We discussed it with [REDACTED] many times. 3 We also talked to [REDACTED] -- 4 Q. Uh-huh. 5 A. -- quite a bit about it, [REDACTED] 6 [REDACTED] -- 7 Q. Uh-huh. 8 A. -- [REDACTED] 9 Q. It -- it was -- 10 A. And this is over a period of probably two 11 years -- 12 Q. Okay. 13 A. -- that I'm talking these discussions took 14 place. 15 Q. Uh-huh. And is it fair to say that it was -- 16 it was a new program -- 17 A. Oh -- 18 Q. -- correct? 19 A. -- absolutely. Yes. 20 Q. And is it fair to say that several people had 21 questions about how it was going to work? 22 A. I'd say several people were concerned they 23 were trying to push it that early in the program. 24 Q. Uh-huh. 25 A. Yes.</p>

14 (Pages 50 to 53)



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<p>1 Q. Okay. And the -- the motivation behind it 2 was to allow manufacturers, again, to do their own 3 inspections in certain instances, but those -- or 4 strike that -- the mechanics to do their own inspection 5 in certain instances. But those mechanics were to be 6 trained, correct? 7 A. So, no. At the time it was being pitched, 8 like I say, we hadn't even opened the final assembly 9 site. 10 Q. Uh-huh. 11 A. And the -- the way it was explained to us was 12 that they wanted to im- -- implement MFPP to allow the 13 mechanics to buy off their own work so they could do 14 away with quality in that area. 15 Q. Uh-huh. 16 A. And the main reason we pushed back is 17 because, like I said earlier, this was a green site, 18 brand-new employees that never built an airplane in the 19 commercial airplane division at Boeing. 20 Q. Uh-huh. 21 A. And our concern was, they need the experience 22 and the training. 23 Q. Okay. 24 A. And -- and our main pushback was, it was way 25 too early to let a mechanic buy off their own work when</p>	<p>1 you're building airplanes. 2 Q. Uh-huh. 3 A. They didn't have the experience, the 4 knowledge, the training to do it. And we felt that 5 they needed oversight, at least in the initial 6 beginning, to make sure they were doing it right, 7 before we just turned over the reins to them. 8 Q. Uh-huh. And quality inspectors remained at 9 BSC and continued to inspect the -- the work of the 10 mechanics, correct? 11 A. So, yeah, quality inspectors remained. But 12 the number of quality inspectors was reduced quite a 13 bit. 14 Q. Okay. 15 A. So, yeah. 16 Q. But, again, those mechanics went through a 17 training program in order to inspect their work, 18 correct? 19 A. So now you're talking about after it was 20 implemented. And -- and I really wasn't part of that. 21 I was really part of getting it set up. And they were 22 telling us that we had to do this and -- even though we 23 disagreed, and the fact that we felt very strongly it 24 would put the airplane and the flying public at risk. 25 So our focus, again, was on the airplane and the</p>
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<p>1 product we were producing -- 2 Q. Uh-huh. 3 A. -- in which -- doing everything we can to 4 make sure that we built and delivered safe and 5 airworthy aircraft. 6 Q. Sure. 7 A. So... 8 Q. Sure. So are you saying that you're not 9 aware that the mechanics were trained, eventually, on 10 how to inspect their own work? 11 A. So I'm not aware what training they went 12 through, yes. 13 Q. But you were aware that they went through 14 training? 15 A. I was told they were. 16 Q. Okay. 17 A. But, yeah. Yeah. 18 Q. And these inspections that the mechanics 19 would do on their own work, it wasn't for all the work 20 that they were performing on the airplane, correct? 21 A. So that -- that, kind of, evolved over time. 22 Initially, they wanted to, kind of, do a wholesale, 23 This is what we're going to do. And then, over time, 24 it got scaled back and scaled back and scaled back, 25 so...</p>	<p>1 Q. Right. 2 A. Yeah. 3 Q. So -- 4 A. It changed over time. 5 Q. Right. But so, eventually, at -- it's my 6 understanding that the mechanics were not -- or -- 7 strike that. 8 It's my understanding that quality inspectors 9 were inspecting all work that impacted the safety of 10 the airplane. Is that your understanding -- 11 understanding, as well? 12 A. Well, so, I would say that's an assumption. 13 Because one of the things that we really pushed back on 14 was removing inspection requirements for, like, torque 15 verifications of fasteners. And when I saw the 37 door 16 plug blow out, and that the fasteners weren't 17 installed, it's like, That's exactly what we were 18 talking about. 19 Q. Uh-huh. 20 A. By removing those inspection steps and 21 leaving it up to the mechanic to buy off their work, 22 that's the kind of thing this is -- 23 Q. Uh-huh. 24 A. -- that you're going to see. 25 Q. So when you say -- or when you disagreed with</p>



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<p>1 that a little bit, you're disagreeing on whether work 2 may constitute a safety issue or not. But you're not 3 disagreeing with the -- the basic premise that the MFPP 4 program did build in for quality inspectors to sign off 5 on work that affected the safety of the airplane? You 6 may disagree with whether or not -- 7 A. I'm sorry. 8 Q. -- that work affected the safety of the 9 airplane. But there were -- yeah -- 10 MR. KNOWLES: Object to the form. 11 [REDACTED]: Yeah. 12 BY [REDACTED]: 13 A. I'm sorry. 14 [REDACTED]: Concur. 15 BY [REDACTED]: 16 Q. It's my understanding that, while mechanics 17 were allowed to inspect some of their own work, there 18 were exceptions to that. And those exceptions related 19 to work that was safety-critical; would you agree with 20 that? 21 A. Well, again, I don't know if I'd agree with 22 that. Because, again, back to the door plug blowout, 23 right, it had -- one of the main issues that I was 24 bringing up and -- and there's documentation in 2012 25 where one of the first things they started doing was</p>	<p>1 removing inspection verifications for torque -- 2 verification -- 3 Q. Right. 4 A. -- of torquing of fasteners. 5 Q. Right. 6 A. And -- and that was my exact concern, was 7 you're going to have airplanes out there with loose 8 fasteners, not installed fasteners, because they 9 weren't verified. And now we're seeing that it exactly 10 happens, so... 11 Q. Right. So -- okay, and not to belabor this. 12 But -- so you -- you're disagreeing with me because you 13 believe that the installation of torque fasteners could 14 potentially be a safety issue? 15 A. Correct. 16 Q. Is that where the disagreement lies? 17 A. That's one example. 18 Q. Okay. 19 A. Yes, one of many. But -- 20 Q. But, again -- 21 A. -- yes. 22 Q. -- you're not disagreeing on the basic 23 premise that quality inspectors were supposed to be 24 inspecting and did, in fact, inspect work that Boeing 25 believed to be critical to the safety of the airplane,</p>
<p>1 correct? 2 A. Okay, I'll -- yes. 3 Q. Okay. 4 A. Boeing believed, yes. 5 Q. Okay. You never filed any complaints with 6 ethics related to the MFPP program, correct? 7 A. That's correct. 8 Q. Do you know if [REDACTED] filed any 9 complaints with ethics related to the MFPP program? 10 A. Not that I am aware of. 11 Q. Okay. But you allege in your complaint that 12 he was a vocal opponent of that program? 13 A. Opposed to. 14 Q. Yeah. 15 A. Yeah. 16 Q. Opponent, yeah. 17 A. Okay. Sorry. 18 Q. And [REDACTED] wasn't terminated for raising 19 that issue, correct? 20 A. I -- I don't think he was terminated, so... 21 Q. Well, didn't he, in fact, transfer to -- back 22 to the Everett facility? 23 A. Yes, he did. 24 Q. Uh-huh. 25 A. He was placed on a PIP -- performance</p>	<p>1 improvement plan -- that was very loose and -- and 2 really focused on personality issues rather than 3 processes and procedure issues. And I know we, as a 4 quality team -- his -- his quality management team -- 5 and that was myself, [REDACTED] [REDACTED] 6 and [REDACTED], we all worked hours and hours a 7 day supporting him to address the PIP. Because none of 8 us agreed with the PIP and what it -- how it was 9 written. 10 Q. Uh-huh. 11 A. We felt it was a violation of policy. But, 12 from my understanding, he was able to get out from 13 under the PIP without being terminated. And he took a 14 downgrade back to Washington to get out of Charleston, 15 yes. 16 Q. Uh-huh. How do you know what was in his 17 PIP? 18 A. We read it, yeah. 19 Q. He shared it with you? 20 A. Yeah. He shared it with his whole management 21 team. 22 Q. Uh-huh. And when you say "he took a 23 downgrade," what do you mean? 24 A. So in Charleston, he was a senior quality 25 manager.</p>

16 (Pages 58 to 61)



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<p>1 Q. Uh-huh. 2 A. And when he went back to Puget Sound or 3 Washington state, he was a -- he went back to a K 4 level. 5 Q. Okay. And, again, you never made any 6 internal complaints -- formal internal complaints -- 7 about the MFPP program, correct? 8 A. Well, that's correct. Because, at the time, 9 it was just about discussion. Nothing had actually 10 been implemented. 11 Q. Uh-huh. 12 A. So there really wasn't anything to go to 13 ethics about, because it was just communicating and 14 talking amongst the leadership team. 15 Q. Okay. I'm going to need just a quick break, 16 Five minutes. 17 A. Sure. 18 Q. Is that okay? 19 [REDACTED]: Go off the record for a 20 minute. 21 [REDACTED]: Off the record, 11 o'clock a.m. 22 (A brief recess was taken.) 23 [REDACTED]: Back on the record, 11:09. 24 BY [REDACTED]: 25 Q. Mr. Barnett, we were just discussing the MFPP</p>	<p>1 program. Do you recall that? 2 A. Yes. 3 Q. And I believe you said that you and several 4 others had raised concerns with that program when they 5 initially brought up the idea of rolling that out? 6 A. Right, when they initially explained it to 7 us -- 8 Q. Uh-huh. 9 A. -- that -- what it was going to involve, we 10 disagreed. 11 Q. Uh-huh. 12 A. Yeah. 13 Q. And -- and I think we established, in your 14 earlier testimony, that that program did evolve and 15 they made changes to it, correct? 16 A. Right. Right. 17 Q. And so they took your input on that 18 program? 19 A. That would be an assumption on my part. I 20 don't know. 21 Q. Well, it started -- they presented it as one 22 thing. And it changed, correct? 23 A. Right. But I don't know if it was because of 24 our input or because of discussions they had with the 25 FAA that wouldn't allow it. I'm -- I'm just not sure</p>
Page 64	Page 65
<p>1 how all that worked out. 2 Q. Okay. So you -- you and others raised an 3 issue -- and maybe in conjunction with the FAA, maybe 4 not -- but Boeing adapted that program, correct? 5 MR. KNOWLES: Object to the form. 6 BY [REDACTED]: 7 Q. You can answer. 8 A. Yeah. 9 Q. Yeah, okay. 10 A. Yeah. 11 Q. All right. So let's talk about some of the 12 internal complaints that you mentioned in your amended 13 complaint in this -- this lawsuit. 14 A. Okay. 15 Q. The first one I'd like to discuss is a 16 complaint that you allege you filed with Boeing 17 regarding [REDACTED] in June of 2014. Do you recall 18 that? 19 A. Yes. 20 Q. And you complained that [REDACTED] failed to 21 follow proper process when he instructed employees to 22 transfer parts from one line to another without the 23 required documentation; is that right? 24 A. So that was a small part of it. 25 Q. Uh-huh.</p>	<p>1 A. My actual complaint in -- the investigator 2 was [REDACTED] I forget her last name. 3 Q. [REDACTED] 4 A. [REDACTED] yes, thank you. I actually talked to 5 her on the phone for over an hour. And I listed not 6 only that but, you know, [REDACTED] telling me that I needed 7 to work in the gray area of the -- of the procedures -- 8 Q. Uh-huh. 9 A. -- you know, which is way out of bounds. 10 Q. And I'll get to that part of the complaint. 11 A. Okay. 12 Q. But -- but -- 13 A. But there was a bunch of different things. 14 Q. Uh-huh. 15 A. So that -- my -- I guess my point is, that 16 wasn't the only thing. 17 Q. Sure. 18 A. I noticed that's the only thing they focused 19 on. 20 Q. Uh-huh. 21 A. But there was a lot more to my complaint. 22 Q. Sure. And -- and we'll get to that. I just 23 wanted to focus on that first part. 24 A. Okay. 25 Q. So -- and -- and I'm paraphrasing. But I</p>

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<p>1 think your complaint was that he failed to follow 2 proper process when he instructed employees to transfer 3 parts from one line to another without the required 4 documentation. And I'm just wondering if you could 5 explain what that means. 6 A. Right. So -- so within Boeing, right -- so 7 Boeing works under Production Certificate 700. And -- 8 and -- and the way it flows down is, you have FAA 9 requirements, we call FARs, federal aviation 10 requirements. And then of those FARs -- and it's 11 Titled 14, Subpart 21. But if you look at those PAR -- 12 FARs, it explains everything that needs to be done to 13 obtain and maintain a production certificate, which 14 Boeing is working under. And those flow down to -- and 15 one of the requirements in there is, you have to have a 16 QMS, quality management system. And Boeing uses AS9100 17 as their certified quality management system. AS9100 18 flows down requirements that Boeing must implement in 19 order to meet those requirements. And that's where it 20 comes into the BPIs, processes, procedures, PROs, that 21 type of thing. So as you feed down, there's -- there's 22 requirements that are made. And there's -- it's very 23 specific on how you handle things. 24 So as an example in this case, it's -- it's 25 what you call a reallocation of a part. So if you have</p>	<p>1 an airplane that you damaged a part on, and you want to 2 go -- and it's actually limited to upstream airplanes, 3 and what that means is, earlier in the production 4 process. So say I'm in position 3. Upstream would be 5 positions 0, 1 and 2. Downstream would be positions 4, 6 5 and 6, right? Does that make sense so far? 7 Q. Uh-huh. 8 A. So in order to reallocate a part, first it 9 has to be from an upstream airplane. And also it -- it 10 requires a nonconformance record to drive that 11 reallocation. And [REDACTED] was telling us to use pickups 12 and ERs, which was a direct violation of the BPIs, to 13 allow those reallocations. 14 Q. Uh-huh. 15 A. And, you know, I think it's important to 16 point out that, if you violate a Boeing process 17 inspection, they're so intermingled, the chances are 18 you're violating five or six of those. And by 19 violating those, you're violating AS9100. And you're 20 also violating the FAA requirements, which is very 21 critical in -- in making sure that the requirements are 22 met. 23 Q. Uh-huh. 24 A. So what he was instructing people to do was 25 violate these rules and regulations that they could be</p>
<p>1 actually held liable -- 2 Q. Uh-huh. 3 A. -- criminally charged for. 4 Q. Okay. So let's unpack that. That was -- 5 that was -- 6 A. Sorry. 7 Q. -- a lot. 8 A. That's 30 years of experience coming out. 9 Q. So I -- I -- I think what I heard you say is, 10 the -- the specific action that he took, that you were 11 raising an issue with, was that he was asking people to 12 use pickups and ERs instead of writing a 13 nonconformance; is that correct? 14 A. Correct. 15 Q. Okay. Are you aware that that was 16 investigated? 17 A. Yes. 18 Q. And that was substantiated? 19 A. I saw that with Boeing's documents, yes. 20 Q. Uh-huh. Are you aware that that was -- that 21 that was appealed and later reversed? 22 A. I was not aware of that. I know that the -- 23 the -- the information Boeing has sent us in this -- I 24 was reading through that case. And -- and it -- so 25 they said it was substantiated. But then there was a</p>	<p>1 paragraph in there where the CAI -- corrective action 2 investigation group that actually investigated it -- 3 Q. Uh-huh. 4 A. -- said that, yes, he had violated 5 procedures, and it was unsubstantiated. But then, HR 6 came back and said, CAI didn't do enough investigating 7 and they didn't read the procedures. So they 8 disagreed. And that's, kind of, where it was dropped, 9 according to the objective evidence Boeing sent us, is, 10 it was just dropped. 11 Q. You're basing that on the documents that 12 Boeing produced in this case? 13 A. That's correct. 14 Q. Okay. 15 A. That's -- yeah. 16 Q. Okay. And -- and you -- since you've 17 reviewed those, you saw the investigative report that 18 ethics did on this issue, correct? 19 A. I believe so, yes. 20 Q. Yeah. And you saw that multiple people were 21 interviewed? 22 A. Correct. 23 Q. It was a pretty exhaustive investigation; 24 would you agree? 25 A. It -- yeah, it was an investigation.</p>



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<p>1 Q. Okay.</p> <p>2 A. Yes.</p> <p>3 Q. And were you interviewed as part of that</p> <p>4 investigation?</p> <p>5 A. I believe I was, but I'm not positive.</p> <p>6 Q. You saw that several --</p> <p>7 A. I'd have to think back.</p> <p>8 Q. -- people were interviewed --</p> <p>9 A. Yes.</p> <p>10 Q. -- were interviewed?</p> <p>11 A. Yes.</p> <p>12 Q. Okay.</p> <p>13 A. I'm sorry.</p> <p>14 Q. Okay. Let's talk about the -- the second</p> <p>15 part of your complaint, where you were alleging that</p> <p>16 [REDACTED] lowered your performance review score and</p> <p>17 gave you a corrective action memo for raising process</p> <p>18 violations; is that right?</p> <p>19 A. Correct.</p> <p>20 Q. Okay. I -- I accurately --</p> <p>21 A. That's one of them. Yeah, that's --</p> <p>22 Q. Okay.</p> <p>23 A. -- that's one of many more, but, yes.</p> <p>24 Q. Okay. Well, that was, kind of, the bulk</p> <p>25 of -- of that part of your complaint, correct?</p>	<p>1 A. It was part of it, yes. I -- I don't know if</p> <p>2 it was the bulk. But, yeah, it was definitely a big</p> <p>3 part of it, yes.</p> <p>4 Q. Well, you raised a concern that [REDACTED]</p> <p>5 asked you to work in the gray areas --</p> <p>6 A. Right.</p> <p>7 Q. -- correct? And that was part of the</p> <p>8 performance review that [REDACTED] gave you --</p> <p>9 A. Right.</p> <p>10 Q. -- right? Okay.</p> <p>11 So I -- I just want to make sure. Because,</p> <p>12 you know, we only have a limited time to take the</p> <p>13 deposition.</p> <p>14 A. Right.</p> <p>15 Q. But I want to make sure we address what that</p> <p>16 complaint was. So would you agree that that was the --</p> <p>17 the -- the bulk of your complaint related to</p> <p>18 [REDACTED] downgrading your performance review,</p> <p>19 putting you in a corrective -- corrective action memo,</p> <p>20 and the underlying reasons you believed he did that?</p> <p>21 Can we agree on that?</p> <p>22 A. No, I would have to disagree, again, because</p> <p>23 you're using the word "bulk of it." Also, a big part</p> <p>24 of it was, in the same PM review, he stated I was</p> <p>25 knowledgeable almost to a fault and -- let's see --</p>
<p>1 that I needed to stop putting quality concerns,</p> <p>2 including defects, in writing. You know, so -- so he</p> <p>3 was holding me accountable for the exact job that I was</p> <p>4 there to do --</p> <p>5 Q. Uh-huh.</p> <p>6 A. -- to perform.</p> <p>7 Q. Okay. So, again, that was all in your</p> <p>8 performance review --</p> <p>9 A. Correct.</p> <p>10 Q. -- right? So if we go over that, we will</p> <p>11 have covered the bulk of your complaint, correct?</p> <p>12 MR. TURKEWITZ: Objection.</p> <p>13 BY [REDACTED]:</p> <p>14 Q. You can answer.</p> <p>15 A. So, again, you keep using "bulk." I mean,</p> <p>16 it's just -- there's so many issues; I don't know</p> <p>17 that -- I mean, that was a big part of it.</p> <p>18 Q. Okay.</p> <p>19 A. But it was -- a big part of it was, you know,</p> <p>20 how the airplane was being built and the results of his</p> <p>21 decisions and how it's going to affect the airplane,</p> <p>22 yes.</p> <p>23 Q. Okay. Let's look at -- okay.</p> <p>24 [REDACTED]: Do you mind taking those</p> <p>25 out?</p>	<p>1 BY [REDACTED]:</p> <p>2 Q. This is 4. You mentioned earlier that you</p> <p>3 were working with [REDACTED] in HR on this -- or</p> <p>4 in ethics -- on this complaint?</p> <p>5 A. Right. [REDACTED] was out of corporate ethics.</p> <p>6 And I think she was in Chicago or somewhere, yeah.</p> <p>7 Q. Okay. And you sent her multiple emails in</p> <p>8 support of that complaint, correct?</p> <p>9 A. Multiple emails and multiple phone</p> <p>10 conversations.</p> <p>11 Q. Okay.</p> <p>12 A. Yes.</p> <p>13 [REDACTED]: So I'd just like to --</p> <p>14 we'll do them all except for the -- yeah, except</p> <p>15 for the -- yeah, uh-huh, except for the letter.</p> <p>16 Not that. And that's the letter, right?</p> <p>17 [REDACTED]: Yeah.</p> <p>18 [REDACTED]: These are more.</p> <p>19 BY [REDACTED]:</p> <p>20 Q. You sent a lot of emails.</p> <p>21 A. Well, it's over six years, so, yeah.</p> <p>22 [REDACTED]: Okay. Should be these,</p> <p>23 right? Or is there more?</p> <p>24 [REDACTED]: There's this one, but I think</p> <p>25 that's it.</p>

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<p style="text-align: right;">Page 74</p> <p>1 [REDACTED] I think so, too. Yeah, 2 okay. Okay. Do you want to mark that? 3 [REDACTED]: Yeah. 4 (Defendant's Exhibit No. 3 marked for 5 identification.) 6 [REDACTED] And then we have a copy for 7 them. 8 [REDACTED]: I think so. The copies -- 9 [REDACTED] Oh, that's the issue. 10 [REDACTED] Yeah. 11 [REDACTED] Okay. 12 [REDACTED] This is all three of those 13 together. 14 [REDACTED] So it should be -- yeah, 15 perfect. Yeah, perfect. Yeah. These are just 16 binded together, for some reason. Okay. Here we 17 go. All right. So that will be Exhibit 3. 18 BY [REDACTED]: 19 Q. So I actually am going to ask you about 20 individual emails in there, potentially, as we go on. 21 But if you want to just take a quick look and just 22 confirm that the -- there is a cover email from you to 23 [REDACTED] attaching other emails. And you can 24 just take a quick look at those and just confirm that 25 those are, in fact, are the emails that you sent to</p>	<p style="text-align: right;">Page 75</p> <p>1 [REDACTED] in support of your complaint. 2 A. Well, like I say, I sent her countless 3 emails, so I can verify that these are ones I sent. 4 But I -- 5 Q. Okay. 6 A. -- I'm not -- I wouldn't be able to verify 7 that it's all of them. 8 Q. Okay. 9 [REDACTED] These are just more emails 10 he sent to her? 11 [REDACTED]: Okay. 12 [REDACTED] Is that right? 13 [REDACTED] Yeah. 14 [REDACTED]: We'll just -- 15 [REDACTED] Okay. 16 [REDACTED] -- if we need to add it to 17 that exhibit, we can. But -- 18 [REDACTED] Okay. 19 [REDACTED] Okay. And that's going to 20 be marked as Exhibit 3, I think. 21 [REDACTED]: Yeah. 22 [REDACTED]: And then the letter. 23 [REDACTED]: Separate exhibit? 24 [REDACTED] Yeah, separate exhibit, 25 uh-huh.</p>
<p style="text-align: right;">Page 76</p> <p>1 (Defendant's Exhibit No. 4 marked for 2 identification.) 3 BY [REDACTED]: 4 Q. And then I'm going to show you another email 5 that you sent to [REDACTED]. This one is dated July 6 25, 2014. It says, Here is a letter I was preparing 7 and asked [REDACTED] another Boeing employee and my BFF, to 8 help me prepare. I never sent it, but I think it has a 9 little more detail than I've supplied so far. 10 A. Yep. 11 Q. Do you recall sending that? 12 MR. KNOWLES: Do you have that for us? 13 [REDACTED]: Oh, yeah. He's got it. 14 [REDACTED]: Maybe you guys need to -- 15 [REDACTED]: Oh, switch. 16 [REDACTED]: -- switch. 17 THE WITNESS: Switch. 18 MR. KNOWLES: Oh. 19 THE WITNESS: Get my paper back. 20 BY [REDACTED]: 21 Q. Okay. Do you recall sending this to 22 [REDACTED] 23 A. Yes, I do. 24 Q. Okay. So if you look down, the forwarded 25 message is from [REDACTED] to</p>	<p style="text-align: right;">Page 77</p> <p>1 Swampy79@earthlink.net. That's your email address, 2 correct? 3 A. It was, back then. But I no longer -- I 4 haven't had that in several years. 5 Q. Okay. And [REDACTED] this is -- she 6 later became your wife; is that correct? 7 A. That's correct. 8 Q. Okay. And this was November 14, 2013, so 9 several months before you sent this email to 10 [REDACTED] correct? 11 A. Yes. 12 Q. And so the -- the email from [REDACTED] -- 13 I'm just going to read some of it. You check me, make 14 sure I'm reading it correctly. It says, I ended up -- 15 ended up copying your note into Word so that I could 16 make suggestions and comments. And it will be easier 17 for you to accept or reject them one by one. I really 18 changed a lot and suggested a number of revisions. 19 Just remember, these are only suggestions. In looking 20 at the emails, it sounds like he is less than tactful 21 and not overly friendly. But it doesn't paint a 22 picture of harassment. 23 Did I read that correctly? 24 A. So far, yes. 25 Q. So did you -- did -- and then, if you turn</p>

20 (Pages 74 to 77)



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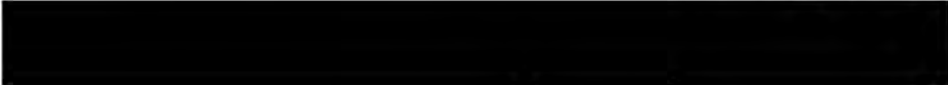
<p style="text-align: right;">Page 78</p> <p>1 the page, this is -- the letter that [REDACTED] is 2 referring to is a letter to [REDACTED] correct? 3 A. Yes. Yes. 4 Q. And so you had drafted a letter to [REDACTED] 5 [REDACTED] And then you sent that to [REDACTED] for her 6 to make edits; is that correct? 7 A. So I was working on this email to send. And, 8 yeah, I -- I sent it to her. Because, at the time, she 9 was an FAA liaison. 10 Q. Uh-huh. 11 A. So she was working with the FAA. And I -- I 12 knew she was very knowledgeable on the subject. And I 13 sent it to her to wordsmith it and help me out. 14 Q. Uh-huh. 15 A. Yeah. 16 Q. And she says, It doesn't paint a picture of 17 harassment. 18 Had you told her that you felt like you were 19 being harassed? 20 A. Absolutely. 21 Q. And she's saying it doesn't sound that way to 22 her -- 23 A. Well -- 24 Q. -- correct? 25 A. -- based on what I had typed up here and the</p>	<p style="text-align: right;">Page 79</p> <p>1 way I -- the way I write it, it didn't sound like it. 2 Q. Uh-huh. 3 A. But she didn't say that it wasn't, so, yeah. 4 Q. Uh-huh. She says, It's weird that you can't 5 ask for assistance on a big prod- -- project. But if 6 questioned, he could say that he trusts your abilities 7 and felt like you do a good job on your own, correct? 8 A. Correct. 9 Q. Okay. And then she says, On the one-on-one 10 conversations with employees, again, to me, it sounds 11 like he's irritated but not overly so, correct? 12 A. Yes. 13 Q. She then goes on and says, I think he's 14 being -- you can read that for yourself -- but am 15 trying to look at it from an ethics point of view. I 16 really think you need to include more hard facts. Try 17 to leave feelings out of it. Stick to the retaliation 18 part of things. He won't let you come to first shift, 19 moved you to a different position after [REDACTED] 20 incident, doesn't provide support on critical quality 21 issues, tells you to work in the gray areas, quote, 22 unquote. 23 Did I read that correctly? 24 A. Yes, you did. 25 Q. And she says, Earlier, I really changed a lot</p>
<p style="text-align: right;">Page 80</p> <p>1 and suggested a number of revisions -- 2 A. Right. 3 Q. -- right? So the letter that we're looking 4 at here, that you sent to [REDACTED] was changed by 5 [REDACTED] correct? 6 A. No. Actually, this was my original. And she 7 had sent it to me. And -- and if you see in there, she 8 says something about select the tabs and all that. I 9 kind of got confused on that, so I just, kind of, set 10 it aside. And then, after I contacted [REDACTED] about 11 the other issues, like I say, I just included this to 12 help provide her with more information. 13 Q. So you're saying this email that's attached 14 to the email from [REDACTED] where she says, I've 15 really changed a lot and suggested a number of 16 revisions, is not the email that she changed? 17 A. This isn't. This is originally the one I 18 wrote. 19 Q. How do you know that? 20 A. Well -- well, because it says, Select review 21 tab at the top of the page, then, Deselect tracking 22 changes, and all that. And I didn't -- I didn't do 23 all -- I wasn't sure how to do all that, so I just kept 24 it original with her notes. 25 Q. Okay. Why did you -- it -- why did you</p>	<p style="text-align: right;">Page 81</p> <p>1 forward to [REDACTED] an email from [REDACTED] 2 attaching a letter that she made changes to if you just 3 used the original letter? 4 A. Well, because, again, she was my friend. I 5 trusted her. And I wanted her to help me out with 6 wording this. Because, as you can see, mine is quite 7 lengthy. And, like she pointed out, I had a lot of 8 emotion in there. 9 Q. Uh-huh. 10 A. And I wasn't really -- I'd, kind of, get off 11 track. And -- and I guess I'm emotional. But I, kind 12 of, get off track with the emotion, if -- and -- and 13 steer away from the whole cart [sic], you know -- 14 Q. Uh-huh. 15 A. -- cold, hard facts. 16 Q. Uh-huh. 17 A. And that's what she was saying, was -- I 18 needed to include more facts and less feelings, if you 19 will. 20 Q. Uh-huh. Okay. So, again, what she's saying 21 in this email is that she made a lot of revisions. 22 She's explaining for -- to you that she did it in track 23 changes, and how you can accept or reject changes -- 24 A. Right. 25 Q. -- correct? So is your testimony that you</p>



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<p>1 rejected all of her changes? 2 A. No. It's -- my testimony is that I didn't 3 use those. This is the original. Because, like I say, 4 when she sent it to me, I, kind of, set it aside. And 5 I was just -- I wasn't even going to follow up. 6 Q. But, again, this email that you forwarded to 7 [REDACTED] is -- the attachment to the underlying email 8 was the one that [REDACTED] had made changes to? 9 A. Actually, it was -- this is the same email 10 I'd sent her. The attachment was separate. 11 Q. Okay. 12 A. Right. So... 13 Q. And -- and how can you be so certain of that, 14 just without even reading that -- that letter? 15 A. Well, because I know what I wrote, you know. 16 Q. Well -- okay. 17 A. And if you want, we can, kind of, compare 18 what she's saying on the big projects. 19 Q. Yeah. Well, I mean, again, I -- I think, 20 without comparing those two, I think it would be 21 virtually impossible to say whether or not -- or to say 22 with certainty that this is the one that you did and 23 it's not the one that she made revisions to -- 24 MR. TURKEWITZ: Objection. 25 BY [REDACTED]:</p>	<p>1 Q. -- with -- without going through and doing a 2 line-by-line comparison. I -- I certainly don't know 3 how you do that with just looking at the document. 4 A. Well, because, I -- like I say, I know -- I 5 know what I was writing. And I know that my email was 6 quite lengthy. 7 Q. Uh-huh. 8 A. And it included a lot of emotion, so... 9 Q. Uh-huh. 10 A. Yeah. 11 Q. And -- and you're saying she significantly 12 shortened the email? 13 A. Well, I'm not sure because I don't have a 14 copy of what she -- 15 Q. Exactly. 16 A. -- did, yes. So... 17 Q. So you're not sure whether or not this is the 18 one she revised or not? 19 A. No, I am sure of that. 20 Q. And how can -- 21 A. I'm just -- 22 Q. -- you be sure of that? 23 A. Because I wrote it. 24 Q. Have you read it? You haven't read it during 25 this deposition. And I'm not going to ask you to.</p>
<p>1 But, again, I don't think you can look at an email -- 2 I'm not sure how you can look at an email, just look at 3 it without reading the words on the page, and say for 4 certain whether it was your original version or a 5 version that was amended or revised by [REDACTED] 6 A. Okay. 7 Q. Right? It just seems like a physical 8 impossibility to me. Would you agree with that? 9 A. I don't. 10 MR. KNOWLES: Object to the form. 11 THE WITNESS: I'm sorry. 12 BY [REDACTED]: 13 Q. You can answer. 14 A. No. 15 Q. No? 16 A. I wouldn't agree. 17 Q. Okay. 18 A. Yeah. 19 Q. All right. And -- and just one more time. 20 You are basing that just on glancing at page 1 and page 21 2, and that -- that's -- 22 A. Right. 23 Q. -- the only basis for -- for that 24 conclusion -- 25 A. Well --</p>	<p>1 Q. -- correct? 2 A. -- I -- I disagrees because I -- I know how I 3 write. And she's a lot more technical and she's a 4 lot -- has the ability to do that a lot better. 5 Q. Okay. 6 A. So, yeah. 7 Q. Okay. That is -- that's been marked as 8 Exhibit 3, yes, or 4? 9 A. Four. 10 Q. Okay. Okay. All right. 11 A. Are we done with this one? 12 Q. Yes, for -- for now. 13 A. For now, okay. 14 [REDACTED]: All right. So it will be 15 5. We'll do the performance review. 16 [REDACTED]: Okay. 17 (Defendant's Exhibit No. 5 marked for 18 identification.) 19 BY [REDACTED]: 20 Q. Okay. Just handed you a copy of the 21 performance review dated July 15, 2014. Author is 22 [REDACTED] Do you recognize this? 23 A. So far, yes. 24 Q. Okay. If you flip to page 4 of this review, 25 I think you'll see the rating, Leader- -- under</p>

22 (Pages 82 to 85)



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<p style="text-align: right;">Page 86</p> <p>1 Leadership Attribute Summary, the rating is 15. Do you 2 see that? 3 A. Yes. 4 Q. And this was the performance review that you 5 were complaining about to [REDACTED] correct? 6 A. Yes. 7 Q. So this was -- formed the other part of your 8 complaint against [REDACTED] that we just -- that -- 9 that we're talking about, yes? 10 A. This was another component, yeah -- 11 Q. Uh-huh, okay. 12 A. -- not just the other part, yeah. 13 Q. Okay. All right. Let's talk about some of 14 the areas that you have raised as -- as concerns that 15 you had and, again, that you included as part of your 16 complaint against [REDACTED] I'm just trying to find 17 them. Okay. So, yeah, let's start on page 3. 18 A. Okay. 19 Q. So under Sets High Expectations, [REDACTED] 20 says, John was doing well all year until he did not 21 complete the interim PMs -- is that performance 22 management? 23 A. Yes. 24 Q. -- for his assigned QTs -- quality 25 inspectors?</p>	<p style="text-align: right;">Page 87</p> <p>1 A. Quality technicians. 2 Q. Quality technicians. -- by the due date -- 3 A. Right. 4 Q. -- 6/30/2014. Needs to stay focused on 5 future due dates and continue to chart the course 6 throughout the remaining months of the year. 7 He gave you a 2 on that, correct? 8 A. Right. 9 Q. Okay. And that wasn't part of your 10 complaint, was it? 11 A. Yes, it was. 12 Q. Okay. All right. So you disagreed with 13 that? 14 A. Yes. 15 Q. Okay. You felt like you had done the 16 performance reviews in a timely fashion? 17 A. No. Actually, what this is -- is talking 18 about is -- and I've sent this documentation over -- 19 is -- so he -- he says in here the due date was 20 6/30/2014. On 6/26 or -- yeah, 6/26/2014, there's an 21 email where I'm asking him to provide us the data we 22 need to complete the PMs for our QTs. And in that 23 email, he sends back and says he'll get the information 24 and -- and I forget exactly what it says. We could 25 probably find it -- but that, when we get the</p>
<p style="text-align: right;">Page 88</p> <p>1 information, we need to complete these ASAP. And this 2 due date of 6/30/14 was not communicated to me. At 3 that time, the company deadline to get the PMs 4 completed was 8/15, I believe. So it was August 15th. 5 So we still had a month and a half left. However, my 6 leadership, unbeknownst to me, set a deadline of 6/30. 7 And, in fact, when you look in my review, in my 8 comments, it talks more about this. But he didn't send 9 me the information until three days before the due 10 date, which I didn't know about. 11 And I actually did complete all of them 12 except one. And the only reason I missed the one was 13 because they were on vacation and wouldn't be back. 14 And probably a week or so after this PM was given 15 me, I was talking to [REDACTED] and [REDACTED] 16 And I -- you know, I said, Man, how'd y'all complete 17 your PMs so quick? You only had three days, you know, 18 according to this. And they were like -- they laughed 19 at me and said, What are you talking about? Said, 20 We've had that information for two weeks. I'm like, No 21 way. And [REDACTED] actually pulled it up on his 22 phone, the email that [REDACTED] sent. And it told him 23 straight up that the deadline was June -- or 6/30, and 24 the data -- and gave him the data. But if you looked 25 at that email, my name wasn't on it.</p>	<p style="text-align: right;">Page 89</p> <p>1 Q. Okay. 2 A. So he had sent it to everybody except me. 3 Q. Okay. Did you -- 4 A. And again -- 5 Q. -- address that with [REDACTED] 6 A. Yes, I did. 7 Q. Okay. 8 A. And the comments are in here. 9 Q. Okay. 10 A. So, again, he withheld information from me 11 that -- he didn't tell me that the due date had been 12 changed to 6/30. 13 Q. Okay. 14 A. You know -- 15 Q. And you think -- 16 A. -- so... 17 Q. -- he was doing that intentionally? 18 A. Absolutely. I think he was setting me up for 19 failure. 20 Q. Okay. Under Finds A Way, he says, This is a 21 hit and miss because of the way John addresses issues 22 that he or his team discovers. John has operational 23 knowledge, but he still challenges changes before 24 investigating or understanding the reason for change. 25 John needs to learn the are -- I think that means "the</p>

23 (Pages 86 to 89)



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<p>1 art" -- 2 A. Right. 3 Q. -- of working in the gray areas and help find 4 a way, while maintaining compliance or the intent of 5 the procedure. 6 Did I read that correctly? 7 A. Yes, you did. 8 Q. So you've alleged in your amended complaint 9 in this lawsuit that [REDACTED] inst- -- instructed 10 you to -- to work in the gray areas. Is -- is this 11 what -- the comment that I just read, is that what 12 you're referring to? 13 A. That's one of them, yes. He's told me 14 different times, too. 15 Q. Okay. 16 A. Yeah. 17 Q. And -- and you have interpreted that to mean 18 to work outside of Boeing's processes and procedures? 19 A. Absolutely. 20 Q. Okay. Did -- did [REDACTED] ever tell you 21 to work outside Boeing's processes or procedure? 22 A. Yes. He instructed me not to document 23 defects, not to put quality concerns in writing. 24 Q. Uh-huh. 25 A. Yeah. So --</p>	<p>1 Q. Uh-huh. 2 A. -- it -- it -- it was constant. It was every 3 day, every day, every day. 4 Q. Uh-huh. 5 A. I argued more with him about procedures than 6 anybody else. 7 Q. Uh-huh. When you say he instructed you not 8 to document defects, are you referring to the other 9 comment in here where he says, on page 4, John still 10 needs to learn the art of F2F engagement to address and 11 follow up on issues -- that would be face-to-face 12 engagement, I believe. 13 A. Right. 14 Q. -- instead of using email to express process 15 violations? 16 A. That's one of them. But there's another part 17 in here that says I -- I need to stop putting quality 18 concerns in email or in writing. 19 Q. Okay. Well, let's -- let's find that. 20 MR. TURKEWITZ: Could I just ask if -- I 21 don't think I have the -- the correct document 22 that you're talking about. 23 [REDACTED]: You don't. You do. Oh, 24 maybe so. No, there's two of these. 25 [REDACTED]: Let me see. I can have [REDACTED]</p>
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<p>1 print off another copy or you can use my computer. 2 MR. TURKEWITZ: Yeah. I mean, I'm familiar 3 with the document. 4 [REDACTED]: Yeah. 5 MR. TURKEWITZ: You can keep going. But I 6 would like to get a copy. 7 [REDACTED]: Of course. Yeah. Okay. 8 We'll get you a copy. 9 [REDACTED]: Does he have two right there? 10 [REDACTED]: Oh, you might have two. 11 Let me see. 12 THE WITNESS: Ah, there it is. 13 [REDACTED]: Yeah. 14 THE WITNESS: I got it. 15 [REDACTED]: Yes, there we go. 16 MR. TURKEWITZ: Thank you. 17 [REDACTED]: Did we want to include this 18 other one as part of Exhibit 5? 19 [REDACTED]: Potentially. Is that the 20 earlier one or... 21 BY [REDACTED]: 22 Q. Okay. So why don't you take a look at that 23 and tell me -- you say in here it's -- you're -- it 24 said -- it says somewhere not to put defects in 25 writing?</p>	<p>1 A. No. What I said was, he told me that I need 2 to put -- stop putting quality concerns in writing. 3 And I don't recall if it's in here. But I know it was 4 an in an email that he sent me and I've turned over. 5 But I had sent an email. We were involved in an email 6 discussion, me being -- we being me and another 7 organization. 8 Q. Uh-huh. Well -- 9 A. And he replied to that. He -- he jumped in 10 the middle of that email and sent it back to me and 11 said, John, this is one of the things I told you about. 12 Q. Uh-huh. 13 A. Stop putting this stuff in emails. 14 Q. Right. Yeah. Well, here he says, John still 15 needs to learn the art of face-to-face engagement to 16 address and follow up on issues instead of using email 17 to express process violations. 18 So I think that's what you're referring to, 19 correct? That's on page 4, under Delivers Results. 20 A. Well, like I say, I've seen it several times. 21 But this is -- yeah. And here he specifies process 22 violations; whereas, on the other document he actually 23 said "quality concerns." 24 Q. Uh-huh. And had he spoken to you before 25 about the importance of face-to-face engagements?</p>

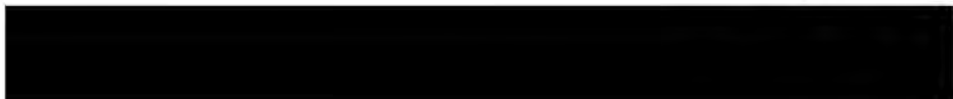
24 (Pages 90 to 93)



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<p style="text-align: right;">Page 94</p> <p>1 A. Oh, we talked about it all the time. 2 Q. Uh-huh. 3 A. And I -- I did face-to-face all the time. 4 Q. Uh-huh. 5 A. Yeah. 6 Q. Well, he didn't think you did -- 7 A. Right. 8 Q. -- according to this performance review -- 9 A. Right. 10 Q. -- correct? 11 A. Right. 12 Q. And could it be that he was trying to support 13 you in developing better relationships with your 14 coworkers and maybe some other managers and 15 senior-level managers? Could that be why he was 16 suggesting you have more face-to-face encounters? 17 A. No, I don't think that was it at all. 18 MR. KNOWLES: Object to the form. 19 THE WITNESS: Oh, I'm sorry. 20 MR. KNOWLES: That's all right. 21 BY [REDACTED]: 22 Q. That's okay. 23 A. No, I don't think that was it at all. 24 Q. Okay. So you don't think it was -- 25 A. Right.</p>	<p style="text-align: right;">Page 95</p> <p>1 Q. -- that was it? 2 A. Right. 3 Q. Okay. 4 A. And I think, if you look at my comments down 5 there, I, kind of -- I think it makes it pretty clear. 6 Q. All right. I think we're going to get into 7 some emails. Actually, before we do that, let's -- 8 A. One thing, if I could, I'd like to add about 9 this PM and, actually, all the PMs I received at 10 Charleston. So if you look at the Boeing processes and 11 procedures, it states that, when you're doing a PM, 12 that the goals identified for an employee are what they 13 consider SMART goals. And SMART's an acronym. It 14 stands for specific, measurable, achievable, relative, 15 and time bound. And that's a requirement. And a lot 16 of the -- I don't see any of the PMs I was issued in 17 Charleston met those requirements. So my argument 18 would be, all my PMs from there were against company 19 policy. 20 Q. You did performance reviews for your 21 employees, correct? 22 A. I did. 23 Q. So were you violating company policy when you 24 issued those performance reviews? 25 A. Absolutely not. Because, if you look at the</p>
<p style="text-align: right;">Page 96</p> <p>1 performance -- performance reviews that I did with my 2 employees, they're very articulate and very specific on 3 what I expect them to do. Like, I expect them to have 4 50 touches or 50 NCs to work a month. Or I expect them 5 to have 200 line items in kits worked. 6 Q. Okay. 7 A. So I had very specific numbers. It was based 8 on objective evidence and not opinions. 9 Q. Okay. 10 [REDACTED]: Let's look at the -- yeah. 11 Let's look at the -- number 25. And then, I think 12 it was the December performance review. Was that 13 the one that -- where it went up? Okay. 14 (Defendant's Exhibit No. 6 marked for 15 identification.) 16 [REDACTED]: And -- and it's the one 17 right after that, too. So it would be 25 and 26. 18 I don't -- for some reason, they -- or 26 and 27, 19 rather. It's -- it's the actual action plan. You 20 know what I mean? 21 [REDACTED]: Yeah. It's that same exhibit. 22 [REDACTED]: Yeah, it's -- 23 [REDACTED]: Yep. 24 [REDACTED]: -- it's the email with -- 25 yeah.</p>	<p style="text-align: right;">Page 97</p> <p>1 [REDACTED]: Here's a copy for them. 2 [REDACTED]: Yeah, perfect. Thank you. 3 Okay. So this will be 6. 4 MR. TURKEWITZ: Thank you. 5 BY [REDACTED]: 6 Q. And this is a copy of the action plan that 7 [REDACTED] put you on, correct? 8 A. Yes. 9 Q. And that's the email dated -- 10 A. September 13th. 11 Q. -- September 13, 2014, with a copy of the 12 action plan, correct? 13 A. Right. And that was the first time I was 14 made aware of that I was on an action plan. 15 Q. Uh-huh. And so, if we take a look at the 16 action plan -- so it looks to me like -- like, for 17 example, Number 1, he has, like, a step that you need 18 to take. And then there's a follow-up discussion -- 19 September discussion. And he gives, kind of, an update 20 of what's happened in response to that action item. 21 Would you agree with that? 22 A. Right. And if you look at the September 23 discussion date, it says, 9/9/14. I wasn't even aware 24 that that -- this action plan was in place. I wasn't 25 made aware of that until September 13th. So I'd say</p>

25 (Pages 94 to 97)



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<p>1 that's false because I wasn't aware this action plan 2 was in place, and we did not have a meeting. 3 Q. Okay. Well, this says, September discussion, 4 9/9/14. John has completed all items that had a time 5 stamp or due date requirement. His direct reports are 6 a hundred percent on all accounts. 7 A. Right. 8 Q. Correct? 9 A. And my -- my reports had been a hundred 10 percent for a long time, so this -- 11 Q. Okay. 12 A. -- shouldn't even have been an action item. 13 Q. Okay. Well, your manager thought it was. 14 And he is now saying you're a hundred percent on all 15 counts. So you had improved on that action item, 16 correct? 17 A. Well, according to him. Because, again, I 18 wasn't aware of this action plan -- 19 Q. Okay. 20 A. -- until four days later. 21 Q. Okay. The second one, Work together with 22 peers and coworkers to build teamwork and solidarity. 23 Did I read that correctly? 24 A. Yes, you did. 25 Q. Again, he refers to your September discussion</p>	<p>1 on September 9, 2014. He says, John is improving. 2 Update, 9/11/14. John completed the 360 LA Assessment 3 and awaiting the results. What is that? 4 A. So that's the -- I forget what the LA -- but 5 it's basically a -- it's a survey you send out to our 6 employees, your peers, your managers, that type of 7 thing -- 8 Q. Uh-huh. 9 A. -- to get their feedback on -- on how you're 10 performing. 11 Q. Okay. And he says you're improving in -- in 12 this category, correct? 13 A. Right. But, again, I wasn't in that 14 discussion, so I don't know how he -- I don't know what 15 he's talking about there. 16 Q. Okay. And then on 3 it says, Provide 17 face-to-face tie-in with second shift quality manager. 18 And then it -- it -- following that discussion, 19 [REDACTED] says, Tie-ins have been face-to-face when 20 possible, i.e., training or appointments may affect it 21 on occasion. So it sounds like he's saying you have 22 been having face-to-face tie-ins with second shift 23 quality manager, correct? 24 A. Well, that's what he's saying here. But, 25 again, same -- same issue.</p>
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<p>1 Q. Well, when you say "same issue," what do you 2 mean? 3 A. That means I was not aware of this and I was 4 not in that discussion. So I don't know who this 5 discussion with was. 6 Q. Okay. 7 A. But it certainly wasn't me. 8 Q. Well, it sounds like he's -- these -- these 9 are all positive improvements that he's noting. So are 10 you disagreeing with you making a positive improvement? 11 A. No. I'm disagreeing with the fact that I was 12 put on an action plan a month -- a little over a month 13 without even knowing about it. I consider it a sneak 14 attack and an ambush. And he's just putting words 15 down. These mean nothing to me. 16 Q. Okay. 17 A. I wasn't involved in any of the -- 18 Q. And so, is -- 19 A. -- discussions. 20 Q. -- it your contention that he is 21 manufacturing this 9/9/14 discussion and -- and just -- 22 and putting it in this action plan, that it never took 23 place? 24 A. Absolutely. 25 Q. Okay. So -- but if he were -- if he actually</p>	<p>1 was doing that, he did it in a way that was positive 2 for you, correct? 3 A. Well, yeah, now. But you obviously have to 4 look. I was a quality manager. And to have a -- to be 5 put on an action plan is pretty, pretty major. I mean, 6 it means that you're failing at your job. So to even 7 have been put on an action plan in the first place was 8 totally outside for Boeing procedures. It violated 9 countless other procedures and -- 10 Q. Were you aware that -- 11 A. -- it was just -- 12 Q. -- at the time, if you received a 15 on your 13 performance review, you automatically had to be put on 14 an action plan? 15 A. Well -- and if you go back to the notes I 16 submitted with mine and [REDACTED] discussion about this 17 thing, and the PM that resulted -- that this resulted 18 from, I -- I asked him point-blank, Am I going on a PIP 19 on an action plan? And he said, no, I wasn't. 20 Q. Uh-huh. 21 A. So what changed from then to now -- 22 Q. Uh-huh. 23 A. -- to where he put me on an action plan 24 without telling me about it and then fabricating 25 information?</p>



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<p>1 Q. Uh-huh. 2 A. I mean, it -- it goes against every ethical 3 bone in my body. 4 Q. Were you aware, at the time, that it was an 5 HR direction that, if an employee received a 15 or 6 below, they were automatically put on an action plan? 7 A. I was not. 8 Q. Okay. And [REDACTED] never put you on a 9 performance improvement plan, correct? 10 A. That's correct. 11 Q. Okay. So just continuing with this, Number 4 12 says, Use face-to-face meetings and phone calls to 13 resolve issues and stop using email to argue or stress 14 a point or quality requirement. 15 Did I read that correctly? 16 A. Yes, you did. 17 Q. Okay. And so that -- again, that is what you 18 were referring to in your amended complaint when you 19 say [REDACTED] instructed you to not document 20 defects? 21 A. He said, Don't document quality concerns. 22 Q. And this is what you're referring to when you 23 say that? 24 A. This is one of many. 25 Q. Okay.</p>	<p>1 A. Yes. 2 Q. And -- and, again, this September discussion, 3 September 9, 2014. It says, John has improved with 4 scheduling meetings to resolve differences and issues 5 without using email. 6 Did I read that correctly? 7 A. Yeah. Oh, under Number 4? Yes. 8 Q. Yeah. So, again, he's noting an improvement 9 that you, instead of arguing about things over email, 10 you were scheduling more meetings and having more 11 face-to-face conversations with your coworkers, 12 correct? 13 A. Again, that's what he's saying here. But, 14 again, I've -- I've submitted my documentation of my 15 remarks regarding this. And this is all proven false 16 because I wasn't even aware of it. And these items I 17 have objective evidence that I was meeting before I was 18 put on this action plan. 19 Q. Okay. 20 A. So why -- if I'm already doing it, why did he 21 put me on an action plan? 22 [REDACTED]: Can I see the December 23 performance? 24 [REDACTED]: Mark that as ?? 25 [REDACTED]: Has it already been marked?</p>
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<p>1 Yeah. Yeah, thank you. And that -- let me just 2 make sure. 3 [REDACTED]: Yeah. 4 [REDACTED]: Yeah, okay. 5 [REDACTED]: I'm going to mark the one... 6 [REDACTED]: Okay. 7 (Defendant's Exhibit No. 7 marked for 8 identification.) 9 BY [REDACTED]: 10 A. Are we done with this? 11 Q. For now, yes. 12 [REDACTED]: I'm just trying to remember 13 what exhibit number this was that we had. 14 [REDACTED]: That would have been somewhere 15 in 4, I believe. 16 [REDACTED]: I think it's 5, yeah. 17 BY [REDACTED]: 18 Q. Okay, there you go. Okay. And this is a -- 19 the performance review that [REDACTED] did for you in 20 December 2014, correct? 21 A. Yes, that's correct. 22 Q. And if you flip to page 5, under Leadership 23 Attributes Summary, it looks like your overall score 24 increased by 2 points to 17, correct? 25 A. According to the numbers, yes.</p>	<p>1 Q. Well, it was a 15. 2 A. Right, which I strongly disagreed with. But, 3 anyway, yes. 4 Q. And he increased it to a 17 over the course 5 of several months, correct? 6 A. Right. 7 Q. Right. So I -- I think you said earlier you 8 believed he was trying to set you up for failure by 9 putting you on that action plan. Did -- did I remember 10 your testimony correctly? 11 A. I said he was setting me up for failure. And 12 this action plan was one example. Because he provided 13 incorrect -- falsifying company documents is basically 14 what he did. 15 Q. Okay. So -- well, first of all, do you have 16 any evidence that he falsified company documents? 17 A. Absolutely. This is a company document right 18 here. 19 Q. Okay. So when you say -- 20 A. He says that we had a discussion 9/9. But he 21 didn't send to it me until 9/13. 22 Q. Okay. 23 A. I wasn't even aware of it. So there's no way 24 we had that discussion. 25 Q. Okay. So when you say he was falsifying</p>

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<p>1 company documents, that what you're referring to?</p> <p>2 A. That's one of them, yes.</p> <p>3 Q. Okay. So, anyway, just going back to your</p> <p>4 earlier testimony where you say he was setting you up</p> <p>5 for failure by giving you the score of 15 on your</p> <p>6 performance review and putting you on an action plan,</p> <p>7 my question is, if he was trying to set you up for</p> <p>8 failure, why would he increase your score to a 17 just</p> <p>9 six months -- five months later?</p> <p>10 A. So far as I -- I disagree with the way that</p> <p>11 was phrased. The things he did to set me up for</p> <p>12 failure was a lot more than this PM and this action</p> <p>13 plan. So when I say "set up for failure," as an</p> <p>14 example, when he withheld the data from me so I</p> <p>15 couldn't complete my employees' PMs on time, he was</p> <p>16 setting me up for failure. He didn't give me the</p> <p>17 data --</p> <p>18 Q. Uh-huh.</p> <p>19 A. -- and then blamed me --</p> <p>20 Q. Uh-huh.</p> <p>21 A. -- for not completing them. There's several</p> <p>22 other examples throughout the time where I felt like he</p> <p>23 was setting me up for failure.</p> <p>24 Q. To what end do you think he was setting you</p> <p>25 up for failure? Was he trying to get you to leave the</p>	<p>1 organization?</p> <p>2 A. I think they were trying to fire me --</p> <p>3 Q. Okay.</p> <p>4 A. -- is what it was.</p> <p>5 Q. And so, if they were really trying to fire</p> <p>6 you, why would they then increase your performance</p> <p>7 review score by two points and give you a 17, which was</p> <p>8 relatively good?</p> <p>9 A. Well, actually, I disagree with that</p> <p>10 whole-heartedly. Because a 17, if you compare it to</p> <p>11 grades in school, a 17 is a D.</p> <p>12 Q. Okay.</p> <p>13 A. A 15 is an F minus.</p> <p>14 Q. What was the highest performance review score</p> <p>15 you received when you were at BSC?</p> <p>16 A. The highest one at BSC, I think, was a 17.</p> <p>17 Q. Well, I -- I can -- we'll look at some. But</p> <p>18 I can tell you that under [REDACTED] the highest</p> <p>19 score -- do you remember what your --</p> <p>20 A. I'm sorry.</p> <p>21 Q. -- score was under [REDACTED]</p> <p>22 A. Yes. I was thinking after [REDACTED] left.</p> <p>23 Q. Uh-huh.</p> <p>24 A. So you're absolutely right.</p> <p>25 Q. Do you remember --</p>
<p>1 A. [REDACTED] gave me a 19 or a 20, I think.</p> <p>2 I'd have to go back and look.</p> <p>3 Q. And -- and we'll look at it. But I can --</p> <p>4 A. Yeah.</p> <p>5 Q. -- confirm that he did give you a 19.</p> <p>6 A. Okay.</p> <p>7 Q. So that was your highest scores under [REDACTED]</p> <p>8 [REDACTED] who was a manager that you respected and liked,</p> <p>9 correct?</p> <p>10 A. Yes.</p> <p>11 Q. So this was just two points lower than that</p> <p>12 very highest score you ever received while you were at</p> <p>13 BSC?</p> <p>14 A. At BSC. But, again, a 19 would be equivalent</p> <p>15 to a B.</p> <p>16 Q. Okay. And -- and your --</p> <p>17 A. An 18 is like a C. A 17 is a D.</p> <p>18 Q. Okay. And --</p> <p>19 A. And that's how it works out.</p> <p>20 Q. -- and is that grading system located</p> <p>21 anywhere in Boeing's policies --</p> <p>22 A. No.</p> <p>23 Q. -- or procedures?</p> <p>24 A. No. I'm sorry. Go ahead.</p> <p>25 Q. It's not located anywhere in Boeing's</p>	<p>1 policies or procedures, this -- this grade -- this</p> <p>2 letter grade assignment you're giving to performance</p> <p>3 review scores?</p> <p>4 A. That's correct.</p> <p>5 Q. Okay.</p> <p>6 A. And, again, same -- same thing I brought up</p> <p>7 on the other one. This PM review that he put me on is</p> <p>8 in violation of company policy because it does not meet</p> <p>9 the SMART goal requirements.</p> <p>10 Q. All right. Let's just look through some</p> <p>11 emails between you and [REDACTED]</p> <p>12 [REDACTED]. This is 8.</p> <p>13 [REDACTED]. These?</p> <p>14 [REDACTED]. Yes.</p> <p>15 (Defendant's Exhibit No. 8 marked for</p> <p>16 identification.)</p> <p>17 [REDACTED]. Yeah, okay, so this will be</p> <p>18 8. Oh, is that the right -- it just happened to</p> <p>19 match up?</p> <p>20 [REDACTED]. Yeah, just happened to</p> <p>21 match.</p> <p>22 [REDACTED]. Okay, good.</p> <p>23 BY [REDACTED]</p> <p>24 Q. So this is an email. The -- this is an email</p> <p>25 chain, obviously. And we all know how those work by</p>

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<p>1 now. If you flip to the very end of this document, 2 it's a -- it starts out with an email from somebody 3 named [REDACTED] to a [REDACTED] [sic]. And 4 you're cop- -- you and [REDACTED] are copied on it. And 5 there's some back-and-forth. 6 And then on page 2, at the -- of this, at the 7 very bottom, there's an email from you to [REDACTED]. 8 And you say, The SRR states, Request M.E. plan this NC 9 similar to the plan used on line 168. Nothing about 10 changing the form per our discussion or adjust -- 11 adjusting the buyoffs. Just do it like 168. 12 And then [REDACTED] responds, I asked you to 13 go straight to [REDACTED] desk and tell him what we want, 14 i.e., operation numbers to coincide with the 15 spreadsheet and a date for each buyoff. Did that 16 happen? 17 Did I read that correctly? 18 A. Yes. 19 Q. So was this an example of [REDACTED] asking 20 you to go have a face-for-face conversation with a 21 coworker, as opposed to just putting it in an email? 22 A. No, this is not. 23 Q. Okay. And why is that? 24 A. Well, because, first off, the spreadsheet 25 that they were talking about using here on line 168,</p>	<p>1 that was in violation of company policies and 2 procedures. And there's another email that I sent, 3 after I went back and reviewed line 168, that I -- I 4 stated very clearly that it didn't -- didn't meet any 5 of our requirements. There was various types of 6 stamping. There -- there was no form number. 7 There's -- there's -- there's a lot of requirements 8 that you must do in order to use a form when you are 9 providing objection -- objective evidence in support of 10 the airplane build, right. 11 Q. Okay. And -- 12 A. And -- 13 Q. -- and I'm not trying to interrupt you. But 14 I don't think you're answering my question. 15 A. Okay. 16 Q. So my question was, was this an example of 17 [REDACTED] asking you to go meet face-to-face with one 18 of your coworkers to discuss an issue? 19 A. No, this is not an example of that. 20 Q. Okay. And then I asked you, Why? And I 21 don't think you were answering the question -- 22 A. Okay. 23 Q. -- of, why is that not an example of that? 24 A. Well -- 25 Q. I mean, he's clearly saying, I asked you to</p>
<p>1 go straight to [REDACTED] desk and tell him what we want. 2 A. Right. But if you read my response, I'll 3 say, Well, Boss, he had already generated the R- -- 4 SRRs by the time I got back out there. I saw his email 5 and I called [REDACTED] and asked if he communicated the 6 changes that needed to take place as we discussed at 7 the roundtable. [REDACTED] said he didn't know where there 8 were any changes needed, which he was right there with 9 the discussion, so that's just a -- he's just denying 10 it. I told him we needed the operation number, the 11 empty blocks removed or the instructions to complete, 12 et cetera. He said he didn't know what I was talking 13 about and told me I needed to call [REDACTED] and have them 14 add it. Why are we constantly held responsible for 15 manufacturing's failure to follow directions and 16 processes? When are they going to be required to step 17 up and do the job right? I will drop everything else I 18 have going on to go sit with ME to ensure the form is 19 per our verbal communication -- 20 Q. Uh-huh. 21 A. -- which, again, is in violation of the 22 procedures because you can't work to verbal 23 communications. You have to follow the BPLs and 24 processes. 25 Q. Uh-huh. And what -- what is [REDACTED]</p>	<p>1 response to you? 2 A. Unfortunately, you came to the wrong town if 3 you want to relax every day and just work in your own 4 circle. This site is different. We need to help them 5 all we can. 6 Q. Uh-huh. 7 A. So he just chastised me for manufacturing's 8 failure to follow the processes. 9 Q. Yeah. I mean, I read that as him trying to 10 encourage you, again, to have face-to-face 11 conversations with your coworkers, to -- and not to, 12 you know, work in your own circle, but to reach out 13 across different departments, different functions. 14 A. I disagree with that. 15 MR. KNOWLES: Object to the form. 16 THE WITNESS: I'm sorry. 17 BY [REDACTED]: 18 Q. Yeah, that's fine. 19 A. I disagree with that assertion. 20 Q. Okay. 21 A. Because he starts off, Unfortunately, you 22 came to the wrong town. I mean, what does that mean? 23 Come on. That's -- that's -- 24 Q. Well, you can read -- 25 A. -- unbecoming --</p>

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<p style="text-align: right;">Page 114</p> <p>1 Q. -- his response. 2 A. -- a Boeing manager. 3 Q. You can read his response. The -- the last 4 response at the top there, John, first of all, it was 5 meant to be humorous because we both came from another 6 site. The statement was to reiterate that we need to 7 do what it takes to get the job done. In BSC, we need 8 to be flexible to do what is necessary, regardless of 9 swim lane. Those words should not be new to your ears. 10 We will talk tomorrow. 11 A. And at BSC, you can't be flexible when it 12 comes to following processes and procedures. That's 13 the law. You know, you can't deviate from that. And 14 he's directing me to deviate from those requirements. 15 And I -- 16 Q. Uh-huh. 17 A. -- I'm -- I -- 18 Q. But this email doesn't say you need to be 19 flexible when -- in regards to process and procedures, 20 correct? 21 A. Well, this whole email chain is about 22 deviating from the processes. 23 Q. Okay. 24 A. So it started off that way. And he's telling 25 me I need to be flexible and work outside of</p>	<p style="text-align: right;">Page 115</p> <p>1 procedures. 2 Q. Uh-huh. 3 A. No, I'm not. No. 4 Q. Well, he said -- 5 A. That's my job. 6 Q. -- you need to be flexible to do what is 7 necessary, regardless of swim lane, correct? 8 A. That's what it says. 9 Q. Okay. 10 A. Yeah. Are we done with this one? 11 Q. I think so. Okay. Yeah, we'll look at this 12 one real quickly. This is 10. 13 (Defendant's Exhibit No. 9 marked for 14 identification.) 15 [REDACTED]: It's marked as 9. 16 MR. TURKEWITZ: Thank you. 17 BY [REDACTED]: 18 Q. And I just wanted to just bring your 19 attention -- this is an email from [REDACTED] to 20 you, dated June 27, 2014. And there's, you know, quite 21 a bit of back-and-forth, which -- I -- I do not think 22 it's necessary to do right now, but I want to direct 23 your attention to the -- the last couple of emails -- 24 well, exchanges -- right here, where you tell [REDACTED] 25 on -- or [REDACTED], rather, sorry -- Okay, I will do</p>
<p style="text-align: right;">Page 116</p> <p>1 as I'm directed. Y'all might want to brush up on your 2 procedure, though, dot, dot, dot. Do you see that? 3 A. I do. 4 Q. Okay. So you were pushing back on 5 [REDACTED] there? 6 A. That's correct. 7 Q. And you did that frequently, correct? 8 A. Only when it came to violating procedures and 9 processes, yes. 10 Q. Uh-huh. 11 A. That was my responsibility. 12 Q. Right. And you took that seriously? 13 A. Absolutely. 14 Q. And you did it every time you felt like a 15 process or procedure was being violated, correct? 16 A. Correct, or where I felt it might be a 17 detriment to the aircraft, absolutely. 18 Q. And you were never placed on a performance 19 improvement plan for that, correct? 20 A. For what? 21 Q. For pushing back and -- when process and 22 procedures were at issue? 23 A. No, because I had the procedures to back me 24 up. 25 Q. Uh-huh. And you were never demoted for doing</p>	<p style="text-align: right;">Page 117</p> <p>1 that, correct? 2 A. Well, unless you want to look at my pay as -- 3 yeah. 4 Q. Well, you were never -- 5 A. I wouldn't say I wasn't -- not -- not in 6 title, no. 7 Q. You were never demoted? 8 A. No. But my pay was -- suffered because of 9 it. 10 Q. Your salary was never decreased? 11 A. Yeah, but I got a 15. I mean, that's an F on 12 a PM. 13 Q. All right. 14 A. In order to -- so -- so the number that's 15 identified on the PM is -- is -- is how they base how 16 you get your raises and how you get your bonuses. 17 Q. Uh-huh. 18 A. So somebody with a 15 gets a fraction of the 19 raise and a bonuses -- 20 Q. Uh-huh. 21 A. -- as somebody with 19 has. 22 Q. And then, five -- 23 A. So it is a direct -- direct reflection on my 24 pay. 25 Q. And then, five months later, you got a 17,</p>

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<p style="text-align: right;">Page 118</p> <p>1 correct?</p> <p>2 A. Right, which is --</p> <p>3 Q. Okay.</p> <p>4 A. -- still a D, yeah.</p> <p>5 Q. Well, you said a 19 was a B. And now you're</p> <p>6 saying a 17 is a D?</p> <p>7 A. Right.</p> <p>8 Q. Okay.</p> <p>9 A. Which means an 18 is a C.</p> <p>10 Q. Okay. And [REDACTED] responds to you email,</p> <p>11 Procedures I will, exclamation point. We all work for</p> <p>12 Boeing, so let's do it what it takes as long as it is</p> <p>13 done correctly and nothing is violated so the AP does</p> <p>14 not suffer.</p> <p>15 What does the "AP" mean there?</p> <p>16 A. Airplane.</p> <p>17 Q. Okay. So does that sound like [REDACTED] is</p> <p>18 asking you to violate procedures?</p> <p>19 A. So if you go back in the rest of this</p> <p>20 email -- and I know we, kind of, skipped over it. But</p> <p>21 it's very detailed. And there's several of us that are</p> <p>22 disagreeing with the direction [REDACTED] is giving</p> <p>23 us. And that's why I finally gave in and said, Well,</p> <p>24 if you're going to force us to violate procedures, then</p> <p>25 I will follow direction, and this is what we'll do.</p>	<p style="text-align: right;">Page 119</p> <p>1 But y'all need to follow up on your procedures so, when</p> <p>2 you give management direction, they're in line with the</p> <p>3 procedures.</p> <p>4 Q. And he responded he didn't want you to</p> <p>5 violate procedures, right? He wanted to make sure the</p> <p>6 safety of the aircraft was maintained?</p> <p>7 A. Well, on this response, he is. But back</p> <p>8 here, like I say, if you look at the detail, he's</p> <p>9 pushing us very hard to work outside the procedures.</p> <p>10 Q. Okay.</p> <p>11 A. And, in fact, I think this is the roundtable</p> <p>12 discussion I talked about in my PM.</p> <p>13 Are we done with this one?</p> <p>14 Q. I think so, yes. And, actually, I think I --</p> <p>15 unfortunately -- oh, maybe not. Okay. Let's look at</p> <p>16 this one real quickly. This is 11.</p> <p>17 (Defendant's Exhibit No. 10 marked for</p> <p>18 identification.)</p> <p>19 [REDACTED]: Sorry. Thank you.</p> <p>20 MR. TURKEWITZ: Thank you.</p> <p>21 BY [REDACTED]:</p> <p>22 Q. Again, email from you to [REDACTED] dated</p> <p>23 June 27, 2014. This is, kind of, the end of the chain.</p> <p>24 So let's start, kind of, in the middle of the chain.</p> <p>25 If you go to -- yeah, this is part of the chain that we</p>
<p style="text-align: right;">Page 120</p> <p>1 just talked about. So if you go to page -- if you flip</p> <p>2 to the fourth page in this email chain and look at that</p> <p>3 top email, you'll see that's the email we were just</p> <p>4 discussing.</p> <p>5 A. Okay, yes.</p> <p>6 Q. Okay. So --</p> <p>7 A. So this is like a continuation?</p> <p>8 Q. It is.</p> <p>9 A. Okay.</p> <p>10 Q. It is. And you'll see -- let's see. There's</p> <p>11 an email from [REDACTED]. And the page right after</p> <p>12 that, where it says, John, let's get compliant; do you</p> <p>13 see that?</p> <p>14 A. I do.</p> <p>15 Q. And then you email, You know, we'll need a</p> <p>16 solid plan to address these non-compliance issues.</p> <p>17 It's obvious there is more research and investigation</p> <p>18 that needs to take place.</p> <p>19 A. Where are you at? I'm sorry.</p> <p>20 Q. It's right after -- if you go up one from</p> <p>21 [REDACTED] email, you respond to that email. So</p> <p>22 it's --</p> <p>23 A. I'm sorry. What -- what page?</p> <p>24 Q. That's okay. It's the third page --</p> <p>25 A. Okay.</p>	<p style="text-align: right;">Page 121</p> <p>1 Q. -- of the document.</p> <p>2 A. Here we go. So, John, let's get compliant.</p> <p>3 Q. Yeah. And then you respond to [REDACTED]</p> <p>4 A. And he goes on to say, Issue a reallocation</p> <p>5 on this fitted part --</p> <p>6 Q. Uh-huh.</p> <p>7 A. -- from 76 to 208. Again, like I stated</p> <p>8 earlier, the reallocation process is -- is for upstream</p> <p>9 airplanes. And this is way downstream. This is --</p> <p>10 and, in fact, that airplane had already left the</p> <p>11 factory and was out flying around.</p> <p>12 Q. Right.</p> <p>13 A. So it's -- there's no way possible to</p> <p>14 reallocate a part from a plane that's been delivered --</p> <p>15 Q. Uh-huh.</p> <p>16 A. -- to one that's still in production. But,</p> <p>17 yet, that's the direction they were given.</p> <p>18 Q. Okay. Was -- so [REDACTED] responds on the</p> <p>19 first page, at the bottom of the page, John, this is</p> <p>20 your baby, so please track it through the --</p> <p>21 A. I'm sorry.</p> <p>22 Q. -- reallocation process and make sure --</p> <p>23 very first page.</p> <p>24 A. Okay.</p> <p>25 Q. This is your baby, so please track it through</p>



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<p>1 the reallocation process and make sure we are all 2 compliant throughout. 3 Did I read that correctly? 4 A. Yes, you did. 5 Q. And then you respond with a, Really, question 6 mark? 7 A. Yeah. 8 Q. And he responds, Yes, indeed. You have 9 identified a process failure and possibly a system 10 failure with fitted parts traceability. And we don't 11 just pull the pin on the grenade and walk away. I 12 learned something new here, and I want to make sure 13 this is -- this is done right. And being it is 14 somewhat different and out of the norm, I have 15 confidence you will see it through to the end. 16 Did I read that correctly? 17 A. You did. 18 Q. Okay. And so he is clearly giving you an 19 instruction to make sure you get -- get compliant and 20 that you maintain responsibility and -- and see it 21 through to -- see that issue through to the end, 22 correct? 23 A. Yes, that's what he's saying. But my concern 24 is, he's a senior-level quality manager and -- and not 25 familiar with the processes and procedures that drives</p>	<p>1 Boeing's QMS system. So, like he said, he's learning 2 something here. And that's -- that was my concern in 3 Charleston. It's -- I feel they have unqualified 4 people in positions of leadership. And this is the 5 result of that. 6 Q. Okay. So -- okay. So your concern was that 7 he wasn't qualified? 8 A. Yes. 9 Q. Because he's -- 10 A. Absolutely. 11 Q. -- is -- is that based on him saying, "I've 12 learned something new here"? 13 A. No. It's based on the daily conversations 14 when I worked for him, where he was constantly asking 15 me, Where does it say we have to do this? And -- and, 16 Show me where this is. And every time an issue comes 17 up, several of the senior managers there would have to 18 go ask somebody because they don't understand processes 19 and procedures. 20 Q. Okay. So the next email or the next link in 21 the chain, it says, John, I think we need the 22 reallocation for the part to be issued. We don't have 23 a fitted part for it. How else will we stay 24 compliant? 25 Did I --</p>
<p>Page 124</p> <p>1 A. You skipped a part. 2 Q. -- read that correctly? 3 A. No. You skipped a part. 4 Q. Oh, your -- your -- your email? Is that what 5 you -- 6 A. No, [REDACTED] John, I think we need the 7 reallocation for the part to be issued from line 76 to 8 212, being we don't have a fitted part for it. How 9 else will we stay compliant? 10 Q. Uh-huh. 11 A. Well, he's -- he's directing me to reallocate 12 a part from a plane that's already out there, flying 13 around with passengers on it, to one that's in 14 production. 15 Q. Okay. 16 A. You can't do that. I mean... 17 Q. Well, you -- you came up with the plan. Do 18 you see the email right after that? 19 A. Yes, I do. 20 Q. You say -- okay -- Got a plan. Let's return 21 the part to stores and let the NUT NC deal with it. 22 They can dispo the NC to back drill the part on the 23 next available unit. Then we can check stores and find 24 the part for line 208 and that unit will be covered. 25 Then we will have left [sic] is line 76. That will</p>	<p>Page 125</p> <p>1 have to be addressed by the CA. That should be all we 2 need, correct? 3 A. Correct. 4 Q. Okay. So you successfully resolved that 5 issue? 6 A. Well, not -- not successfully because we did 7 write a corrective action. And then -- 8 Q. Uh-huh. 9 A. -- that corrective action was subsequently 10 canceled because it didn't cause a defect. And that 11 was one of [REDACTED] directions, was to cancel all 12 CAs that don't -- he didn't want to investigate them, 13 which was his job role. 14 Q. And you are certain that that particular CA 15 was canceled at [REDACTED] direction? 16 A. I'm -- I'm -- I'm confident that I 17 double-checked that. 18 Q. Okay. Do you have any evidence of that? 19 A. I -- it's possible. I think I did do a 20 follow-up. And if I do, y'all have it because I've 21 turned over everything. But I could go look and see. 22 Q. Okay. 23 A. Are we done with this one? 24 Q. I think so. 25 [REDACTED]: What time is it?</p>



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<p style="text-align: right;">Page 126</p> <p>1 [REDACTED]: 12:18. 2 [REDACTED]: Okay. 3 BY [REDACTED]: 4 A. Yeah, if we could take a break -- 5 Q. Yeah, that's fine. 6 A. -- that'd be great. 7 We can -- we can either break for lunch or -- 8 [REDACTED]: I'm sorry. We can go off 9 the record. 10 [REDACTED]: Off the record, 12:19. 11 (A lunch recess was taken.) 12 [REDACTED]: Back on the record, 13:30. 13 BY [REDACTED]: 14 Q. Okay, Mr. Barnett. We're back from a lunch 15 break. And we were talking about the complaint that 16 you had made against [REDACTED] in 2014. And I 17 believe you had testified earlier that you worked with 18 [REDACTED] in ethics on that complaint; is that 19 correct? 20 A. That's correct. That's one of the people I 21 worked with, yes. 22 Q. Who -- who else did you work with on that? 23 A. I believe [REDACTED] actually did the 24 investigation. 25 Q. Okay. So you are aware that an investigation</p>	<p style="text-align: right;">Page 127</p> <p>1 was conducted? 2 A. Right. 3 Q. And that witnesses were interviewed? 4 A. Yes. 5 Q. How -- how do you know that? 6 A. Just from reviewing documents and the 7 information Boeing sent. 8 Q. Did you know about that at the time or you 9 only know about it from the documents that were 10 produced in this lawsuit? 11 A. Well, so [REDACTED] interviewed me during 12 that time, so I knew he was working it, too. 13 Q. Okay. 14 A. Yeah. Yeah. 15 Q. Okay. So would you agree that an 16 investigation was conducted and witnesses were 17 interviewed? 18 A. Yes. 19 Q. Okay. And do you know what the results of 20 that investigation were? 21 A. So I -- so sometime afterwards, I did receive 22 an email from [REDACTED] saying that my complaint was 23 substantiated and that they had started an additional 24 investigation into behavioral -- 25 Q. Uh-huh.</p>
<p style="text-align: right;">Page 128</p> <p>1 A. -- aspects. And then, again, reviewing the 2 documents that Boeing sent, I see that no corrective 3 action was taken to correct -- 4 Q. Uh-huh. 5 A. -- that situation, so... 6 Q. So in that email, was [REDACTED] talking about 7 the allegation about a process violation? That was 8 substantiated. And then they were sending the 9 behavioral issue complaints you had surrounding the 10 performance review and the action plan on for further 11 investigation? Is that what you understood? 12 A. No. What -- his email was just very short. 13 It just said, we -- and he referenced the case number. 14 Q. Uh-huh. 15 A. And I don't have that. But he said, In case 16 number such and such, we found it was substantiated. 17 And we've started an additional investigation. 18 Q. Into the behavioral -- 19 A. Into behavioral -- 20 Q. -- issues? 21 A. -- right. 22 Q. Okay. 23 A. And I'm not sure where they drew the line on 24 that. 25 Q. Okay. And -- and so you don't know how that</p>	<p style="text-align: right;">Page 129</p> <p>1 investigation was concluded? 2 A. Correct. 3 Q. Okay. Did [REDACTED] ever say anything to 4 you about that complaint? 5 A. So I recall -- so after I filed the complaint 6 and -- and when I was being reassigned to MRSA, I 7 recall us packing up my desk. And -- and [REDACTED] 8 [REDACTED] was there. And [REDACTED] came by. And the only 9 thing he said was, I can't believe you turned quality 10 in to ethics. It made the whole organization look bad. 11 Q. And who else heard that comment? 12 A. [REDACTED] 13 Q. Okay. Anybody else? 14 A. No. It was just -- I was packing my desk. 15 And he was -- we were sitting there talking. And [REDACTED] 16 came by and said that. 17 Q. Okay. And when -- when was that? 18 A. Probably the day I was informed I was being 19 transferred to MRSA. 20 Q. Okay. Is it a fair statement that ethics 21 complaints were pretty common at BSC? 22 A. From rumors and gossip, that's what I 23 understand -- 24 Q. Uh-huh. 25 A. -- that there was quite a few ethics</p>

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<p style="text-align: right;">Page 130</p> <p>1 complaints, yeah. 2 Q. You've had ethics complaints filed against 3 you -- 4 A. Right. 5 Q. -- correct? Okay. 6 A. Right. 7 Q. And to the extent that you know, is it Boeing 8 ethics policy not to reveal the identity of the 9 complainant when they're conducting those ethics 10 investigations? 11 A. Right. It's not only policy not to identify, 12 but it's also policy that, if you file an ethics 13 complaint against a manager, they can't remove you to a 14 different location -- 15 Q. Correct. 16 A. -- which would be a violation, which is what 17 he did. He moved me to MRSA. 18 Q. I understand that's your contention. What 19 evidence do you have for that? 20 A. Well, the fact that I had filed an ethics 21 inves- -- ethics complaint against him. And prior to 22 the ethics complaint being fully addressed, he moved me 23 to MRSA. 24 Q. Uh-huh. 25 A. So...</p>	<p style="text-align: right;">Page 131</p> <p>1 Q. So you're just speculating completely? 2 MR. TURKEWITZ: Objection. 3 BY [REDACTED]: 4 A. No. Actually -- 5 MR. TURKEWITZ: Objection. 6 THE WITNESS: I'm -- 7 MR. TURKEWITZ: Go ahead. 8 THE WITNESS: -- sorry. 9 BY [REDACTED]: 10 A. No. Actually, when I was going through 11 management training at -- years ago, when I was 12 going -- becoming a manager, we had to take management 13 classes. And during the ethics part of one of those 14 classes, I specifically remember that the instructor 15 was giving examples of -- of what retaliation might 16 look like. And what we were told is, You can't even 17 have a perception of retaliation. But the example he 18 used, he said us, as managers, if we have an employee 19 that filed an ethics complaint against us and we move 20 them, that that would be considered retaliation and 21 unacceptable Boeing conduct. 22 Q. Uh-huh. But you don't know if it was 23 [REDACTED] decision to move you to MRSA? 24 A. I just know that [REDACTED] and -- and [REDACTED] 25 [REDACTED] are the ones that --</p>
<p style="text-align: right;">Page 132</p> <p>1 Q. Uh-huh. 2 A. -- sat me down and told me I was being 3 transferred. 4 Q. Uh-huh. So if [REDACTED] made the decision 5 to send you to MRSA, without any regard to any 6 complaint that you made against [REDACTED] over a year 7 prior, that wouldn't be retaliation, right? 8 A. I disagree. I think it would be. 9 Q. Okay. But that's just your opinion? 10 A. Well, based on the training I received from 11 Boeing -- 12 Q. Okay. 13 A. Yes. 14 Q. You're basing that on training that you 15 received from Boeing? 16 A. That's correct. 17 Q. Okay. You also, in addition to that 18 complaint that you filed against [REDACTED] you made 19 an inquiry about [REDACTED] with [REDACTED] do you 20 recall that? 21 A. I wouldn't call it an inquiry. I'd call it 22 more like a, "this is unethical and this is BS and it 23 shouldn't happen." But, yeah, I did go to [REDACTED] and 24 discuss that situation. 25 Q. And when you say "this is unethical and this</p>	<p style="text-align: right;">Page 133</p> <p>1 is BS," what are you referring to? 2 A. The 60-day corrective action plan that he put 3 me on and didn't tell me about. 4 Q. Well, you had already made a complaint about 5 that, right, and were working with [REDACTED] on 6 that? 7 A. At that time, no, because I had just 8 gotten it -- I think it was September 13th. And that 9 following Monday, I went straight up to [REDACTED] 10 office. 11 Q. The corrective -- the corrective action plan, 12 okay. 13 [REDACTED] 27. 14 (Defendant's Exhibit No. 11 marked for 15 identification.) 16 BY [REDACTED]: 17 Q. Take a look at that, Mr. Barnett -- 18 A. Okay. 19 Q. -- and tell me if you've ever seen that 20 document. 21 A. I -- actually, I just saw this the other day 22 for the first time. 23 Q. Okay. When you were reviewing the documents 24 Boeing produced? 25 A. That's correct.</p>

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<p style="text-align: right;">Page 134</p> <p>1 Q. Okay. So this is a -- it's titled, Case 2 Details Report. It's an inquiry assigned to [REDACTED] 3 dated September 18, 2014. And the Case Description 4 there, close to the bottom, says, Manager requested 5 advice on how to handle dispute with his manager. 6 Outcome: Provided several recommendations on what 7 avenues reportant might consider. 8 Excuse me. And if you flip to the third 9 page, there are just some notes. That second paragraph 10 says, Reportant is a first-level manager in quality, 11 reports to [REDACTED] Reportant wanted advice from 12 EA [REDACTED] on best way to address an ongoing personality 13 dispute between him and [REDACTED] Reportant stated he was 14 notified recently of an action plan, which is one step 15 before a PIP. And [REDACTED] also made some remarks in 16 reportant's midyear performance management. Reportant 17 believes [REDACTED] behavior is steadily getting worse but 18 also sees potential improvement. 19 Do you see that? 20 A. I do. 21 Q. Did I read that correctly? 22 A. Yes. 23 Q. Does that accurately describe the 24 conversation with [REDACTED]? 25 A. It does not. It's not even close. This has</p>	<p style="text-align: right;">Page 135</p> <p>1 been so sugar-coated, you can't even see that the donut 2 was underneath. 3 Q. Okay. And then it says, After some 4 discussion of details and background, [REDACTED] provided 5 reportant with encouragement to consider ADR or perhaps 6 talking with an HR manager about how best to improve 7 the working relationships with [REDACTED] Reportant agreed 8 and was appreciative of the discussion. No further 9 action was needed on part of ethics. 10 Do you -- did I read it correctly? 11 A. Yes, you read it correctly -- correctly. But 12 the same thing, that's not anywhere near the 13 conversation we had. 14 Q. Okay. And what is your memory of the 15 conversation? 16 A. So, again, this was the Monday following the 17 60-day action plan. 18 Q. Uh-huh. 19 A. And I was -- I was very upset. 20 Q. Uh-huh. 21 A. I was very upset. I thought it violated 22 several different, not only processes and procedures, 23 but the expected behaviors of the manager. And I went 24 to [REDACTED] office that Monday. And I walked in. 25 And I was very upset. And I set the 60-day action plan</p>
<p style="text-align: right;">Page 136</p> <p>1 on his desk. And I said, This is BS. There's no way 2 this should be allowed to happen. And his comment was, 3 I can't help you. You need to go to HR. 4 Q. Uh-huh. 5 A. I said, Fine. I picked up my -- my 6 documents, start walking out. And as I was walking 7 out, he said, And you might want to work on your 8 approach. 9 Q. Uh-huh. 10 A. That's the only thing that was said. So I 11 don't know who -- who he had this conversation with. 12 Q. He said you might want to work on your 13 approach, meaning what? 14 A. I took it to mean that I came in there upset, 15 and I shouldn't be. 16 Q. Uh-huh. In your experience as a manager, you 17 testified that you've put employees on corrective 18 action plans before, correct? 19 A. I've put on -- people on a PIP, possibly 20 corrective action plans, not that I can remember any 21 specifically right off the top of my head. 22 Q. Well, a PIP is worse than a corrective action 23 plan, right? 24 A. Oh, you're talking about the 60-day 25 corrective action plan? I don't think I've ever put</p>	<p style="text-align: right;">Page 137</p> <p>1 anybody on one of those. I went to a PIP -- 2 Q. You went -- 3 A. -- with a couple. 4 Q. -- straight to a PIP? You didn't even do -- 5 A. I believe, yes. 6 Q. -- a corrective plan first? 7 A. That's correct. 8 Q. Okay. And your employees weren't happy when 9 you did that -- 10 A. That's correct. 11 Q. -- right? Yeah. So that's just -- employees 12 aren't happy when they're given any kind of corrective 13 action, correct? 14 A. Right. 15 Q. Okay. 16 A. Right. But, again, as a quality manager, 17 it's my responsibility to make sure that the objective 18 evidence is there to support it. And the PIP that I've 19 initiated was supported by objective evidence. 20 Q. Okay. One of the other issues that you raise 21 in your amended complaint relates to investigations 22 that -- well, we'll talk about the first one, the E-Nut 23 FOD investigation. 24 A. Okay. 25 Q. Do you remember that being included in your</p>

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<p style="text-align: right;">Page 138</p> <p>1 amended complaint? 2 A. I do. 3 Q. Okay. And that investigation took place in 4 or around 2013-2014; does that sound right? 5 A. Well, that's when -- I believe that's when we 6 initially found the issue that I -- that made me aware 7 of the issue. 8 Q. Okay. 9 A. I'm not sure when the investigation started. 10 Q. And just to -- and this is obviously a very 11 brief explanation of that issue. But is it fair to say 12 the E-Nut FOD issue was the result of nonconforming 13 E-Nuts that were leaving behind titanium slivers in the 14 aircraft? 15 A. I don't think they actually defined root 16 cause. And, in looking at the documentation that's 17 been provided since then, it -- it seems like there's 18 assumptions made, like -- like the E-Nut isn't 19 perpendicular or isn't -- you know, but -- but I 20 haven't seen anything to -- to definitely say, yeah, 21 this is the problem. And I've also noticed that it's 22 continued, even up -- it looks like to present day. It 23 don't -- it don't -- I haven't seen anything that says 24 it was finally addressed. 25 Q. Well, you haven't worked at Boeing since</p>	<p style="text-align: right;">Page 139</p> <p>1 2017, correct? 2 A. That's correct. 3 Q. Okay. So you have no idea? 4 A. Well, except for the documents that Boeing 5 sent us during this process, yes, I reviewed all their 6 documents. And -- 7 Q. Okay. 8 A. -- yeah. 9 Q. Well, getting back to my actual question, 10 which was the -- I'm trying to just do a brief 11 description of what the issue was at the time. 12 A. Right. 13 Q. And the issue was, there were nonconforming 14 E-Nuts -- 15 A. Yeah. 16 Q. -- that were leaving behind titanium slivers; 17 is that -- is that correct? 18 A. Well, again, I don't think we understood 19 exactly what was -- what the non-conformance was, if it 20 was the E-Nut or the -- or the fastener itself or how 21 they were installed. 22 Q. But there were titanium slivers being left 23 behind. That was that problem. 24 A. That's the bottom line. 25 Q. Okay.</p>
<p style="text-align: right;">Page 140</p> <p>1 A. Yes. 2 Q. Okay. And you allege in your amended 3 complaint that you discovered this issue; do you recall 4 that? 5 A. I do. 6 Q. And do you stand by those allegations 7 today? 8 A. And just for clarification, I was notified by 9 one of my inspectors. And I'm the one that brought it 10 to [REDACTED] [sic]. So when I said I discovered 11 it, my inspector actually discovered it and brought it 12 to my attention. And I had to take action. 13 Q. Who was your inspector? 14 A. Oh, who was that? I'm not even going to 15 guess. I'm not -- I can't remember who it was. 16 Q. Okay. Let's take a look -- 17 A. I just remember -- 18 Q. -- at some emails. 19 A. -- I was called out to the -- to the plane. 20 Are we done with this one? 21 Q. Yes. 22 [REDACTED]: 28. 23 (Defendant's Exhibit No. 12 marked for 24 identification.) 25 BY [REDACTED]:</p>	<p style="text-align: right;">Page 141</p> <p>1 Q. Here you go. 2 A. All right. 3 Q. Okay. So this is another email chain. If 4 you flip all the way to the end, that last page, it's 5 where it starts, that email from [REDACTED] -- 6 A. Yes. 7 Q. -- to [REDACTED] and [REDACTED]. And then 8 there's several people copied on this. You're not one 9 of those people, though, correct? 10 A. Nope. 11 Q. And this is August 8, 2014? 12 A. Yes. 13 Q. And who is [REDACTED]? 14 A. He was a liaison engineer there at Boeing. 15 Q. Okay. He wasn't one of your inspectors, 16 correct? 17 A. That's correct. 18 Q. Okay. So he says, Good morning [REDACTED] and 19 [REDACTED]. I'm looking for a point of contact for the 20 BAC5064 process for installation of the -- a bunch of 21 numbers -- E-Nut screw combination to discuss some new 22 issues we are having duration installation of the floor 23 panels on 787. About a year or so ago, we had issues 24 with E-Nut FOD on line 57 to 90 or so, where the 25 threads of the E-Nuts were peeling off, leaving little</p>

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<p style="text-align: right;">Page 142</p> <p>1 0.5 to 3-inch-long curled metal shavings all over the B 2 deck after floor panel installation. I believe the 3 spec -- specification for the E-nuts was revised to 4 the K1 configuration to eliminate this issue, but we 5 are now seeing this again on line 227. See attached 6 photos. 7 Did I read that correctly? 8 A. Yes. 9 Q. So [REDACTED] was the one that identified 10 this issue and raised it to some other folks at Boeing, 11 correct? 12 A. In this particular case, he did. But I 13 believe my inspector approached me about it prior to 14 that. I'm not -- right around that time. 15 Q. Who are [REDACTED] and [REDACTED]? Do you 16 know those -- 17 A. I do not -- 18 Q. -- Boeing employees? 19 A. No, I do not. 20 Q. And then the email chain, kind of, continues. 21 And, at some point, if you go to -- not the next page, 22 but the page after that -- you get added as a CC. 23 Actually, the page before that, you get added as a CC 24 to this email. And then the next page you add [REDACTED] 25 [REDACTED] and [REDACTED].</p>	<p style="text-align: right;">Page 143</p> <p>1 A. Right. 2 Q. And, basically, the conversation is, you 3 know, everyone's trying to figure out if this is an 4 acceptable condition. You know, what -- basically, 5 what's going on? 6 A. So if I may interject real quick? 7 Q. No. 8 A. Okay. 9 Q. Please, let's -- 10 A. All right. 11 Q. -- I'm just trying to get through this email. 12 A. Okay. 13 Q. So then on the first page, if you look at the 14 very bottom, from [REDACTED] -- and, again, you're 15 copied on this. Or this -- you're actually in the "to" 16 column on this. [REDACTED] says, [REDACTED] do we have any 17 report of such E-Nut FOD in Everett? My belief is that 18 we have not seen such shavings, even with K1. It looks 19 like isolated issue to me. [REDACTED] and [REDACTED] do you 20 agree with this? Such kind of FOD as depicted in 21 picture is not acceptable. 22 Did I read that correctly? 23 A. Yes. And that was -- 24 Q. Okay. 25 A. -- what I was going to mention was, FODs are</p>
<p style="text-align: right;">Page 144</p> <p>1 not acceptable. 2 Q. Uh-huh. And then the last email in this 3 chain is from you to [REDACTED] where you give him a 4 status, NC status, line 227 has to be mostly 5 reinspected as [REDACTED] email did not include IRMS 6 location, so we had to start from scratch. It should 7 be done in a while. 8 Did I read that correctly? 9 A. Yes, you did. 10 Q. Okay. So then, the issue was identified by 11 [REDACTED]. It gets discussed among a whole group 12 of people. And then you start to have your team 13 correct it, correct? 14 MR. TURKEWITZ: Objection. 15 BY [REDACTED]: 16 Q. You can answer. 17 A. So, again, this email's acting like he found 18 it. But, like I say, we actually discovered it 19 earlier. And my inspector actually lowered the cargo 20 panel and saw all the FOD up there. So... 21 Q. Okay. So even though we looked at these 22 emails that clearly show [REDACTED] saw it and no 23 one knew about it until [REDACTED] raised this 24 issue, you're saying that you found it first? 25 A. I'm saying my inspector found it on the</p>	<p style="text-align: right;">Page 145</p> <p>1 airplane and notified me of the condition. 2 Q. Okay. 3 A. And that's when I bring -- brought [REDACTED] in. 4 Q. Do you have any evidence to support that? 5 A. Probably in what we turned over. I just -- 6 I'd have to look. I'm -- not off the top of my head. 7 Q. Uh-huh. 8 A. I can't think of any. 9 Q. Uh-huh. You also allege in paragraph 16 of 10 your amended complaint that [REDACTED] ordered him -- 11 ordered you to let the E-Nut FOD issue go because it 12 would cost too much to remove all the ceiling panels. 13 Do you remember asserting that in your amended 14 complaint? 15 A. I do. 16 Q. You also allege that you were removed from 17 the project and another manager was put in charge of 18 it. Do you remember that? 19 A. Yes, I do. 20 Q. Okay. And you stand by those allegations? 21 A. I do. 22 Q. Okay. 23 A. In fact, I provided documentation to support 24 those, as well. 25 Q. Okay.</p>

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<p style="text-align: right;">Page 146</p> <p>1 [REDACTED]: 29. 2 (Defendant's Exhibit No. 13 marked for 3 identification.) 4 MR. TURKEWITZ: Thank you. 5 BY [REDACTED]: 6 Q. All right. This is an email from [REDACTED] 7 to several people, including you and [REDACTED] and, 8 again, several others. [REDACTED] is on this, as 9 well. The subject line is, E-Nut FOD, question -- 10 exclamation point, exclamation point, exclamation 11 point. If you look down at the bottom of the chain, 12 it's from [REDACTED]. Do you know who that is? 13 A. Yes. She was a senior manager of liaison 14 engineering. 15 Q. Okay. And she says, Good morning, team. Now 16 that we found a path forward on the improperly 17 installed E-Nuts, the E-Nut FOD issue needs to be 18 addressed. [REDACTED] observed a significant amount of 19 E-Nut FOD on line 227. BR+T determined it is Ti, 20 meaning it might be from the screw, rather than the 21 E-Nut itself. He notified quality a few days ago. 22 Have any tags or CAs been written on this yet? We all 23 need to get on this ASAP. 24 Did I read that correctly? 25 A. Yes.</p>	<p style="text-align: right;">Page 147</p> <p>1 Q. So this is -- again, she's noting that [REDACTED] 2 [REDACTED] discovered this issue. And she is telling 3 everyone that you have to act with urgency to correct 4 it, correct? 5 A. Well, she said [REDACTED] observed it. He 6 didn't -- she didn't say that that he discovered it. 7 But, yes. 8 Q. And -- 9 A. We need to get on it ASAP. 10 Q. Right. And then [REDACTED] responds and 11 says, [REDACTED] and [REDACTED] are working this. What's our 12 status on this? 13 A. Right. 14 Q. Correct? So -- so you were working on this 15 issue, correct? 16 A. This says [REDACTED] and [REDACTED] 17 Q. Oh, I'm sorry. I'm sorry [REDACTED] and [REDACTED] 18 And then, [REDACTED] responds and says, John Barnett 19 is the manager who's been involved. And we are 20 currently looking at line 230 to see if the condition 21 exists, correct? 22 A. Yes. 23 Q. And it says, An NC is being written for line 24 227 fastener peel condition. John, please confirm? 25 A. Right.</p>
<p style="text-align: right;">Page 148</p> <p>1 Q. And an NC is a non-conformance; is that 2 right? 3 A. That's correct. 4 Q. Okay. And so you were the manager involved 5 in inspecting the aircraft to see if the condition 6 exists? 7 A. I was involved with working with [REDACTED] 8 [REDACTED] and them at the time to try to remedy the 9 situation, yes. 10 Q. Okay. And this was on August 8, 2014? 11 A. Right. 12 Q. Okay. 13 A. But there's some more to this, as well. So I 14 don't know if y'all are missing it or -- because I -- I 15 replied to this. I replied to [REDACTED]. And -- and there 16 were several other issues or several other emails. 17 Q. Uh-huh. Did you produce those to us? 18 A. I did. And I also provided y'all the 19 documentation that [REDACTED] had with me and [REDACTED] where 20 he told [REDACTED] to go take point and that -- to -- for 21 [REDACTED] to keep in mind that it could be very expensive 22 to remove the panels, and they might get damaged in 23 removal. And I asked [REDACTED] specifically, How expensive 24 would it be if it shorted out a panel? 25 Q. Uh-huh.</p>	<p style="text-align: right;">Page 149</p> <p>1 A. And all that's been provided to y'all. 2 Q. Well, I think what you're referring to is an 3 email that you wrote to yourself. Am I right about 4 that? 5 A. I think I documented it in an email to 6 myself. But the conversation was face-to-face, yes. 7 Q. Exactly. So there -- there are no other 8 emails from or to you and [REDACTED] that would establish 9 that you were pulled off the investigation? 10 A. Actually, I think if we found the rest of 11 these, I think it goes into that, that [REDACTED] 12 taking -- 13 Q. And you're saying -- 14 A. -- point. 15 Q. -- you produced those? 16 A. I did. 17 Q. Okay. 18 [REDACTED]: Let's look at 32. Well, 19 actually, let's hold off. Let's go through some 20 of these other emails real quick. Let's go ahead 21 and do 30. 22 (Defendant's Exhibit No. 14 marked for 23 identification.) 24 [REDACTED]: Thank you. 25 MR. TURKEWITZ: Thank you.</p>

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<p style="text-align: right;">Page 150</p> <p>1 BY [REDACTED]</p> <p>2 Q. And this is just another email. This one's</p> <p>3 dated August 8, 2014. Again, [REDACTED] an email</p> <p>4 to you and some others just talking about how -- how</p> <p>5 they're going to resolve the issue. Am I, kind of,</p> <p>6 summarizing that correctly?</p> <p>7 A. I think there's a lot more to it, so could</p> <p>8 you -- could you paraphrase that again?</p> <p>9 Q. Well, the last paragraph says, The ball is in</p> <p>10 quality's court. They need to follow the appropriate</p> <p>11 process and start containment. I recommend second</p> <p>12 shift quality touch base with first shift quality</p> <p>13 management, John Barnett. LE will engage once the</p> <p>14 initial investigate is completed. I'll forward you the</p> <p>15 email chain that started this morning as soon as I can.</p> <p>16 So they're just talking about how they're</p> <p>17 going to resolve it. And then that quality -- the ball</p> <p>18 is now in quality's court. Did I correctly summarize</p> <p>19 that?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And then you email [REDACTED] and</p> <p>22 ask if he was moving forward with an NC, correct?</p> <p>23 A. Correct.</p> <p>24 Q. So you're involved in the project at this</p> <p>25 point?</p>	<p style="text-align: right;">Page 151</p> <p>1 A. Yes. I was on the emails. I was following</p> <p>2 up to make sure we had it under control.</p> <p>3 Q. Okay.</p> <p>4 [REDACTED]: Let's do 31.</p> <p>5 (Defendant's Exhibit No. 15 marked for</p> <p>6 identification.)</p> <p>7 MR. TURKEWITZ: Thank you.</p> <p>8 BY [REDACTED]:</p> <p>9 Q. Okay. This is an email dated September 3,</p> <p>10 2014, from [REDACTED] It's to you, [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED] Are most of those people quality managers that</p> <p>13 I just named?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And it says, Hi, John. I know you</p> <p>16 were involved with the E-Nut FOD NC effort previously,</p> <p>17 but I don't know if you're still involved in any way.</p> <p>18 It appears that NC 34003 was written to cover line 227</p> <p>19 and extended to lines 230 and 232 back on August 19th.</p> <p>20 Currently, it seems that the NC SOIs for line 230 and</p> <p>21 232 haven't been touched yet. Who can help move that</p> <p>22 effort along or offer -- offer some insight about why</p> <p>23 we can't work them if, for some reason, we can't work</p> <p>24 them?</p> <p>25 Do you recall receiving this email?</p>
<p style="text-align: right;">Page 152</p> <p>1 A. I do.</p> <p>2 Q. And what was your response?</p> <p>3 A. I don't recall. I'd have to look at my</p> <p>4 records.</p> <p>5 Q. So that was in September 3rd. And you were</p> <p>6 being asked to provide input into the investigation at</p> <p>7 that point, correct?</p> <p>8 A. Right. Well, he was asking me what the</p> <p>9 status was, basically, on those issues.</p> <p>10 Q. Uh-huh. So you were still involved in the</p> <p>11 project, correct?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. All right.</p> <p>14 [REDACTED]: 32.</p> <p>15 (Defendant's Exhibit No. 16 marked for</p> <p>16 identification.)</p> <p>17 BY [REDACTED]:</p> <p>18 Q. And I believe this is what you were referring</p> <p>19 to earlier. This is the email that you sent to</p> <p>20 yourself regarding the conversation you had with</p> <p>21 [REDACTED]?</p> <p>22 A. Yes.</p> <p>23 Q. And this was sent on September 8, 2014?</p> <p>24 A. Yes.</p> <p>25 Q. Did you send an email -- did you write an</p>	<p style="text-align: right;">Page 153</p> <p>1 email to yourself to document the conversation?</p> <p>2 A. Yeah, the face-to-face conversation. Yeah.</p> <p>3 Q. Uh-huh. And -- and why did you do that?</p> <p>4 A. Because I felt it was important to document</p> <p>5 the conversation we had.</p> <p>6 Q. Okay. So you document things that are</p> <p>7 important?</p> <p>8 A. Right. And -- and the way I was raised in</p> <p>9 Boeing is, if something's not quite right or something</p> <p>10 might come back later, you, kind of, need to keep track</p> <p>11 of it so you have objective evidence.</p> <p>12 Q. Okay. So this is a lengthy email. I'm not</p> <p>13 going to read the whole thing. But I will direct your</p> <p>14 attention to the third or fourth paragraph that</p> <p>15 discusses the E-Nut FOD. And it says, At this time,</p> <p>16 [REDACTED] came in and asked [REDACTED] how he wanted to proceed</p> <p>17 with the sample plan for the E-Nuts.</p> <p>18 Do you see that first sentence?</p> <p>19 A. Yes.</p> <p>20 Q. [REDACTED] asked [REDACTED] how he thought we should</p> <p>21 move forward. [REDACTED] said he had QT inspect what was</p> <p>22 accessible on line 232 and he didn't have the results</p> <p>23 yet. I reminded [REDACTED] that [REDACTED] and I had</p> <p>24 sampled line 230 and found a lot of FOD and that those</p> <p>25 were the pictures I had sent to him. I asked him who</p>

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<p style="text-align: right;">Page 154</p> <p>1 was taking -- taking point on this issue because we had 2 a lot of hands in it and several different directions. 3 He said would he need to sample line 230. Again, I 4 reminded him that I had done that and found a lot of 5 FOD and that I would not sign off on it. He told 6 [REDACTED] to go look at the planes and to keep in mind the 7 cost of taking the panels down. He said they could be 8 damaged by removing them and cost a lot to replace 9 them. I asked him how much damage would it create if 10 the metal FOD dropped into the EE bay and shorted it 11 out. Again, he didn't comment. [REDACTED] take -- is 12 taking point on the E-Nut issue. 13 Did I -- 14 A. Yes. 15 Q. -- read that correctly? Okay. 16 A. Yes. 17 Q. Okay. So you don't say, at any point in 18 here, that [REDACTED] removed you from the 19 investigation, correct? 20 A. That's correct, not in this one. 21 Q. Okay. And if he had done that, you would 22 have put it in here, correct? 23 A. At that time, yes, I would have. 24 Q. Yeah. And -- well, he -- you say, [REDACTED] is 25 taking point on the E-Nut issue. So if he had said,</p>	<p style="text-align: right;">Page 155</p> <p>1 John, you're off. [REDACTED] on, you would have put that 2 in this document, correct? 3 A. Right. 4 Q. Okay. 5 A. At that time, yes. 6 Q. Well, when you say "at that time," it's clear 7 in this email, after this discussion, that [REDACTED] was 8 going to be taking point on the E-Nut issue -- 9 A. Right. 10 Q. -- right? And so, if what you allege in your 11 complaint is true, that [REDACTED] pulled you off this 12 investigation, you would have included that in these 13 notes, correct? 14 A. Yeah, if we had discussed it at that time -- 15 Q. Okay. 16 A. -- yes. 17 [REDACTED] All right. Last one on 18 this, 33. Or maybe not last, but almost last. 19 (Defendant's Exhibit No. 17 marked for 20 identification.) 21 BY [REDACTED]: 22 Q. Okay. This is an email dated September 10, 23 2014, from you to -- is this [REDACTED] on [REDACTED]? 24 A. [REDACTED]. 25 Q. [REDACTED], okay. And it's, kind of, a lengthy email</p>
<p style="text-align: right;">Page 156</p> <p>1 chain. But I'll direct your attention to the -- if you 2 look on the third page of this chain, the bottom email 3 is from you to [REDACTED], dated September 10, 2014. Do 4 you see that? 5 A. I do. 6 Q. And it says, Hey, [REDACTED] thanks for working 7 this. I do have one concern. The line check just 8 states to remove the FOD and move on. Shouldn't we be 9 documenting where the FOD is or at least keeping track 10 where we found it and that we cleaned it? I don't 11 recommend just having a final stamp buying off the line 12 check without some OE showing we addressed it. I know 13 this was taken from line 230 and 232 line checks. But 14 I think we can be a little tighter on this. Your 15 thoughts? 16 Did I read that correctly? 17 A. Yes, you did. 18 Q. So you were confirming that the FOD had been 19 cleaned, correct? 20 A. We were discussing the -- the NCs, yes. 21 Q. Right. But -- but you say, We -- shouldn't 22 we be documenting where the FOD is or at least keeping 23 track where we found it and that we cleaned it? 24 So you were acknowledging that it was found 25 and cleaned, correct?</p>	<p style="text-align: right;">Page 157</p> <p>1 A. Right. 2 Q. Okay. 3 A. Well, yes, absolutely. 4 Q. And then he emails back. And then you email 5 back on -- at 10:07 a.m. Do you see that? I recommend 6 we be more specific? 7 A. Yes. 8 Q. I recommend we be more specific in the 9 requirements. I suggest adding the requirement to 10 track the (three point locations of where the FOD is 11 found. We can attach a spreadsheet to the line check 12 to track the locations. I don't believe pictures will 13 provide the location, unless we tell them to add that 14 info. Just thinking, if these are ever reviewed, how 15 can we show that took the needed action and assured the 16 plane was FOD-free? 17 Did I read that correctly? 18 A. Yes. 19 Q. And [REDACTED] agrees with you and says, I think I'm 20 following. How does this sound? And he proposes some 21 language -- 22 A. Yes. 23 Q. -- correct? 24 A. Yes. 25 Q. And then you respond with some other</p>

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<p style="text-align: right;">Page 158</p> <p>1 language. You're suggesting to shorten it, even, 2 correct? 3 A. Yes. 4 Q. So, I mean, this email shows that -- in that 5 last line you say, Just thinking, if these are ever 6 reviewed, how can we show that we took the needed 7 action and assured the plane was FOD-free? 8 A. Right. 9 Q. So you're acknowledging in this email that 10 the needed action had been taken. The plane had 11 been -- you had been assured the plane was FOD-free. 12 And you were crafting language to document that, 13 correct? 14 A. So my concern was, we weren't showing that 15 the entire airplane was clean. And that's why I kept 16 staying we needed to add three point locations and 17 where we found it and where we cleaned it. Because, 18 like, over the 43 section, which is over the wing, you 19 can't clean it. It's impossible to clean once the 20 floorboards are down. And also I'm addressing the 21 email as they are sent to me. And, like I said 22 previously, [REDACTED] was running point on this. And this 23 is just residual stuff because people had knew I had 24 been involved before. But [REDACTED] was actually leading 25 this. And [REDACTED] had told me to go back to POS 3</p>	<p style="text-align: right;">Page 159</p> <p>1 instead of working it in POS 4. 2 Q. You don't say anything about that on these 3 emails. You are actually -- you know, you and [REDACTED] 4 [REDACTED] are crafting language that you will use to 5 document how the E-Nut FOD issue was remediated, 6 correct? 7 A. Right, based on my experience with the 8 company. 9 Q. Okay. 10 A. Yeah. 11 Q. So, at this point, you hadn't been -- [REDACTED] 12 [REDACTED] hadn't removed you from the 13 investigation, correct? 14 A. [REDACTED] was leading the investigation. And, 15 yes, [REDACTED] had told me that [REDACTED] was going to take it 16 and I was going to go cover POS 3. 17 Q. Okay. But you were still working on it, as 18 these emails clearly show, right? 19 A. People were asking me -- 20 Q. Okay. 21 A. -- questions. And I would provide my -- 22 Q. And -- 23 A. -- responses -- 24 Q. -- and these emails -- 25 A. -- yes.</p>
<p style="text-align: right;">Page 160</p> <p>1 Q. -- also show that the FOD had been -- I want 2 to get your words right -- that you had taken the 3 needed action and assured the plane was FOD-free, 4 correct? 5 A. Where did -- where did I say that? 6 Q. Email -- second page of this email that I 7 just -- email chain that I -- 8 A. Second page? 9 Q. Second page, last -- last email, last 10 paragraph. Just thinking, if these are ever reviewed, 11 how can we show that we took the needed action and 12 assured the plane was FOD-free? 13 A. Right. 14 Q. Okay. 15 A. So I'm not saying they were FOD-free. I'm 16 saying, how do we do it and how do we show it -- 17 Q. No, you're -- 18 A. -- as objective evidence? 19 Q. -- talking about documenting the efforts that 20 you took. This is all about crafting language to 21 document what was done to ensure the FOD -- the plane 22 was FOD-free. I mean, if you need to review these 23 emails, go ahead. 24 A. So what's your question? 25 Q. Well, I'm trying to confirm the -- what's in</p>	<p style="text-align: right;">Page 161</p> <p>1 the email. And when I do, you say something different. 2 So I'm just trying to -- this email says how -- Just 3 thinking, if they are ever reviewed, how can we show 4 that we took the needed action and assured the plane 5 was FOD-free? 6 A. Right, because it -- 7 Q. So you're recommending -- 8 A. Sorry. 9 Q. -- that you craft language to show that, 10 language that [REDACTED] originally was not going to 11 include. And you explained to him why you think it's 12 needed. [REDACTED] responds by saying, I think I'm 13 following you. How does this sound? He proposes some 14 language. And then you revise it, correct? 15 A. Yes. 16 Q. Okay. All right. We're done with that one. 17 Okay. 18 And you didn't include the issue with the 19 E-Nut investigation that you included in your amended 20 complaint in your AIR21 complaint to OSHA, correct? 21 A. I'm sorry; say that again. 22 Q. You filed an AIR21 complaint -- 23 A. That's correct. 24 Q. -- with -- you recall that? 25 A. Yes.</p>

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<p style="text-align: center;">Page 162</p> <p>1 Q. You didn't include this issue with the E-Nuts 2 in that complaint, correct? 3 A. That's correct. 4 Q. Okay. 5 A. In the original, yes. 6 Q. Uh-huh. And why was that? 7 A. Well, because, actually, [REDACTED] had taken 8 lead on it. And I, kind of, pushed it aside because I 9 was no longer responsible for it. And when I filed my 10 AIR21 complaint, I had the other three major issues in 11 front of me. And then, after I filed my complaint and 12 was going through my documentation to pull out the 13 objective evidence, I came across these emails and 14 realized that it hadn't been addressed either. So I 15 included that one. 16 Q. Uh-huh. That what hadn't been addressed? 17 A. The E-Nut FOD issue. 18 Q. Well, we just went over several emails 19 showing that it clearly had been addressed, correct? 20 MR. KNOWLES: Object to the -- 21 BY [REDACTED]: 22 A. I -- 23 Q. You can answer. 24 A. I disagree. 25 Q. Okay. What part of the email that we went</p>	<p style="text-align: center;">Page 163</p> <p>1 through do you disagree with? 2 A. Okay. So -- well, you're -- you're -- so 3 this sentence, Just thinking, if these are ever 4 reviewed, how can we show that we took the needed 5 action to assure the plane was FOD-free, so this is 6 from a documentation standpoint. I'm not saying that 7 the planes were FOD-free. I'm saying, we need to 8 create the documentation to show that they were 9 FOD-free. 10 Q. And you wouldn't be documenting the fact that 11 they were FOD-free if they weren't FOD-free, would 12 you? 13 A. Well, so the way the processes work is, you 14 identify what areas the FOD is located in. And then 15 you -- and you draw up the appropriate paperwork so 16 that the FOD is cleaned and bought off and verified by 17 the inspectors. 18 Q. Uh-huh. 19 A. We hadn't gotten to that point. That's 20 what -- that's what they're talking about here, is, how 21 do we create the paperwork to go work the plane, to 22 show that it is FOD-free? 23 Q. Okay. 24 A. And we're not there at this point. 25 Q. All right. Well, let's -- let's go back to</p>
<p style="text-align: center;">Page 164</p> <p>1 that email for a second, then. 2 A. 17? 3 Q. Yes. 4 A. Okay. 5 Q. Okay. Let's go to -- I think it's page 6 of 6 this email chain. It's also in early September 2014. 7 These are dated September 8th. The first email on that 8 page is from [REDACTED] to you. And it says, John, 9 See note below. Several areas have been inspected with 10 incremental buy-offs, so please review and let me know 11 if we have completed the inspection of all accessible 12 areas that were available without dis- -- disassembly 13 per disposition. 14 Did I read that correctly? 15 A. Yes. 16 Q. Okay. So that's in -- again, on September 9, 17 2014. And [REDACTED] is asking you to, again, be a 18 part of the investigation, inspect the areas that have 19 incremental buy-off, correct? 20 A. Well, he's telling me to review the work 21 that was -- 22 Q. Or review -- 23 A. -- done. 24 Q. I'm sorry. You're -- yes, you're exactly 25 right, review what was done.</p>	<p style="text-align: center;">Page 165</p> <p>1 And then you respond and you say, Line check 2 complete for lines 230 and 232. NCs line 230 have been 3 canceled, written in error. Let me know if you would 4 like additional information. 5 He responds and says, Awesome, and, Thanks, 6 John, I appreciate how well you worked through this 7 complicated and confusing issue with operations to find 8 a way forward. 9 Did I read that correctly? 10 A. Yes. 11 Q. Okay. So that's [REDACTED] paying you a 12 compliment, right -- 13 A. Right. 14 Q. -- about this very investigation? 15 A. Yes. 16 Q. Right? And this is the same investigation 17 that you allege in your complaint that he pulled you 18 off of? 19 A. Right. Well -- so, again, this is the 20 paperwork side. This is not actually working the 21 airplane and the -- and the FOD on it. 22 Q. Okay. Okay. Let's move along. Okay. So 23 you were assigned to the MRSA in February of 2015; is 24 that correct? 25 A. I was reassigned. I'm not positive the date,</p>

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1 but, yeah, okay.
2 Q. Okay. And the MRSA stands for Material
3 Review Segregation Area?
4 A. Yes, correct.
5 Q. Okay.
6 [REDACTED]: I think I've got to go to
7 the next binder. Thanks.
8 [REDACTED]: Is the mic on? Does that have
9 the clip on it?
10 [REDACTED]: Did it come apart?
11 [REDACTED]: Do you want to go off the
12 record for a minute?
13 [REDACTED]: Off the record, 14:16.
14 (Discussion held off the record)
15 (A brief recess was taken.)
16 [REDACTED]: Back on the record, 14:21.
17 BY [REDACTED]:
18 Q. Okay, Mr. Barnett, we were just discussing
19 your transfer to the Material Review Segregation Area,
20 otherwise known as the MRSA, right?
21 A. Correct.
22 Q. Okay.
23 [REDACTED]: Oh, sorry. 37. I
24 keep wanting to do that.
25 (Defendant's Exhibit No. 18 marked for

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1 the quality organization. And the subject is FAD/QTS
2 quality organization announcement. And [REDACTED] writes,
3 It's my pleasure to announce the following management
4 assignments effective February 11, 2015. These changes
5 are designed to develop and strengthen our quality
6 leadership team and further align quality with
7 operations in support of BSC rate readiness.
8 And he announces that [REDACTED] who is
9 currently the MRSA quality manager, will replace [REDACTED]
10 [REDACTED] as the MRBD manager, and that you, currently
11 position 3 quality manager, will replace [REDACTED]
12 as MRSA manager starting February 16th.
13 Did I read that correctly?
14 A. Yes, you did.
15 Q. Okay. And then he ends with saying, Please
16 congratulate and extend your full support as they
17 transition and assume their new roles.
18 Did I read that correctly?
19 A. Yes.
20 Q. Okay. So he was cel- -- celebrating those
21 transfers to the new positions, correct?
22 A. He was celebrating them, but I wasn't. Yes.
23 Q. Okay. And why is that?
24 A. Well, because a -- a quality manager actually
25 on the airplane, touching the airplane, working with

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1 identification.)
2 BY [REDACTED]:
3 Q. Okay. Can you explain a little bit about
4 what the MRSA is?
5 A. Yeah, the Material Review Segregation Area is
6 responsible for correcting all the non-conforming or --
7 yeah, nonconforming, defective parts, keeping them --
8 control of them, and assuring that they meet the final
9 disposition of the NCR that they were rejected against.
10 Q. Uh-huh.
11 A. And then, say, if the part's scrap, it's our
12 responsibility to scrap it. If it's sent back to the
13 supplier, then we send it back to the supplier.
14 Q. Uh-huh. And so it's a way to ensure that
15 defective parts aren't on the production floor,
16 correct?
17 A. Correct.
18 Q. Okay. So it's an important part of the --
19 A. Absolutely.
20 Q. -- organization? Yeah, okay.
21 So this is an email from [REDACTED]
22 some of this is hard to read -- but the part that I am
23 interested in is not, so that's good -- from [REDACTED]
24 [REDACTED] to several people. It looks like mostly
25 quality -- the quality -- quality managers and folks in

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1 the airplane, is a much more critical job function of
2 the quality organization because you're dealing --
3 actually dealing with the airplane and the final
4 product. MRSA is an important part as far as keeping
5 control of nonconforming parts. But as far as managing
6 MRSA, I considered it was a slap in the face.
7 Q. Uh-huh.
8 A. It -- it was pulling me off production line,
9 where I was working, like I say, with the airplane, to
10 where I'm just handling parts.
11 Q. Do you think [REDACTED] was slapped in the
12 face when he was transferred to the MRSA? He was your
13 predecessor there, right?
14 A. Yes. Yes.
15 Q. Do you think they were -- they had
16 transferred him to the MRSA to punish him?
17 A. You'd have to ask him. I'm not sure.
18 Q. Well, didn't [REDACTED] go on to be the
19 manager of the quality assurance investigations
20 department?
21 A. Yes. That was another role he took.
22 Q. Uh-huh.
23 A. Yes.
24 Q. Would that be a department that you would
25 consider to be something better than the MRSA?

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<p style="text-align: right;">Page 170</p> <p>1 A. QAI? 2 Q. Uh-huh. 3 A. Yeah, I would say it's better because you're 4 actually, again, getting involved with the corrective 5 actions and dealing with the live airplane -- 6 Q. Uh-huh. 7 A. -- whereas, you're not just dealing with 8 parts. 9 Q. Uh-huh. So [REDACTED] was transferred out 10 of MRSA. You may have been transferred out of MRSA, 11 too, correct? You just don't know, right? 12 A. Based on what I was being told at the time, I 13 can tell you I wasn't going to be transferred out of 14 MRSA. 15 Q. Well -- and that's just speculation on your 16 part, correct? 17 A. No. Actually, it was -- came from [REDACTED] 18 [REDACTED] 19 Q. Okay. But other personnel had been -- had 20 managed the MRSA department and had moved on to other 21 positions, correct? 22 A. Yes, that's correct. 23 Q. Okay. And you remained a K-level manager 24 when you managed the MRSA? 25 A. I did.</p>	<p style="text-align: right;">Page 171</p> <p>1 Q. So it wasn't a demotion, correct? 2 A. Not as far as title. But as far as 3 responsibility, yes. 4 Q. And you were -- received a raise at the time 5 you were transferred, correct? 6 A. Not as part of the transfer, no. 7 Q. Well, I can show you the work records. I 8 believe -- 9 A. Okay. 10 Q. -- you received about \$3,000. 11 A. Was that based on my PM review or my -- or 12 because I was moved? 13 Q. At the time you were moved, you received 14 about a \$3,000 raise. 15 A. So that was -- right. So that had been for 16 my performance in 2014 -- 17 Q. Okay. 18 A. -- not for being moved. 19 Q. Okay. And isn't it true -- we discussed this 20 a little bit earlier -- but managers were moving around 21 to different departments frequently during this time 22 period; isn't that correct? 23 A. There were some, yes. 24 Q. Yeah. 25 A. Not all.</p>
<p style="text-align: right;">Page 172</p> <p>1 Q. And we just went over [REDACTED] email 2 where three were moving into different areas, 3 correct? 4 A. Correct. 5 Q. Are you aware that, at the time, there was a 6 thought among Boeing senior management that they wanted 7 their managers to get experience in all different areas 8 of the plant? 9 A. I was never told that, no. 10 Q. Okay. So you just don't know? 11 A. Right. 12 Q. Okay. And when you moved into MRSA, [REDACTED] 13 [REDACTED] became your supervisor, correct? 14 A. That's correct. 15 Q. Okay. And you said [REDACTED] told you you 16 would never leave the MRSA? Did I -- 17 A. No. 18 Q. -- understand your testimony correctly? 19 A. No. What I said was, per our conversations, 20 I received -- I was -- it was made very clear that I 21 wasn't going to. 22 Q. And what -- what did he say, exactly? 23 A. So a couple of times he told me he was going 24 to push me until I broke. He was constantly 25 undermining me, setting me up for failure, basically,</p>	<p style="text-align: right;">Page 173</p> <p>1 because what he would do is, as my manager, was he 2 would -- he would assign me work to have my team work. 3 And, at that time, I was over all three shifts. So he 4 expected me to cover all three shifts at all hours of 5 the night. And he would assign me work to get done, 6 like, on second shift that night. So I would take that 7 assignment and I would spread it amongst my team. I'd 8 delegate and assign it to who I felt best would work 9 it. And, several times, I would come in the next 10 morning, and he would catch me first thing in the 11 morning and take me up to the office and just chew me 12 out because my team didn't get the work done the night 13 before. Well, it was second shift, so I had to wait 14 until they came in. So when they came in, I'd go down 15 and talk to [REDACTED] and [REDACTED], who was -- 16 [REDACTED] was my lead at the time. I'd say, Hey, 17 guys, you know, why didn't we get the work done last 18 night? And they -- several times, told me, Well, after 19 you left, [REDACTED] came down and pulled us off to 20 another assignment, so we couldn't work this. 21 Q. Uh-huh. 22 A. So he came in, reassigned my people, and then 23 chewed my ass because my people didn't get the work 24 done that I was supposed to get done. 25 Q. Uh-huh. So what does that have to do with</p>

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<p>1 your testimony just a minute ago that [REDACTED] told 2 you you wouldn't leave MRSA? 3 A. Well, it goes back to where he said he was 4 going to push me until I broke. That ain't going to 5 let me leave. That's going to push me until I break. 6 Q. Okay. That -- that's -- that's the only -- 7 A. No, no. There's several more -- 8 Q. -- evidence that you're putting forward to 9 support the idea that [REDACTED] told you you 10 wouldn't be allowed to leave -- leave the MRSA? 11 A. No. There's several issues I have with 12 [REDACTED] 13 Q. Okay. 14 A. Yeah, we haven't -- 15 Q. But they don't -- 16 A. -- touched them all yet. 17 Q. -- have to do with this specific issue of 18 whether or not you would be transferred out of the MRSA 19 at some point? 20 A. Well, I'm going to have to take a minute and 21 think of all the issues. 22 Q. Well, we're going to get to those, so -- 23 A. Okay. 24 Q. -- maybe your memory will get jogged. 25 A. All right.</p>	<p>1 Q. Okay. Let's discuss another issue that you 2 raise in your amended complaint, an investigation into 3 the backlog of the nonconforming parts that hadn't been 4 properly dispositioned. Do you -- do you recall 5 raising that in your amended complaint? 6 A. Backlog of non-conforming parts? No. 7 Q. You referred to it as the missing parts 8 investigation or the lost parts investigation. 9 A. Oh, the lost nonconforming parts? 10 Q. Yes. 11 A. Yes, yes. 12 Q. Okay. And you recall raising that in your 13 amended complaint? 14 A. Yes. 15 Q. Okay. So my understanding is, shortly after 16 you came into the MRSA, you and your team quickly 17 realized there was a significant backlog of 18 nonconforming parts that hadn't been properly 19 dispositioned; is that accurate? 20 A. No. 21 Q. Okay. 22 A. That's not accurate. 23 Q. All right. So -- so there wasn't a 24 significant backlog of nonconforming parts -- 25 A. No. So --</p>
<p>1 Q. -- in the MRSA? 2 A. -- so what the issue is, is, when you have a 3 nonconforming part, it's -- it's put on -- what's 4 called a -- NUT tag. It's a -- 5 Q. Uh-huh. 6 A. -- non-unitized tag. So what I found, after 7 doing an audit in MRSA, is that we had a significant 8 number of open non-unitized tags. 9 Q. Right. 10 A. And we didn't have the parts. 11 Q. Right. So they -- 12 A. So the parts -- 13 Q. -- and they hadn't been properly -- 14 A. -- had been lost. 15 Q. -- dispositioned in Velocity, correct? 16 A. They had been lost, yes. 17 Q. Well, how do you know they had been lost? 18 You had to do an investigation to -- to determine 19 whether or not they had been lost, correct? 20 A. Well, no. Because the way we reconcile an 21 MRSA is, we pull a list of the open NUT NCRs and we 22 compare it to the parts we actually have on our 23 shelves. And then, any NCRs that do not have 24 associated parts, they're lost. 25 Q. Uh-huh.</p>	<p>1 A. They're no longer in our control. And we 2 don't know where they went without a complete 3 investigation. 4 Q. Okay. And you did an investigation, 5 correct? 6 A. On which ones? 7 Q. There was an investigation that [REDACTED] 8 was involved in, correct? 9 A. So there were several different 10 investigations. 11 Q. Okay. 12 A. There was about five or six different ones. 13 Q. Okay. So let's look at some emails. 14 [REDACTED]: Okay, yeah, 36. I'm sorry, 15 39. 16 (Defendant's Exhibit No. 19 marked for 17 identification.) 18 BY [REDACTED] 19 Q. Okay. This is an email chain. If you flip 20 to the last page of the chain, we'll start with that 21 email. This is dated May 27, 2016. It's to [REDACTED] 22 [REDACTED]. And you cc [REDACTED]. It 23 says, Hi [REDACTED] and [REDACTED]. I'm reaching out for some 24 assistance with a project, please. We currently have 25 420 open NC SOIs for parts to be reworked. The issue</p>

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<p style="text-align: right;">Page 178</p> <p>1 is, most of the NC OIs [sic] have partial buy-offs, but 2 the parts have been lost, thrown away, or other. Some 3 of the SOIs go back to 2011. Attached is a plan that 4 will allow to us do some investigating and make a 5 business decision to close out the open SOIs. But I 6 need MMO and manufacturing support to work this. 7 Please review the attached and let me know if you're 8 willing and able to support it. If able, please let me 9 know who in your org I can work with in order to get 10 those -- these investigated and closed out, please. 11 Did I read that correctly? 12 A. Yes. 13 Q. So this is the investigation I'm referring 14 to. It's over 420 parts, correct? 15 A. Okay. So this is just one of them. And 16 the -- this is the ones that we had in MRSA control or 17 that had come through final assembly MRSA. This is not 18 including the ones in the other two buildings' MRSAs or 19 the other areas. Like -- 20 Q. And -- 21 A. -- I say, we've had about five different 22 parts. And, at one time, it was up to, like, 1,800 23 non-conforming -- 24 Q. Okay. 25 A. -- that were --</p>	<p style="text-align: right;">Page 179</p> <p>1 Q. In your -- 2 A. -- lost. 3 Q. -- amended complaint, paragraph 23, you 4 allege, In July 2016, Barnett was assigned to handle 5 lost nonconforming parts Shop Order Instance -- SOI -- 6 closure activity at MRSA, and was given two days to 7 close out over 400 lost conforming parts SOIs without 8 investigating them. 9 So that is the investigation we're referring 10 to here, correct? 11 A. Okay, yes. 12 Q. Okay. So you allege you were given two days 13 to close out over 400 lost nonconforming parts without 14 investigating them. Do you stand by that testimony? 15 A. I do. 16 Q. Okay. So, I mean, just -- just -- and I have 17 several emails we're going to go through. But just 18 even this email alone shows that you are reaching out 19 to get assistance to do an investigation into them, 20 correct? 21 A. Right. 22 Q. Okay. 23 A. On that bucket. That -- 24 Q. Well, that's the -- 25 A. -- don't include all of them.</p>
<p style="text-align: right;">Page 180</p> <p>1 Q. -- that's the one that you're talking about 2 in your amended complaint. We just confirmed that. 3 A. So read that again. I'm sorry. 4 Q. You -- you're welcome to take a look at it. 5 You have it there. In July of 2016, Barnett was 6 assigned to handle lost nonconforming parts Shop Order 7 Instance -- SOI -- closure activity at NMR -- at MRSA, 8 and was given two days to close out over 400 lost 9 nonconforming parts SOIs without investigating them. 10 And this email refers to, We currently have 11 420 open NS -- NC SOIs for parts to be reworked. 12 So this -- you're -- what you're referring to 13 in this amended complaint and that paragraph refers to 14 this investigation into these parts, correct? 15 A. I disagree. 16 Q. Okay. 17 A. Because there's another email where it 18 specifically says we have two days to close out 400 19 SOIs. 20 Q. Okay. Do you have that email? 21 A. Y'all do. I know we -- we turned it over. 22 Q. Okay. 23 A. But, actually, I have three or four of them 24 where I've sent it to different people because there 25 was several different buckets.</p>	<p style="text-align: right;">Page 181</p> <p>1 Q. Uh-huh. 2 A. So it's not just one comprehensive list. 3 Q. Uh-huh. 4 A. There's several different buckets everywhere. 5 Q. Well, yeah. It -- it'd be great to see that 6 email. Because -- 7 A. Y'all have them. 8 Q. -- we're about to go through -- 9 A. Yeah. 10 Q. --- several emails where -- 11 MR. KNOWLES: You want to take a break and 12 let's try to find it? 13 [REDACTED] Sure. 14 MR. KNOWLES: All right. 15 [REDACTED] Off the record, 14:37. 16 (A brief recess was taken.) 17 [REDACTED] Back on the record, 14:44. 18 BY [REDACTED]: 19 Q. Okay, Mr. Barnett. I'm going to show you an 20 email -- oh, did she just -- yeah, thank you -- dated 21 August 1, 2016, or -- the top email is dated August 22 2nd. The -- but it's from [REDACTED]. But it's 23 responding to an email from you dated August 1st. Why 24 don't you take a look at that email? 25 A. Yep.</p>

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<p style="text-align: right;">Page 182</p> <p>1 Q. Is this the email you were referring to a 2 little bit ago? 3 A. This is one of several that I sent. But, 4 yes, this is an example. 5 Q. Okay. So you say -- let's see -- We need 6 your help in tracking down these parts or having a lost 7 part form signed to show we have looked for the part 8 and not -- were not able to locate them. I will get 9 more detailed in the meeting, but wanted to give you an 10 idea of what help I need beforehand in case you want to 11 have one of your seniors take this on. Attached are 12 the list of parts we are looking for and, when 13 possible, the BEMs of the person we gave it to. 14 Is that the -- like, an employee ID? 15 A. Yes. 16 Q. This is a very high-visibility concern, and 17 we are limited to two days to get these addressed. I 18 could really use your help and support on this, please. 19 So that's the two days that your referring to 20 in your -- 21 A. Correct. 22 Q. -- amended complaint? 23 A. Correct. 24 Q. Okay. But you don't say anything in this 25 email about there 400 parts, correct?</p>	<p style="text-align: right;">Page 183</p> <p>1 A. Actually, in one of the other ones, I do -- 2 Q. Well, in the one that I -- 3 A. -- say that it was -- 4 Q. -- just showed you -- 5 A. -- 400. 6 Q. -- you did. In the one that I you just 7 showed you, you did. But not -- 8 A. Right. That was 420. Right. 9 Q. Right. Well, your amended complaint said 10 "over 400"? 11 A. Right. 12 Q. Okay. 13 MR. TURKEWITZ: Are you marking this, by the 14 way, as Exhibit 19? 15 [REDACTED]: Potentially. 16 [REDACTED]: We already marked 19. I think 17 it would be 20, if we do. 18 MR. TURKEWITZ: Okay. Oh, yeah. 19 [REDACTED]: Okay, yeah, we can mark 20 this. 21 (Defendant's Exhibit No. 20 marked for 22 identification). 23 BY [REDACTED]: 24 Q. Okay. Okay. So -- all right. So let's go 25 back to -- let's see. I'll show you -- yeah, it's</p>
<p style="text-align: right;">Page 184</p> <p>1 Number 38. 2 (Defendant's Exhibit No. 21 marked for 3 identification.) 4 BY [REDACTED]: 5 Q. Interesting, okay. All right. That email is 6 in here. Here we go. Okay. So if you -- this is 7 actually the email we were just looking at. 8 A. Yeah. 9 Q. If you flip to the second page, you'll see an 10 email from you where you say, This is a very 11 high-visibility concern. We're limited to two days to 12 get these addressed, right? We just -- 13 A. Yes. 14 Q. -- just read that. 15 Then [REDACTED] responds. Wait a second. 16 That's interesting. 17 A. August. 18 Q. Yeah. Okay. All right. Let's look at the 19 first page of this. I'm not exactly sure what's 20 happening there. But -- 21 A. Oh, this is two different emails. 22 Q. Yeah. 23 A. Okay. 24 Q. So May 27, 2016. Subject is, MRSA open SOI 25 Burndown Plan.</p>	<p style="text-align: right;">Page 185</p> <p>1 What does that mean? 2 A. So it's a SOI burndown plan. And what they 3 did is, they listed all the NC SOIs that were lost or 4 we couldn't locate the parts for. And they had a very 5 steep expectation to get them closed out as soon as 6 possible. So that's what the burndown plan was. 7 Q. And when you say SOI, that's S-O-I. Does 8 that stand -- what does that stand for? 9 A. Shop order instance. 10 Q. Okay. And what does that mean? 11 A. It's basically a work order to -- 12 Q. Okay. 13 A. -- perform work. 14 Q. And -- and so this is referring to the not 15 open -- the nonconforming parts that hadn't been 16 properly dispositioned in Velocity, so you didn't know 17 where they were, correct? 18 A. Right. 19 Q. Okay. And [REDACTED] responds and says, 20 You have until the end of July. Add [REDACTED] -- 21 [REDACTED] He's very interested in helping this cause and 22 he normally has 0 JBS and can help, correct? 23 A. Right. 24 Q. Okay. So [REDACTED] giving you till -- 25 well, let's go back and look at your email.</p>

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<p style="text-align: right;">Page 186</p> <p>1 You say, Talking with [REDACTED] -- is that [REDACTED] 2 [REDACTED]?</p> <p>3 A. Yes.</p> <p>4 Q. -- it took him over a month to get their 189 5 parts cleared up. So I'm guessing, with the right 6 resources in place, we could have these knocked out by 7 the end of August if we hurry. Let me know if you 8 approve of this plan.</p> <p>9 And then [REDACTED] said, You have until 10 the end of July.</p> <p>11 Did I read that correctly?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. So he -- so that's not two days, 14 right? He's giving you till -- this was in May. He's 15 giving you almost two months?</p> <p>16 A. For these, yes --</p> <p>17 Q. Uh-huh.</p> <p>18 A. -- which is a different batch.</p> <p>19 Q. Okay.</p> <p>20 A. Yes.</p> <p>21 Q. So why would he give you two months for these 22 and two days for another?</p> <p>23 A. That would be a question for him.</p> <p>24 Q. Okay. And do you recall -- again, we're 25 going to go through the emails. But do you recall this</p>	<p style="text-align: right;">Page 187</p> <p>1 batch of 420 in particular? Do you recall the 2 investigation into that?</p> <p>3 A. I believe, if I'm correct, the 420 are the 4 ones that I had [REDACTED] my lead, work. And, like 5 I say, there was five or six different lists. Some had 6 400. Some had a couple hundred. So it was -- it was 7 pretty chaotic at that time. We had different people 8 involved with different --</p> <p>9 Q. Yeah.</p> <p>10 A. -- lists. And nobody really --</p> <p>11 Q. I mean, this was --</p> <p>12 A. -- was sure.</p> <p>13 Q. -- an extensive investigation that went on 14 for months, right?</p> <p>15 A. Well, it was an extensive issue --</p> <p>16 Q. Yeah. And -- and --</p> <p>17 A. -- not so much --</p> <p>18 Q. -- an extensive --</p> <p>19 A. -- an investigation.</p> <p>20 Q. -- investigation --</p> <p>21 A. Right.</p> <p>22 Q. -- that went on for months, correct?</p> <p>23 A. Yeah, as far as MRSA. Yes.</p> <p>24 Q. Yeah.</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 188</p> <p>1 Q. Okay. Okay.</p> <p>2 [REDACTED]: Yeah, 40. 3 (Defendant's Exhibit No. 22 marked for 4 identification.)</p> <p>5 BY [REDACTED]</p> <p>6 Q. All right. This is a pretty lengthy email 7 chain with some attachments, some kind of 8 PowerPoint-like attachments. But the first page, it's 9 an email from [REDACTED] -- excuse me -- [REDACTED] 10 dated July 14, 2016. He says, John, your progress is 11 looking good so far. Just need to get more aggressive 12 getting all orgs involved. What help is needed? How's 13 completion progress coming along on the NUT SOLs and 14 NUT EPDs with the other org support?</p> <p>15 So he's referring to the issue that we just 16 discussed, the lost parts issue?</p> <p>17 A. Well, he's talking about two different 18 things. "The progress is looking good" is -- is 19 talking about the inventory we have in MRSA. And the, 20 "how is the completion process -- process," is a 21 different subject.</p> <p>22 Q. Okay. But he says, How's completion progress 23 coming along on the NUT SOLs and the NUT EPDs with the 24 other org support, correct?</p> <p>25 A. Correct.</p>	<p style="text-align: right;">Page 189</p> <p>1 Q. And that's referring to the missing parts 2 investigation that you referred to in your complaint, 3 correct?</p> <p>4 A. I -- I wouldn't say as referred to in my 5 complaint. I would say that it was a batch of the lost 6 nonconforming parts that I was responsible for, that I 7 had [REDACTED] --</p> <p>8 Q. Well, this is -- the subject line is, 2000- 9 -- BSC Site NUT Backlog Metrics? Yes?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. So he's not talking about one batch. 12 He's talking about the metrics for the BSC site NUT 13 backlog, which is -- would be the -- the backlog that 14 we were just discussing and would be the missing parts 15 investigation that you-all conducted, correct?</p> <p>16 A. No, that's incorrect. And if you look at the 17 charts back here, top five aging NUT NC EPDs for final 18 assembly and delivery, that's the -- that's the backlog 19 he's talking about, the top five aging NUT NC EPDs for 20 A&I.</p> <p>21 And if you look at the next one it says, Aft 22 body A&I and mid body A&I. So those are all different 23 areas. And those are all -- all different groups of 24 parts and different projects, right. Does that make 25 sense?</p>

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<p>1 Q. No.</p> <p>2 A. Sorry. So let's start with the charts.</p> <p>3 Q. Well, no. I --</p> <p>4 A. Okay. I'm sorry.</p> <p>5 Q. The subject line is, BSC site, which is the</p> <p>6 whole BSC site, correct --</p> <p>7 A. Right, which these --</p> <p>8 Q. -- not --</p> <p>9 A. -- charts are a part of.</p> <p>10 Q. Okay. Understood.</p> <p>11 A. They're not all of them.</p> <p>12 Q. Not -- and then it says, NUT backlog metrics.</p> <p>13 When he says "NUT backlog," that refers to the issue</p> <p>14 that we were just discussing, that you had</p> <p>15 nonconforming parts that had not been properly</p> <p>16 dispositioned in Velocity. And you weren't sure where</p> <p>17 they were located, correct?</p> <p>18 A. No. He's talking about this NUT backlog</p> <p>19 that's in the charts.</p> <p>20 Q. Okay. What is a NUT backlog?</p> <p>21 A. It's -- it's a non-unitized tag. And, again,</p> <p>22 like I say, MRSA is responsible for controlling the</p> <p>23 parts that have NUT tags on them.</p> <p>24 Q. What's a non- -- what's a non-unitized tag?</p> <p>25 A. It means it's not associated to an airplane.</p>	<p>1 So it's a stand-alone NCR, basically. It's a stand- --</p> <p>2 it's a part that's been rejected, that's not attached</p> <p>3 to any airplane.</p> <p>4 Q. Okay.</p> <p>5 A. And a unitized NC is actually attached to the</p> <p>6 airplane.</p> <p>7 Q. It's been installed in the airplane or it's</p> <p>8 been identified as attached to the airplane?</p> <p>9 A. It's been identified to go to that airplane.</p> <p>10 Q. Okay.</p> <p>11 A. Yes. Yes.</p> <p>12 Q. So these are nonconforming parts --</p> <p>13 A. Right.</p> <p>14 Q. -- that are not attached to any airplane?</p> <p>15 A. Right. They're non-unitized.</p> <p>16 Q. And what's the -- why -- why is a backlog</p> <p>17 concerning about that? Why is it concerning to have a</p> <p>18 backlog of those? Why was this an issue that y'all</p> <p>19 were dealing with at all?</p> <p>20 A. Well, because leadership didn't want parts in</p> <p>21 the cage. They just wanted them out. They wanted to</p> <p>22 get rid of them. So they held me to very strict and,</p> <p>23 actually, unreachable or un- -- unmanageable deadlines</p> <p>24 on how to get rid of them. And I argued that point</p> <p>25 with him manyatime. It was like MRSA is the recipient</p>
<p>1 of nonconforming parts. We can't dictate how many</p> <p>2 nonconforming parts we get.</p> <p>3 Q. Uh-huh.</p> <p>4 A. And they would tell me, Well, I want you to</p> <p>5 keep it under 10. And it was like, Well, I can't keep</p> <p>6 it under 10 if I get 30 in one day.</p> <p>7 Q. Uh-huh. Okay.</p> <p>8 A. So that was --</p> <p>9 Q. So let's --</p> <p>10 A. -- an ongoing argument.</p> <p>11 Q. Let's go up and read your email responding to</p> <p>12 him. It says, Hey, [REDACTED] progress is slow, about ten</p> <p>13 line items so far this week. Going over to talk with</p> <p>14 [REDACTED] here shortly. I was under the impression [REDACTED] and</p> <p>15 [REDACTED] were loaned to us full time until the end of the</p> <p>16 project.</p> <p>17 What project are you referring to?</p> <p>18 A. I'm going to have to look at it. So I worked</p> <p>19 with them on, like, kits errors and that type of thing.</p> <p>20 So...</p> <p>21 Q. This is specifically in reference to the BSC</p> <p>22 site NUT backlog metrics. It was the -- it was that</p> <p>23 project. It was the missing parts project, correct?</p> <p>24 [REDACTED] Let's get 41.</p> <p>25 (Defendant's Exhibit No. 23 marked for</p>	<p>1 identification.)</p> <p>2 BY [REDACTED]</p> <p>3 A. Yeah. So this is -- I think these -- yeah,</p> <p>4 these are the ones that [REDACTED] and myself were</p> <p>5 working. So, again, this is a different batch than</p> <p>6 what we were talking about, I believe.</p> <p>7 Q. Okay. I'm going to show you another email</p> <p>8 chain, same subject line. If you look at the bottom of</p> <p>9 the chain, it's from [REDACTED]</p> <p>10 A. Let me see this.</p> <p>11 Q. It's dated July 20. And he says, What's the</p> <p>12 holdup getting the NUT SOIs in MB and FAD burnt --</p> <p>13 burnt down? Do you see that?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Wait. Oh, yeah. And you respond and</p> <p>16 say, Hey, boss. Hope your day is swell. This is a</p> <p>17 fairly long, tedious process to investigate each part.</p> <p>18 [REDACTED] and [REDACTED] are doing a great job in the time they</p> <p>19 are allowed. After talking with [REDACTED] they are able to</p> <p>20 support about 60 percent of their time on most days.</p> <p>21 They're still required to complete their RTT jobs as</p> <p>22 well. Since these are going to be disclosed, I want</p> <p>23 them to do a good job in -- of investigating and trying</p> <p>24 to find a way to close the SOI without canceling it.</p> <p>25 If we want these closed sooner, we can just bite the</p>

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<p style="text-align: right;">Page 194</p> <p>1 bullet and say we lost them and cancel them. That will 2 create a much longer list to provide to the FA- -- FAA. 3 But that can be done. Just let me know your 4 preference. 5 A. Okay. 6 Q. Did I read that correctly? 7 A. Yes, you did. 8 Q. Okay. So -- so this is talking about the 9 issue that there were -- well, let me ask you. Why 10 were you going to need to disclose this to the FAA? 11 A. Well, because, like I say, a lost 12 nonconforming part is -- is a pretty significant 13 violation of -- of our processes and procedures. 14 Q. Uh-huh. 15 A. And we actually have a procedure that tells 16 us when we need to disclose to the FAA. 17 Q. Okay. 18 A. So if we have a lost nonconforming part, and 19 we can't prove that it's not on an airplane -- 20 Q. Uh-huh. 21 A. -- then we have to disclose that so that that 22 air [sic] can -- the authorities to be can decide if 23 that airplane needs to be inspected or not. 24 Q. Okay. Right. So -- 25 A. Yeah.</p>	<p style="text-align: right;">Page 195</p> <p>1 Q. -- so this is the missing parts investigation 2 that we were just talking about and you referred to in 3 your amended complaint, correct? 4 A. A part of it. 5 Q. Okay. 6 A. That's just one bucket of it. 7 Q. Okay. 8 A. Yes. 9 Q. And you're describing it as a fairly long, 10 tedious process to investigate each part -- 11 A. That's correct. 12 Q. -- correct? So were you investigating each 13 part? 14 A. Right, in the bucket that I was assigned. 15 Q. Okay. 16 A. Yes. 17 Q. So, again, your testimony is that you spent 18 all this time investigating, got other people -- you 19 had [REDACTED] and [REDACTED] working on this with you. They 20 were spending 60 percent of their time doing it? 21 A. Yep. 22 Q. Correct? 23 A. Yeah. 24 Q. And they were investigating -- spending all 25 this time investigating this bucket, correct? But</p>
<p style="text-align: right;">Page 196</p> <p>1 there were other buckets that you didn't investigate at 2 all? 3 A. There were other buckets that wasn't assigned 4 to me to investigate, that other people were doing. 5 Q. So the buckets that were assigned to you, you 6 did investigate? 7 A. That's correct. 8 Q. Okay. Who were the -- what buckets were 9 assigned to other people? 10 A. Well, I know [REDACTED] was working quite a 11 bucket. That was separate from the one I was working. 12 And -- 13 Q. So your testimony -- 14 A. -- I believe there were -- 15 Q. -- is that -- 16 A. -- some more. 17 Q. -- you weren't working with [REDACTED] on 18 that? 19 A. Not directly, yes, that's correct. 20 Q. Okay. 21 A. He kept me in the loop, but I was not -- he 22 didn't report to me. I didn't give him direction, 23 anything like that. 24 [REDACTED]: Okay, 44. 25 (Defendant's Exhibit No. 24 marked for</p>	<p style="text-align: right;">Page 197</p> <p>1 identification.) 2 BY [REDACTED] 3 Q. So this is an email from you to [REDACTED] 4 [REDACTED] copying 5 [REDACTED] and [REDACTED] correct? 6 A. Yes. 7 Q. It's dated September 14, 2016. And the 8 subject is, Open NC SOI Plan, correct? 9 A. Yes. 10 Q. And you say, Hi, all. Below is the burndown 11 plan for the open NC SOIs. Our going-forward plan: 12 We've been able to track down objective evidence on 58 13 of the original 171 open NC SOIs. And those SOIs have 14 been closed. We determined that, instead of closing 15 them, they all need to be revised and completed. That 16 action is in work. Out of the remaining 113, 20 of 17 them are from miscellaneous part types. We plan to 18 have those investigated and either revised and 19 completed with objective evidence or identified as lost 20 by the end of this week. If any are identified as 21 lost, we will have a lost part form signed, processed, 22 attached to the SOIs and the SOIs completed. 23 Did I read that correctly? 24 A. Yes. 25 Q. [REDACTED] is who you were referring to</p>

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<p>1 earlier. He reported to you, correct? 2 A. That's correct. 3 Q. And you were sending that to [REDACTED] as 4 well? 5 A. As a cc, yes. 6 Q. Right. And you refer to this as the open NC 7 SOI plan, which is what the subject line was on some of 8 these other emails that we were just discussing. So 9 this was the plan to address the missing parts problem, 10 correct? 11 A. That I was working, yes. 12 Q. Okay. 13 A. Not all of them, yes. 14 Q. All right. Well, you've copied [REDACTED] 15 on this, so he must have been working on this, too, 16 correct? 17 A. No. It was just to keep him in the loop so 18 he could see where ours was. 19 Q. Okay. 20 A. And we could -- we could keep the notes 21 together, so we could -- we could have a -- what they 22 call a closed-loop investigative process. And I know 23 this is very confusing, trying to pick out the details 24 of the emails. But, like I say, there was multiple 25 people and multiple lists on it. I was assigned to</p>	<p>1 work the ones that were under my control. And [REDACTED] 2 [REDACTED] was assigned to work the other ones, like from mid 3 body and aft, that I didn't have responsibility for at 4 that time. So we had several different -- several 5 different groups and several different people working 6 on it. So I don't -- I don't know that there's an 7 email that captures everything because it was just so 8 sporadic. 9 (Defendant's Exhibit No. 25 marked for 10 identification.) 11 BY [REDACTED] 12 Q. This is an email dated September 22, 2016, 13 from you to [REDACTED] Again, the subject, Open NUT 14 EPD SOIs, [REDACTED] here are the final results of the 15 investigation for the lost parts. The ones that are 16 white are the ones that we have no idea where they 17 went. The ones in yellow are multiple parts and we can 18 account for some but not all. The ones in green are 19 complete. Let me know when the lost form part is 20 complete so we can start closing out the ones that are 21 still open. 22 Did I read that correctly? 23 A. Yes. 24 Q. And then [REDACTED] responds, John, the team did a 25 great job deep-diving the lost parts and dramatically</p>
Page 200	Page 201
<p>1 reduced the count. I requested [REDACTED] to compile a 2 summary of the results. When can you provide it for us 3 to review with [REDACTED]? 4 Did I read that correctly? 5 A. Yes, you did. 6 Q. Okay. So do you remember receiving this 7 email? 8 A. Yes, I do. 9 Q. Okay. So he's asking you to provide the 10 summary that [REDACTED] compiled -- 11 A. Is working on. 12 Q. -- correct? 13 A. Right. 14 Q. Right. So this -- so you and [REDACTED] were 15 working together on this, correct? 16 A. No. Because, like he said, he requested 17 [REDACTED] I didn't know anything about it. And then he 18 told me to let him know when it was done. So I had to 19 go see [REDACTED] to see what he was talking about -- 20 Q. Uh-huh. 21 A. -- and see when he'd have it ready. 22 Q. So your testimony -- 23 A. He, kind of, used me as -- 24 Q. -- is that -- 25 A. -- a middle man.</p>	<p>1 Q. -- [REDACTED] asked you to present a summary 2 that you had no idea of what it would be about? 3 A. Well, I didn't know what he had requested of 4 [REDACTED] other than a re- -- compile a summary. I didn't 5 know what he was looking for. So I had -- 6 Q. Well, you -- 7 A. -- to go ask [REDACTED] 8 Q. Okay. Well, this was an email in response to 9 the email you sent, which was a -- a high-level summary 10 of where you were with the investigation, correct? 11 A. Right. 12 Q. Okay. 13 A. Right. 14 Q. And this was dated September 27 -- 22, 2016, 15 correct? 16 A. Right. 17 Q. And the first email that we looked at on this 18 issue was dated, I believe, the end of May 2016, 19 correct? 20 A. Right. It was a long, long, drawn-out issue. 21 Q. Yeah. So it was a long investigation, right? 22 A. Issue, yeah. 23 Q. Well, you use the term, Here are the final 24 results of the investigation for the lost -- lost 25 parts.</p>

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<p style="text-align: right;">Page 202</p> <p>1 A. Right. 2 Q. Okay. 3 A. Do we have those charts that were attached? 4 Because I think there were -- 5 Q. I do not. 6 A. -- several hundred that we couldn't locate. 7 Q. Well, in the -- in a previous email, you give 8 the numbers. Out -- out of the remaining 113, 20 of 9 them are -- I'm sorry. We've been able to track down 10 objective evidence on 58 of the original 171 open NC 11 SOIs. And those SOIs have been closed. 12 A. Right. 13 Q. So -- 14 A. When's the date? 15 Q. -- that's what we're dealing with on that 16 one. September 14, 2016. 17 A. Right. 18 [REDACTED]: Okay, 46. 19 (Defendant's Exhibit No. 26 marked for 20 identification.) 21 MR. TURKEWITZ: Thank you. 22 BY [REDACTED]: 23 Q. Okay. So I just handed you an email dated 24 September 23, 2016. It's another email chain. If you 25 go to the bottom, it starts with an email from [REDACTED]</p>	<p style="text-align: right;">Page 203</p> <p>1 [REDACTED] dated September 22, 2016. And it's to [REDACTED] 2 [REDACTED] And it cc's you, [REDACTED] 3 and [REDACTED] 4 Who's [REDACTED]? 5 A. He was a -- one of my Q -- Qs that worked 6 for me in MRSA. 7 Q. Okay. So cc'ing you and [REDACTED] who 8 was working on this project, and [REDACTED] -- 9 A. Right. 10 Q. -- who was working on this project with you. 11 Okay. 12 [REDACTED] we need to go back to our 13 original ECD of 9/30 for this project. There are 14 multiple open SOI lists going. And, for some reason, 15 the list of 57 -- 56 total open nonstringer SOIs I was 16 given to work at the start of our project was missing 17 26 open nonstringer SOIs highlighted in blue from 18 master list that John Barnett has. So there are 26 19 open nonstringer SOIs that fell through the cracks and 20 haven't even been looked at yet. Additionally, before 21 we do a final report out to [REDACTED] [REDACTED] needs 22 some more time to dig the MMO system for us to research 23 the open SOIs highlighted in red. She's been swamped 24 and hasn't had a chance to do anything this week. 25 Did I read that correctly?</p>
<p style="text-align: right;">Page 204</p> <p>1 A. Yes, you did. 2 Q. Okay. So this is an email from [REDACTED] 3 to [REDACTED] and [REDACTED], and copying you and 4 two members of your team -- 5 A. That's correct. 6 Q. -- correct? And they're, again, talking 7 about the open NUT EPD SOIs. And he refers to it as 8 "our project," correct? 9 A. Where did you see that? Anyway, yeah, it's 10 all -- 11 Q. They're -- 12 A. -- it's all of our project, really. 13 Q. Yeah. 14 A. Yeah. 15 Q. Okay. So -- so this was one project, and -- 16 and a very time-consuming investigation, correct? 17 A. Right. 18 Q. Okay. So then [REDACTED] responds, How do 19 we know the parts we can't find OE to complete the SOI 20 are not on an AP? 21 Do you see that? 22 A. Yes. 23 Q. Can you put this into a part -- a pie chart 24 by type, e.g. blankets, panel, stringer, et cetera? 25 Thank you [REDACTED]</p>	<p style="text-align: right;">Page 205</p> <p>1 And when he says "AP," he means an 2 airplane -- 3 A. Correct. 4 Q. -- right? 5 And then you respond and you say, We don't 6 know that they're not on an AP. That's been the issue 7 all along. 8 Did I read that -- 9 A. Right. 10 Q. -- correctly? Okay. 11 And then he responds, We will need to have a 12 talk with [REDACTED] at some point. We must have confidence 13 in our QMS there are no defective parts on the APs. 14 There's a way to get a more confident analysis. 15 Perform an analysis on the ISI reports by part number. 16 When can this be accomplished? By Monday or Tuesday? 17 Did I read that correctly? 18 A. You did. 19 Q. Okay. So he's saying, We need to get 20 confidence that we know where these parts are, correct? 21 A. Right. 22 Q. Okay. 23 A. Do we have the rest of this email? Because 24 this email chain was longer than this. 25 Q. We might.</p>

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<p style="text-align: right;">Page 206</p> <p>1 A. Because I replied to him then and, I think, 2 [REDACTED] 3 [REDACTED] Let's actually do this one, 4 47. 5 [REDACTED] This one? 6 (Defendant's Exhibit No. 27 marked for 7 identification.) 8 [REDACTED]: Yeah. 9 BY [REDACTED] 10 A. So if you read my complaint, I think we're 11 getting a little off track. 12 Q. Okay. I'll show you that one. This is an 13 email from you responding to an email from [REDACTED] 14 on the same date as the email we just read. [REDACTED] 15 says [REDACTED] reach out to SEQL, [REDACTED] and see if 16 he can provide a report that can be searched by part 17 number for in-service investigations to see if any of 18 the ones you guys are working show up. 19 And then you respond. What's the end game on 20 this? Just trying to understand what an in-service 21 investigation will do to help address our lost parts 22 since they are not serialized or ARR -- ARL controlled. 23 All it will be is a part number and a wild guess based 24 on dates. Is this a wise decision to spend our 25 valuable time on?</p>	<p style="text-align: right;">Page 207</p> <p>1 Did I read that correctly? 2 A. You did. 3 Q. So what were -- what was your issue with 4 trying to do that? 5 A. I think I was pretty clear. It will only -- 6 it -- it'll be a guess based on dates and not an 7 actual -- you can't really say that this -- this part 8 is -- matches that part -- 9 Q. Uh-huh. 10 A. -- without a serial number or anything like 11 that. 12 Q. Uh-huh. 13 A. It's just by part number. 14 Q. Uh-huh. But -- but [REDACTED] was trying 15 to get -- you know, trying to do some additional 16 research to try and get some comfort. And you say, Is 17 this a wise decision to spend our valuable time on? So 18 you -- 19 A. Right. 20 Q. -- you didn't want to do that investigation, 21 correct? 22 A. Well, no. [REDACTED] -- [REDACTED] is giving [REDACTED] 23 direction. And they cc'd me for my in- -- for -- for 24 my awareness. 25 Q. Uh-huh.</p>
<p style="text-align: right;">Page 208</p> <p>1 A. And if I'm cc'd, and I have a question, I'm 2 going to jump in. But [REDACTED] was actually the 3 one [REDACTED] reported to. 4 Q. Uh-huh. And [REDACTED] spent a good 5 portion of that time in the MRSA crib with you, 6 correct? 7 A. Well, he -- they put him in the same office 8 as me. But we weren't in the crib. We were in, 9 actually, a -- 10 Q. In an office? 11 A. -- different office site. 12 Q. You shared an office together -- 13 A. Right. 14 Q. -- for a couple -- 15 A. Right. 16 Q. -- months, at least -- 17 A. Right. 18 Q. -- correct? 19 A. That's correct. 20 Q. Yeah. 21 A. Yeah. 22 Q. And that was because he was working on this 23 project -- 24 A. Yes. 25 Q. -- correct?</p>	<p style="text-align: right;">Page 209</p> <p>1 A. He was working on the lost parts that we 2 couldn't find objective evidence for. But we haven't 3 gotten into the ones that were already bought off yet, 4 so... 5 Q. Okay. 6 [REDACTED] Yes, 49. 7 BY [REDACTED] 8 Q. You guys like to email. 9 (Defendant's Exhibit No. 28 marked for 10 identification.) 11 [REDACTED] Here you go. 12 MR. TURKEWITZ: Thank you. 13 BY [REDACTED] 14 Q. Okay. This is an email, starts with you, 15 from you to [REDACTED], [REDACTED], cc'd [REDACTED] 16 [REDACTED] on September 29th. Lost parts needing MMO 17 assistance. 18 What's MMO? 19 A. Do we have the rest of this? 20 Q. No. 21 What's MMO? 22 A. Materials management organization. 23 Q. Okay. We've been tracking down nonconforming 24 parts that still have open NC SOIs against them. We 25 have searched through all rec- -- all -- though old</p>

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<p>1 records, databases, investigations, et cetera. We are 2 down to the above 42 parts and need your help, please. 3 It's critical that we accomplish this. Could you have 4 someone on your team go through the attached list and 5 see if there are any MRS records around the same time 6 as these parts were lost? If we can connect an MRS 7 record to any of these, then we will be more confident 8 that none are on an airplane. Please let us know if 9 you are able to assist and will be working on this. 10 Did I read that correctly? 11 A. You did. 12 Q. Okay. So, again, that's just another example 13 of you-all trying to do a thorough investigation to 14 make sure none of these parts were on an airplane, 15 correct? 16 A. That's correct. 17 Q. Okay. So, again, I'll refer back to your 18 amended complaint. And when you say, In July 2016, 19 Barnett was assigned to handle lost nonconforming 20 pot -- part shop order instance closure activity at NM 21 -- MRSA, and was given two days to close out over 400 22 lost nonconforming parts without investigating them, 23 that does not appear to be accurate based on the emails 24 that we just reviewed, correct? 25 A. I disagree. Because we do have an email.</p>	<p>1 And I know there's a couple more where it specifically 2 states in there we have two days to close these out. 3 Q. Okay. Well, if -- that email may have said 4 that. But you took months. The -- the team took 5 months to close them out, correct? 6 A. Right. Exactly right. 7 Q. Okay. So you -- you didn't just have two 8 days. You had several months. In fact, the 9 investigation, as we'll see in a later email, wasn't 10 completed until January of 2017. 11 A. Right. 12 Q. Okay. 13 A. Right. 14 Q. Okay. So you didn't -- you didn't just have 15 two days. You had several months, correct? 16 A. No, I had two days. It's in the email. 17 Q. But you didn't take -- 18 A. He told me I -- 19 Q. -- two days, right? 20 A. It drug out -- 21 Q. Correct. 22 A. -- past the two days. 23 Q. Yes, okay. 24 A. But I still was given two days -- 25 Q. Okay.</p>
<p>1 A. -- to complete them. 2 Q. And -- and when you say "without 3 investigation," that is incorrect, right? 4 A. No, it is correct. 5 Q. Okay. Well, we just looked at a dozen emails 6 that clearly show there was an exhaustive investigation 7 done. 8 A. Right. 9 Q. Okay. 10 A. After I was given two days to close out 400 11 SOIs. 12 Q. But -- 13 A. And the only way -- and the emails that we 14 showed -- have show that there's no way you can close 15 out 400 in two days. 16 Q. And -- and it didn't take you two days. 17 It -- it took much longer than that -- 18 A. It -- 19 Q. -- right? 20 A. -- did, this. But my complaint was, I was 21 given two days to do it. 22 Q. Okay. So the -- 23 A. And they wanted me to pencil whip it. 24 Q. So when you say in the email -- in your 25 amended complaint that you were given two days to close</p>	<p>1 out over 400 lost nonconforming parts SOIs without 2 investigating them, you're referring to that one email 3 where [REDACTED] says you have two days -- 4 A. No. 5 Q. -- correct? 6 A. Actually, like I say, I think there's three 7 or four emails that I sent out that said that, that we 8 have two days -- 9 Q. Okay. 10 A. -- to complete -- 11 Q. But that's what you're referring to. You're 12 referring to the initial instruction of, You have two 13 days? 14 A. That's correct. 15 Q. Okay. But then, when everyone realized that 16 this is was a big issue that was going to require a -- 17 a lot of investigation, you actually took several 18 months to do that investigation -- 19 A. It took -- 20 Q. -- correct? 21 A. -- several months -- 22 Q. Okay. 23 A. -- because I refused to close them out in two 24 days. 25 Q. Okay.</p>

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3 A. Yes.
4 Q. Well, we have multiple emails where everyone
5 is talking about investigating and getting the
6 resources you need to make sure you can complete the
7 investigation, right?
8 A. Right.
9 Q. Okay.
10 A. When I didn't meet that two-day turnaround,
11 yes.
12 [REDACTED] Let's do this. Yeah,
13 (Defendant's Exhibit No. 29 marked for
14 identification.)
15 BY [REDACTED]
16 Q. Okay. Another email chain. If you flip to
17 the second page, it's an email from [REDACTED]
18 copying -- it's to [REDACTED] and [REDACTED]
19 copying you and [REDACTED] Subject, List of Parts
20 Missing.
21 So it's -- [REDACTED] says, [REDACTED] we determined
22 to go in a more detailed direction on Wednesday. I
23 thought [REDACTED] would have mentioned it to you because he
24 was in the meeting with the team. [REDACTED] is
25 putting together foursquare on the 39 items in
question. The foursquare will include the following:
Pic of defect with the NUT if available; IVT pic of the

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1 squares in it. And it -- and it gives the status and
2 provides data to leadership.
3 Q. Okay.
4 A. So this is more the administrative side.
5 Q. Right. You're trying to do a report out to
6 senior leadership on this investigation --
7 A. Right.
8 Q. -- correct? Okay.
9 And then, [REDACTED] responds, Please
10 schedule a 60-minute meeting on Thursday, November 3rd
11 with the folks cc'd. Topic, MRSA lost part status,
12 correct?
13 A. Correct.
14 Q. So senior leadership wanted a meeting to
15 discuss this investigation and this issue, correct?
16 A. Yes.
17 Q. And then you sent an email to [REDACTED]
18 that says, Sharing. Need the deck by Thursday morning.
19 You want to come pitch it --
20 A. Right.
21 Q. -- smiley face, right?
22 A. Yep.
23 Q. So this was a project that you and [REDACTED]
24 were working on. And you were working on the deck
25 together. You even invited him to come pitch it,

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1 part identifying where the defect is located; copy text
2 from NUT describing the defect in detail; quality to
3 identify what the impact is if assembled on the
4 airplane; identify within a two-to-four-week window
5 from NC initiation what APs this could have been
6 installed on.
7 When this is completed, quality leadership
8 will have enough details on each part to review each
9 one and determine next actions.
10 John -- referring to you -- upon [REDACTED] and I
11 reviewing the initial foursquare yesterday, you were
12 given approval to move forward in completing the
13 balance of the 38 foursquares. What's the CD to
14 complete them?
15 Did I read that correctly?
16 A. You did.
17 Q. Okay. And then you respond on October 28th.
18 And you say, ECD for the remainder of the foursquares
19 is November 2nd, Wednesday --
20 A. Right.
21 Q. -- correct?
22 A. Right.
23 Q. So you're still conducting this investigation
24 as -- in late October. And what is the foursquare?
25 A. It's an actual -- it's a chart that has four

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1 correct?
2 A. So, no. We -- we weren't working on the deck
3 together. He was getting his direction from [REDACTED]
4 and [REDACTED]. And they would go tell him to do
5 something. And then they'd come tell me to pitch
6 whatever he's putting together. So I was reaching out
7 to him to figure out what he's putting together, when
8 it's going to be ready, so I can go pitch it.
9 Q. Okay. And you actually asked him to come
10 pitch it?
11 A. Yeah.
12 Q. Correct?
13 A. Yeah.
14 Q. Okay. Did he take you up on that?
15 A. No.
16 Q. Okay. Just a couple more.
17 [REDACTED] I do -- I think I do want
18 to do this one, 51. Actually, let's do this one, then
19 52, yeah, January 4.
20 (Defendant's Exhibit No. 30 marked for
21 identification.)
22 BY [REDACTED]
23 Q. Okay. And then, this is an email dated
24 January 4th. It's an email chain with some
25 attachments. Excuse me. And if you -- let's see.

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<p style="text-align: right;">Page 218</p> <p>1 [REDACTED] Bless you. 2 THE WITNESS: Bless you. 3 MR. TURKEWITZ: Thank you. 4 BY [REDACTED] 5 Q. The subject line is, BSC Site NUT Backlog 6 Metrics. And, again, this is dated January 4, 2017. 7 It's from [REDACTED]. The second page that -- there's 8 an email from [REDACTED]. Lots of good work in 2016 to 9 drive down the backlog and sustaining effort. 10 Did I read that correctly? 11 A. You did. 12 Q. Okay. Then, [REDACTED] mails -- on the 13 first page -- emails [REDACTED] and [REDACTED] 14 asking how this one is coming along. John -- and then 15 [REDACTED] emails you and says, John, I didn't see 16 this one this morning. Is it missing in the deck? 17 And then you say, Yes, it seems to have 18 dropped off. I will get it back in. 19 So was this part of the presentation that 20 you-all did to leadership on the missing parts? 21 A. No. So this is -- there was a big metrics 22 deck that they had put together and -- and all this 23 stuff back here -- and it -- it took quite -- quite a 24 while with some special training and -- and special 25 accesses to computer programs to gather the information</p>	<p style="text-align: right;">Page 219</p> <p>1 to complete these decks. And so that's what that's 2 talking about, is the overall status of MRSA, not one 3 specific thing. 4 Q. Okay. Okay. Okay. So returning to your 5 amended complaint, that paragraph 23, I think we dealt 6 with that -- those first two sentences. We just 7 discussed that investigation, you know, given two days 8 to close out the over-400 lost nonconforming parts SOIs 9 without investigation them. 10 Then you go on to allege, Barnett had 11 discovered close to 200 SOIs had already been pencil 12 whipped and closed out by another group without 13 investigating them. 14 Who is the other group that allegedly pencil 15 whipped over 200 -- 16 A. It was the other two buildings. So in 17 Charleston, you have final assembly, mid body and aft 18 body. And, at the time, it was called XPO. So you 19 have four different areas. So the other groups was the 20 mid and aft bodies. 21 Q. Okay. 22 A. 8819 and 8820s. 23 Q. Okay. And -- and what evidence do you have 24 of that? 25 A. Well, I -- I've submitted there was 176 lost</p>
<p style="text-align: right;">Page 220</p> <p>1 part forms that were filled out. And those lost part 2 forms were used to close out the NC SOIs. 3 Q. Uh-huh. 4 A. And if you look at those lost part forms, 5 they did no investigations. They did no looking. 6 They -- they blatantly went through there and said, No, 7 no, no, no. We didn't look for them. We're didn't -- 8 we're not going to look for them. Close them out. 9 Q. Okay. 10 A. Based on those lost part forms, the NC SOIs 11 were closed out and -- 12 Q. How -- how did you discover those lost part 13 forms? 14 A. When we were dealing with this, I went and 15 talked to [REDACTED] because [REDACTED] was over in the 16 areas. And I asked him how they dealt with them. 17 Q. Uh-huh. 18 A. And he explained that they had -- the 19 leadership over there had come to an agreement to use 20 the lost part form because there's not actually a 21 process in place to deal with lost non- -- 22 nonconforming parts. Again, going back to just the 23 fact that you have a -- nonconforming parts that is 24 lost is a violation of QMS. So there's not a process 25 to deal with that. Because, really, the expectation</p>	<p style="text-align: right;">Page 221</p> <p>1 is, you don't lose them. It's pretty simple to keep 2 track of them. You don't lose them. So they, kind of, 3 created the lost part form pros -- they use a lost 4 part form process so that we could show objective 5 evidence that we did do our due diligence -- 6 Q. Uh-huh. 7 A. -- to locate the parts. 8 Q. Uh-huh. 9 A. But then, after I found out that those had 10 been closed, I asked him to send me the records. 11 And -- and I noticed that had they had all just been 12 pencil whipped. 13 Q. So you're saying [REDACTED] just pencil 14 whipped them? 15 A. No. What I'm saying is, MMO -- and I think 16 we have -- in fact, I know I sent y'all all copies of 17 it. But if you look at the lost part form, it's MMO's 18 senior manager. It's MMO manager. So that would be 19 the materials management organization. 20 Q. Okay. 21 A. And they just went down and checked, No, no, 22 no, no, no. 23 Q. Okay. So -- but [REDACTED] was involved in 24 that investigation, correct? 25 A. Right. He was -- he -- he's the one that did</p>

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1 close out the NC SOIs based on those lost part forms.
2 Q. Okay. So are you alleging that [REDACTED]
3 was the one that pencil whipped those?
4 A. No. I'm saying, MMO pencil whipped it
5 because that's who filled out the lost part form.
6 Q. Okay. Well, when you say he closed out the
7 SOIs, what do you mean?
8 A. That means he attached the lost part form to
9 the NC SOI where the -- that the -- is associated with
10 that part.
11 Q. Uh-huh.
12 A. And he attached that form and -- and
13 completed the SOI out.
14 Q. Uh-huh. And did you do any research in
15 Velocity to confirm that no investigation had been
16 done?
17 A. I looked at a few. But the main thing I was
18 looking at was the lost parts form --
19 Q. Uh-huh.
20 A. -- and the fact that quality hadn't even
21 filled out the bottom --
22 Q. Uh-huh.
23 A. -- of it at all.
24 Q. Okay. Let me show you an email.
25 [REDACTED]: I think it's 57.

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1 get with [REDACTED] to show them how he processed the
2 same time of situation in MB, correct?
3 A. Yes.
4 Q. So -- so this is -- that -- that refers to
5 what you were just referring to, that that department
6 had already dealt with this issue before --
7 A. Correct.
8 Q. -- correct? Okay.
9 And you responded, No, sir. I'm running
10 this. I don't have enough team left to.
11 And then he responds, Okay. Did you talk to
12 [REDACTED]?
13 And you respond, Yes. We chatted. It's a
14 lot of work, but it requires manufacturing manager
15 investigation and sign off on each form. And it
16 requires an MMO manager investigation and buy-off on
17 each form, correct?
18 A. Yes.
19 Q. So was that based on a discussion that you
20 had with [REDACTED]?
21 A. [REDACTED] and looking at the form and
22 seeing the requirements.
23 Q. Okay.
24 A. Yes.
25 Q. So, again, I ask you -- you know, when you

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1 [REDACTED] No.
2 [REDACTED]: I've got it down as 57.
3 [REDACTED]: Yeah, it's weird. Why
4 don't you ask [REDACTED] to send us a copy and get
5 them to print it out?
6 [REDACTED]: I have one. It's not Bates,
7 though.
8 [REDACTED]: Okay, that's fine. I --
9 I -- yeah. Let's just move on to this one real
10 quickly, 58. Well, this -- actually, this one
11 will work, too. Let's see. Here you go.
12 (Defendant's Exhibit No. 31 marked for
13 identification.)
14 BY [REDACTED]:
15 Q. This is an email from [REDACTED] to [REDACTED]
16 [REDACTED] so you probably have not seen this before. Have
17 you ever seen this before?
18 A. I think we've got different emails.
19 Q. Let me see. Oh, I'm sorry. I'm looking at
20 the wrong -- that's my fault. This is an email from
21 you to [REDACTED] dated June 6, 2016?
22 A. Yes.
23 Q. Okay. And [REDACTED] asked you if you have
24 talked to [REDACTED] And if you go back to the second page,
25 the email from [REDACTED] says, John, did your team

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1 say it's a lot of work and what it requires, if you're
2 contending that what they did was just pencil whipping,
3 why would you conclude it was a lot of work?
4 A. Well, because I understand the process and
5 what it's going to take to complete that investigation.
6 Q. Uh-huh.
7 A. You know, so...
8 Q. After talking with [REDACTED] correct?
9 A. Right.
10 Q. Okay.
11 A. And reviewing the form and seeing what's
12 required.
13 Q. Uh-huh. At that point, did you believe that
14 200 parts had just been pencil whipped?
15 A. I didn't know about that at that time. It --
16 Q. Uh-huh.
17 A. -- when I talked to [REDACTED] we were talking
18 about the process they used and not so much the
19 results --
20 Q. Uh-huh.
21 A. -- that they got.
22 Q. When did you discover that issue, the 200
23 whipped -- pencil whipped parts that you allege in your
24 complaint?
25 A. It was after I assumed responsibility for mid

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<p>1 body and MRSA again. 2 Q: And when was that? 3 A: I'd have to go look. I think it was April 4 2016. 5 Q: Well, these emails are in -- 6 A: I'm not -- 7 Q: -- June -- 8 A: -- sure. 9 Q: -- and July 2016. 10 A: Okay. 11 Q: When you became aware of that issue that you 12 allege -- these 200 parts that you allege were pencil 13 whipped, did you tell anybody about it? 14 A: I did. 15 Q: Who did you tell? 16 A: [REDACTED] 17 Q: Uh-huh. Did you put that in an email? 18 A: I didn't. I went up and put them on his desk 19 and showed them to him. 20 Q: Okay. 21 A: And explained it to him. 22 Q: So you never put that issue in an email at 23 all? 24 A: I -- actually, I may have, but not that I can 25 recall right off --</p>	<p>3 Q: Uh-huh. 4 A: -- the top of my head. 5 Q: And you didn't document it in an email to 6 yourself? 7 A: Document what? 8 Q: The issue of 200 nonconforming parts being 9 pencil whipped? 10 A: No, I don't -- not that I can recall. 11 Q: Okay. 12 A: Yeah, yeah. 13 Q: But you thought it was an important issue? 14 A: Absolutely. 15 Q: Okay. 16 A: Absolutely. 17 Q: But you didn't think it was important enough 18 to put it in an email or to document it some way? 19 A: At -- well, the documentation was already 20 provided. 21 Q: Uh-huh. 22 A: It's the lost part forms themselves; that's 23 the objective evidence. 24 Q: Uh-huh. But you didn't provide that to 25 anyone, did you? A: Oh, I did. Q: Who?</p>
Page 228	Page 229
<p>1 A: I pointed it out to [REDACTED] 2 Q: Uh-huh. 3 A: [REDACTED] gave me the records. 4 Q: Uh-huh. 5 A: So you know -- 6 Q: Uh-huh. 7 A: -- yeah, they were there. Plus, the 8 leadership in the mid body and aft, at the time that 9 this was done, were -- were aware of all that. 10 Q: Uh-huh. 11 A: Because they were involved. 12 Q: And you didn't -- 13 A: So, yeah. 14 Q: -- make an ethics complaint about it, 15 correct? 16 A: No. No. 17 Q: And why is that, if it was such a huge 18 issue? 19 A: Well, because it had been done. We had the 20 objective evidence. I was pushing my leadership to 21 reopen them because they weren't done properly. And my 22 leadership told me to let it go. 23 Q: And why would you not report that -- 24 A: So... 25 Q: -- to ethics? I mean, that seems like a, you</p>	<p>1 know, potentially very dangerous issue, correct? 2 A: Right. Right. 3 Q: Why would you not report that to ethics? 4 A: So when was this? This was right towards the 5 end. I'd seen what happened with my other ethics -- 6 ethics investigations, you know. 7 Q: This -- this -- this -- 8 A: It's -- 9 Q: -- this was happening in July 2016. 10 A: Right. 11 Q: And you had -- 12 A: But when -- 13 Q: -- filed an ethics complaint in 2014? 14 A: Right. 15 Q: So you're saying you did not report this 16 potentially very dangerous issue to ethics because of 17 what happened in -- with a complaint that you filed in 18 2014? 19 A: So it's very dangerous that they were pencil 20 whipped? 21 Q: Well, according to -- I -- I mean, from what 22 I understand, from your testimony and your complaint, 23 if these parts were -- if they were truly missing and 24 had not been properly investigated, and they were 25 nonconforming, then they could potentially be on an</p>



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<p>1 airplane or -- you don't know where they are, correct? 2 A. That's correct. 3 Q. Okay. 4 A. That's correct. 5 Q. So that seems like a very important issue 6 that should be reported to ethics; would you not 7 agree? 8 A. Depending on the part, absolutely. 9 Q. What do you mean, "depending on the part"? 10 You -- 11 A. Well, like -- 12 Q. -- you're -- 13 A. -- if it's a side -- 14 Q. -- referring -- 15 A. -- panel -- 16 Q. -- to two -- 17 A. -- it's not -- 18 Q. -- excuse -- 19 A. -- a safety issue. 20 Q. Okay. Well -- so -- well, you tell me, 21 Mr. Barnett. Do you think it's a serious safety 22 concern? 23 A. What is? 24 Q. That these 200 parts were -- were not 25 properly investigated.</p>	<p>1 A. So it's a major quality management system 2 violation. 3 Q. Uh-huh. 4 A. But, again, you have to look at the parts. 5 And if it's sidewall panels on the interior, that type 6 of thing, no, it's really not a safety concern. 7 Q. Okay. 8 A. Right. 9 Q. So -- 10 A. But if you do have parts in there, then it 11 would be a safety -- 12 Q. Okay. 13 A. -- concern, yeah. 14 Q. So what -- what about these 200 parts that 15 you're talking about in your amended complaint? 16 A. What about them? 17 Q. Are they the type that would pose a safety 18 concern? 19 A. Well, I don't know because I didn't close 20 them out at the time -- 21 Q. Okay. 22 A. -- right? I got you the lost -- 23 Q. So they could -- 24 A. -- parts forms. 25 Q. -- and you didn't --</p>
<p>1 A. Yeah, they could. 2 Q. -- you didn't -- 3 A. They could. 4 Q. -- bring an ethics complaint about it? 5 A. Right. 6 Q. Okay. 7 A. Because I was trying to work it through my 8 management, which is what's required, to go through 9 your management -- 10 Q. Okay. Well, if you -- 11 A. -- to try to work it. 12 Q. -- if you actually believed that there were 13 defective parts that had been installed on planes, that 14 posed a safety issue, and you didn't report that to 15 ethics, do you not think that would be a vi -- 16 violation of Boeing policy and a -- and a -- 17 A. So now you're putting words. Because -- 18 MR. KNOWLES: Object to the form. 19 BY [REDACTED] 20 A. -- would -- I'm sorry. So you -- repeat what 21 you just said. You said if I thought there were -- 22 Q. Parts -- nonconforming -- 23 A. Installed on a plane? 24 Q. Let me finish. 25 A. I'm sorry.</p>	<p>1 Q. If you believed that there were parts -- 2 nonconforming parts -- that had been installed on an 3 airplane that posed a safety concern, and you didn't 4 report it to ethics, wouldn't that be a violation of 5 Boeing policy? 6 A. Absolutely. 7 Q. And your duties as a manager? 8 A. Absolutely. 9 Q. And -- okay. 10 A. However, I didn't say that I thought these 11 were on an airplane. I said they were pencil whipped 12 without being investigated. And we don't have any idea 13 if they're on an airplane or not. 14 Q. Exactly. So you didn't know -- 15 A. So I -- 16 Q. -- if they were on an airplane or not at the 17 time? 18 A. That's correct. 19 Q. So they could have been, correct? 20 A. Possibly, yes. 21 Q. And you didn't report it to ethics? 22 A. No. 23 Q. Okay. 24 [REDACTED]: Do you want this one now? 25 [REDACTED]: Let me see. Oh, [REDACTED]</p>

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1 yeah. Okay.
2 [REDACTED]: Let me mark it.
3 (Defendant's Exhibit No. 32 marked for
4 identification.)
5 [REDACTED]: Oh, yeah, we'll switch.
6 Sorry.
7 BY [REDACTED]:
8 Q. All right. This is an email from [REDACTED]
9 [REDACTED] to [REDACTED], or vice versa. I've gotten
10 confused. Oh, here we are.
11 [REDACTED]: Yeah.
12 BY [REDACTED]:
13 Q. From [REDACTED] to [REDACTED] dated July
14 28, 2016. Let me ask you, have you seen this email
15 before --
16 A. Don't ring --
17 Q. -- since --
18 A. -- a bell.
19 Q. -- you're not on it? Although, I think you
20 might have produced it. No, no, no. We produced this.
21 Sorry.
22 So [REDACTED] saying to [REDACTED] This is not as
23 simple as just revising the NCs and closing the SOIs.
24 At this point, no one even knows what lost part forms
25 will be needed for. A first pass must be done of all

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1 Q. Okay.
2 A. So...
3 Q. Okay. So in -- do you have your complaint
4 handy?
5 A. I do.
6 Q. In paragraph 91, the second sentence you
7 allege, It is a criminal felony offense to not properly
8 document the build record of an aircraft.
9 Did I read that correctly?
10 A. Where are you at? I'm sorry.
11 Q. Paragraph 91, the second sentence.
12 A. Yes.
13 Q. It is a criminal felony offense to not
14 properly document the build record of an aircraft?
15 A. Yes.
16 Q. So are you referring to the investigations
17 and the missing parts that we were just talking about,
18 when you talk about a criminal offense to not doc--
19 properly document the build record of an aircraft?
20 A. No. So this would be actually the aircraft
21 itself. And just, kind of, as an example, we were
22 talking about nonunitized tags and unitized tags. The
23 unitized tag is assigned to an airplane; whereas, a
24 nonunitized tag is not. So what this is talking about
25 is NCRs, EPDs that are associated to that the

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1 open SOIs, which make a list of who the last party was
2 that had possession of the part. This will drive
3 splitting everything out between things we need lost
4 parts forms for before we can close out SOIs we can
5 complete, since we have an inventory records [sic] of
6 parts, shipping, and other things like that.
7 Do you know what he was talking about here?
8 A. Yeah, the ARCO.
9 Q. Yeah. Well, then he goes on to say, Without
10 first categorizing things and knowing which party was
11 responsible for the physical part, we can't jump in and
12 start doing things in Velocity yet --
13 A. Right.
14 Q. -- right?
15 A. Right.
16 Q. So he -- it sounds to me like he's discussing
17 conducting an investigation into each of these parts.
18 Does it sound like that to you?
19 A. It sounds like what they're trying to do is
20 figure out who owns what, and -- and what group it goes
21 in. You know, when he points out ARCO, that was
22 another major issue that we identified there. They
23 were actually storing nonconforming parts off-site in
24 the ARCO warehouse. And manufacturing had free access
25 to them.

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1 particular airplane.
2 Q. Uh-huh.
3 A. Yeah. That -- that's when it crosses over
4 into this, not the nonunitized.
5 Q. So what's an example of what you -- of what
6 would be a criminal offense to not properly document
7 defects in the build record from what we've discussed
8 today?
9 A. Say that again. What would be --
10 Q. Well, you're alleging that you were pressured
11 to not -- to not properly document defects in the build
12 record, so I'm trying to determine what you mean by
13 that.
14 A. All right. So that's -- so going back to the
15 ethics complaint, right, the reallocation EPDs, that's
16 driven by an NCR. And if -- you know, if you don't
17 have that record, if they just go take the part and
18 take it off the plane and don't document it, then
19 you're affecting the build records of the airplane, and
20 it's a criminal offense. If you go out and work on
21 something without an NCR, without rework instructions,
22 it's a violation of procedures and it violated the FAA
23 regulations.
24 Q. Okay. I'm going to ask you to slow down.
25 A. I'm sorry.

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<p style="text-align: right;">Page 238</p> <p>3 Q. So let's go one by one. Let's go by -- let's 4 go one by one. So you've alleged criminal offense to 5 not properly document the build record of an aircraft 6 and that you were pressured to not properly document 7 defects in the build record. So let's go one by one by 8 what you mean by that. 9 A. All right. So, as an example, if you find a 10 defect on an airplane, and it requires an NCR, and 11 you're told not to write -- document it on an NCR -- 12 Q. Nonconforming -- 13 A. Nonconforming record. I'm sorry. I'll slow 14 down. 15 Q. So this relates to allegedly being instructed 16 to not write NCRs? 17 A. That's one of them, yes. But it really -- 18 Q. And -- 19 A. -- it -- it expands to anything working -- 20 Q. Okay. 21 A. -- outside the BPIs and procedures. 22 Q. Okay. And who alleged -- I'm sorry. Strike 23 that. 24 Who instructed you to not write NCRs? 25 A. Well, [REDACTED] told me not to document quality concerns and defects, so... Q. Again, we -- okay. So that -- that's --</p>	<p style="text-align: right;">Page 239</p> <p>3 that's where I'm -- one -- one point I want to get to. 4 So when you allege that [REDACTED] told you not to put 5 defects in -- or raise issues with defects in emails, 6 you're interpreting that to mean he told you not to 7 doc -- document defects, correct? 8 A. So the way it was -- the -- what he told me 9 was, Stop putting quality concerns -- 10 Q. In an email? 11 A. -- in emails. 12 Q. Okay. 13 A. Right. 14 Q. So would you consider that instruction to be 15 a pressure to not properly document defects in the 16 build record? 17 A. Not that particular one. But I've -- I've 18 taken over several teams there -- and we haven't talked 19 about that. But several teams I've -- talking to. And 20 I believe it was even in one of the ethics reports that 21 y'all submitted, was that [REDACTED] had told people they 22 didn't have to document defects. Or they could 23 document a defect that should be on an NCR on a -- on a 24 pickup, that type of thing. 25 Q. Okay. A. So -- Q. So -- all right. So this is very specific.</p>
<p style="text-align: right;">Page 240</p> <p>1 So you're not -- when you say, I'm not -- I'm not 2 talking about [REDACTED] saying not to put defects in an 3 email, that would -- that is not what you mean when you 4 say you were pressured to not properly document defects 5 in the build records? 6 A. Well, yeah. Because he told me to stop 7 documenting quality concerns in -- in -- in email, 8 right. But -- 9 Q. So that would be a criminal offense, because 10 you're not properly documenting defects in the build 11 records? 12 A. Yeah, if you don't document the defects -- 13 Q. So -- 14 A. -- in the build records -- 15 Q. -- so instruction to not -- 16 A. -- then -- 17 Q. -- put issues in writing, you contend that is 18 a criminal offense that -- and that you were pressured 19 to not document defects in the build record by -- by 20 the instruction to not put them in emails? 21 A. So I think that's -- reread this. Make sure 22 we're on the same page. By pressuring Barnett to -- 23 not following processes and procedures -- so that 24 one -- 25 Q. And to not --</p>	<p style="text-align: right;">Page 241</p> <p>1 A. -- is one violation. 2 Q. -- properly doc -- 3 A. And to not properly document defects in the 4 build records -- 5 Q. Uh-huh. 6 A. -- Boeing was -- Barnett -- yeah -- 7 Q. Right. 8 A. -- ordering me to -- 9 Q. So -- so -- yeah. I agree; there are 10 buckets. So there's the bucket of follow process and 11 procedures. And then there's another separate bucket 12 that you've alleged it's a criminal offense to not 13 properly document the build record of an aircraft. And 14 so I'm trying to figure out what exactly are examples 15 of you being pressured to not document the build record 16 of an aircraft? 17 A. So let's see. Back to [REDACTED] So, yeah, I 18 would have to fall back on the -- on the fact that he 19 put in my PM not to document quality concerns. 20 Q. In emails. 21 A. And -- and -- 22 Q. Okay. 23 A. -- and I viewed it as a defect, as a quality 24 concern. So... 25 Q. And -- and that -- that affects the build</p>

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<p style="text-align: right;">Page 242</p> <p>1 record of the aircraft? 2 A. If it's not documented, absolutely. 3 Q. Okay. But just because he told you not to 4 put it in an email doesn't mean it wasn't documented 5 somewhere else, in -- 6 A. I don't think -- 7 Q. -- Velocity -- 8 A. -- he said it was -- 9 Q. -- or somewhere else -- 10 A. -- email. 11 Q. -- correct? 12 A. I think he said, Just stop documenting 13 quality concerns. Where's that email at? 14 Q. Okay. That's fine. Anything else? 15 A. Well, there's a whole list of -- of -- you 16 mean as far as this particular -- 17 Q. Yes, as far as that particular one. 18 A. Well, again, I can't emphasize enough not 19 following processes and procedures is a violation of 20 regulations, so... 21 Q. Okay. 22 A. That's a criminal offense, as well. 23 Q. Okay. All right. Let's take a 10-minute 24 break. 25 [REDACTED]: Go off the record.</p>	<p style="text-align: right;">Page 243</p> <p>1 [REDACTED]: Off the record, 15:52. 2 (A brief recess was taken.) 3 [REDACTED]: Back on the record, 16:04. 4 BY [REDACTED] 5 Q. Okay, Mr. Barnett. I'd like to move on and 6 talk about some other complaints that you raised in 7 your amended complaint. 8 So in September 2016, you filed a complaint 9 against [REDACTED]; is that correct? 10 A. Sound correct. 11 Q. With ethics? 12 A. Yes. Actually, no, that's incorrect. I went 13 to HR and reported an issue that I found concerning. 14 And HR notified ethics. 15 Q. Okay. Did you report that to [REDACTED] 16 [REDACTED]? 17 A. Yes. 18 Q. Okay. And was that an issue that [REDACTED] 19 had improperly removed a part from the MRSA? 20 A. That's correct. He had taken it out of the 21 scrap bin. 22 Q. Okay. And did you witness that? 23 A. I did not. 24 Q. Was that [REDACTED] who told you that? 25 A. Actually, I think there was three or four of</p>
<p style="text-align: right;">Page 244</p> <p>1 my people that was assigned to me that told me that, 2 yes. 3 Q. Okay. And were you interviewed as part of 4 that investigation? 5 A. I was. 6 Q. Do you know if others were, as well? 7 A. I believe they were, yes. 8 Q. Okay. 9 [REDACTED]: Yeah, we can put this in, 10 62, uh-huh. 11 [REDACTED] Okay. 12 (Defendant's Exhibit No. 33 marked for 13 identification.) 14 [REDACTED]: Here you go. 15 BY [REDACTED] 16 Q. And have you seen a copy of the document I 17 just handed to you before? 18 A. I believe I have, yes. 19 Q. And it's the report out on the investigation 20 of the ethics complaint that you made against [REDACTED] 21 [REDACTED] correct? 22 A. Correct. 23 Q. And it looks like they interviewed several 24 people; is that correct? 25 A. Yes, that's correct.</p>	<p style="text-align: right;">Page 245</p> <p>1 Q. And it's a pretty lengthy report? 2 A. Yes. 3 Q. And do you know what the results of the 4 investigation were? 5 A. Yeah. They said it was unsubstantiated 6 because they said he had the authority to do that. 7 Q. Okay. And that -- and, again, that report 8 was made in September of 2016; is that correct? 9 A. Where is that at? This says November 29th. 10 Q. Yeah, the date of the report is November 29. 11 If you look in there, you'll identify -- it'll -- it 12 notes when you made the complaint to HR. 13 A. Do you know where that's at? 14 Q. Yeah. Let me see if I can help you. 15 A. Just to verify the date. 16 Q. Uh-huh, yeah. So if you look at second page, 17 under Investigative Findings, like, right in that -- 18 right in that first paragraph up at the top, after 19 Background. It says, Investigative Findings and 20 Analysis. 21 A. Yes. 22 Q. And then, Investigative Findings, John 23 Barnett. Do you see that? 24 A. Yes. 25 Q. It says you were interviewed by EHRI on</p>

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<p style="text-align: right;">Page 246</p> <p>1 October 20, 2016?</p> <p>2 A. Right.</p> <p>3 Q. And then it says, under -- in the second</p> <p>4 paragraph of your -- this is your statement. Then, in</p> <p>5 the second paragraph it says, I submitted a complaint</p> <p>6 to HRG [REDACTED] on Saturday, September 17,</p> <p>7 2016.</p> <p>8 A. Yes.</p> <p>9 Q. Okay. All right. Okay. So that was after</p> <p>10 you would have discovered the -- the 200 parts that had</p> <p>11 allegedly been pencil whipped, correct?</p> <p>12 A. Correct.</p> <p>13 Q. And you didn't make any allegation about that</p> <p>14 in this complaint, correct?</p> <p>15 A. No, not at this one.</p> <p>16 Q. Uh-huh. Well, I mean, we've already</p> <p>17 established you didn't make any. And you didn't do it</p> <p>18 in -- at this point, either?</p> <p>19 A. Well, this was against [REDACTED]. And the</p> <p>20 pencil whipping happened, like I say, under different</p> <p>21 leadership.</p> <p>22 Q. Uh-huh.</p> <p>23 A. So...</p> <p>24 Q. But I -- I thought your testimony was that</p> <p>25 you presented the evidence that these parts had been</p>	<p style="text-align: right;">Page 247</p> <p>1 pencil whipped to [REDACTED] and he told you not to</p> <p>2 do anything about it?</p> <p>3 A. That's correct.</p> <p>4 Q. Okay. And so you didn't make a complaint</p> <p>5 about that in this complaint --</p> <p>6 A. No.</p> <p>7 Q. -- that you raised in 2016? Okay.</p> <p>8 And you didn't make any other complaints</p> <p>9 against [REDACTED] in this complaint, correct?</p> <p>10 A. Right. This was strictly about the part he</p> <p>11 took out of the scrap bin.</p> <p>12 Q. Uh-huh. You didn't allege he was retaliating</p> <p>13 against you in any way?</p> <p>14 A. By taking a part out of the scrap bin?</p> <p>15 Q. Or just -- you know, I mean, you're making a</p> <p>16 complaint against him. I'm just confirming that you</p> <p>17 didn't make any -- you didn't use that opportunity to</p> <p>18 make other complaints against him?</p> <p>19 A. No. When I went to talk [REDACTED] my sole</p> <p>20 focus was the fact that he had taken a part out of the</p> <p>21 scrap bin and gave it to --</p> <p>22 Q. Okay.</p> <p>23 A. -- production, yes.</p> <p>24 Q. And -- and you don't --</p> <p>25 A. That was --</p>
<p style="text-align: right;">Page 248</p> <p>1 Q. -- have an allegation in your amended</p> <p>2 complaint that [REDACTED] treated you any differently</p> <p>3 after you made this complaint against him, right?</p> <p>4 A. No. That was ongoing. So, yes, I would -- I</p> <p>5 would agree with that.</p> <p>6 Q. Okay. All right. Let's -- we're finished</p> <p>7 with that one. Let's -- let's talk about the oxygen</p> <p>8 squib investigation.</p> <p>9 A. Yes.</p> <p>10 Q. All right. So in paragraph 24 of your</p> <p>11 amended complaint, you allege that you objected to</p> <p>12 the --</p> <p>13 A. 24?</p> <p>14 Q. -- investigation of oxygen squibs being shut</p> <p>15 down; do you see that?</p> <p>16 A. What page?</p> <p>17 Q. It's page 10, paragraph 24. The -- the</p> <p>18 heading says, Barnett's objection to the investigation</p> <p>19 of defective oxygen squibs being shut down.</p> <p>20 Did I read that correctly?</p> <p>21 A. Where do you see that? Oh, at the top, yes.</p> <p>22 Q. Uh-huh.</p> <p>23 A. Yes.</p> <p>24 Q. Okay.</p> <p>25 A. Yep.</p>	<p style="text-align: right;">Page 249</p> <p>1 Q. And you stand by that statement --</p> <p>2 A. Yes.</p> <p>3 Q. -- under oath today? Okay.</p> <p>4 A. I do.</p> <p>5 Q. All right. So let's just talk a little bit</p> <p>6 about that issue, the oxygen squib issue. So, as I</p> <p>7 understand it, around July 2016, there was an issue</p> <p>8 with defect -- defective oxygen can- -- canisters,</p> <p>9 nonconforming oxygen canisters. And they were brought</p> <p>10 into the MRSA; is that correct?</p> <p>11 A. Right.</p> <p>12 Q. Okay. And the -- and the immediate issue, at</p> <p>13 the time, was, you-all were trying to figure out a safe</p> <p>14 way to depressurize those canisters; is that correct?</p> <p>15 A. Right.</p> <p>16 Q. And, in the course of trying to figure out</p> <p>17 how to do that, it was discovered that some of the</p> <p>18 oxygen squibs were not properly dispensing oxygen; is</p> <p>19 that correct?</p> <p>20 A. They were not initiating, yes.</p> <p>21 Q. They were not initiating at all?</p> <p>22 A. Yeah.</p> <p>23 Q. Okay. Okay. I'm just going to show you a</p> <p>24 couple of emails.</p> <p>25 [REDACTED] Okay. Let's go to this</p>

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<p style="text-align: right;">Page 250</p> <p>1 one, 89 -- or, I'm sorry, 68. I'm looking at 2 these upside down. I'm sorry. Here you go. 3 MR. TURKEWITZ: Thank you. 4 (Defendant's Exhibit No. 34 marked for 5 identification.) 6 BY [REDACTED]: 7 Q. Okay. So this -- the top email is from [REDACTED] 8 [REDACTED] But it's a -- in response to an email you 9 sent on August 4, 2016, to a bunch of people, including 10 [REDACTED] several others, where you 11 say -- you know, the subject is, Oxygen cylinder 12 recycling project. You say, Due to the concern that 13 was brought up in our meeting, with the amount of 14 failures that we're seeing regarding the squibs' 15 discharge, we need to perform a failure analysis for 16 the parts we currently have on hand in the MRSA so we 17 can fully document the issue and determine next steps. 18 Did I read that correctly? 19 A. Actually, you skipped a part. It said, 20 Approximately 15 percent failure rate. 21 Q. Oh, sorry, yeah. Just -- it was in parens. 22 I was just trying to shorten it. 23 A. Oh, okay. Sorry. 24 Q. And then you develop a plan -- 25 A. Correct.</p>	<p style="text-align: right;">Page 251</p> <p>1 Q. -- correct? 2 A. Yep. 3 Q. Okay. And then, [REDACTED] responds, Who 4 has the action for each of these tasks and ECD? 5 And I should have asked you earlier, what 6 does ECD mean? 7 A. Estimated completion date. 8 Q. Yeah. And he says, Need to start with BR+T 9 providing ECDs and the then other tasks can be planned 10 out accordingly. 11 So that's [REDACTED] responding to your 12 plan, correct? 13 A. Correct. 14 Q. Okay. Okay. And, unfortunately, this is 15 just a terrible copy. 16 [REDACTED]: But, yeah, let's do this 17 one, 69. 18 (Defendant's Exhibit No. 35 marked for 19 identification.) 20 BY [REDACTED]: 21 Q. And in that email that we were just talking 22 about, Mr. Barnett, you see it goes on for several 23 pages behind that. So it was -- 24 A. Yeah. 25 Q. -- had -- it was a lengthy issue or --</p>
<p style="text-align: right;">Page 252</p> <p>1 A. It was. 2 Q. -- a lengthy investigation to get to the 3 point where you felt like there was an issue with the 4 squibs themselves, correct? 5 A. Correct. 6 Q. Yeah. And you were involved during that 7 whole process -- 8 A. Correct. 9 Q. -- correct? All right. 10 A. And just to clarify, I was actually, kind of, 11 leading it -- 12 Q. Which -- 13 A. -- not just been involved. 14 Q. There we go. Okay. So we're all going to do 15 our best to try and read this. I think I can -- can do 16 it. This is an email from -- well, it's an email from 17 [REDACTED] responding to an email from you on Friday, 18 January 13, 2017. You sent it to [REDACTED] and [REDACTED] And 19 you say, I have a serious safety concern I feel needs 20 to be addressed. As you know, last year we discovered 21 that the oxygen bottles that were being removed from 22 the airplane due to the panel damage were showing a 25 23 percent failure rate when they were being discharged 24 for scrap. I had taken numerous steps to define root 25 cause and determine if the following rate was indeed</p>	<p style="text-align: right;">Page 253</p> <p>1 accurate or if there were other courses for the 2 failure. As you recall, the investigation was turned 3 over to QAI for continuation and root cause analysis. 4 To date, I have not seen much action on this issue and 5 the investigation seems to have stalled. We still have 6 over 200 bottles in our area that are slated for defect 7 analysis. But, as I said, the investigation seems to 8 have stalled. The oxygen bottles are still in our 9 area. I believe it is imperative that the proper 10 resources are dedicated to this issue to determine if 11 there is actually a failure rate with the squibs on the 12 bottles. 13 Did I read that correctly? 14 A. So far, yes. 15 Q. So far. I'm trying to see if I need to go 16 on. The -- these ox- -- oxygen bottles are the ones 17 that would supply oxygen to the passengers in the event 18 of decompression and/or the pilots and flight 19 attendants. I can't imagine being on a plane and have 20 a 75 percent possibility of having a functioning oxygen 21 supply in the event it is needed. I urge you to please 22 take action to get the investigation moving forward, 23 the root cause identified, and, if found, we need to 24 take the necessary actions to assure our fleet and the 25 flying public are safe. I am more than willing to get</p>

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<p style="text-align: right;">Page 254</p> <p>1 reinvented to help drive the root cause and take the 2 necessary action. Let me know how I can help. 3 Okay, did I read that correctly? 4 A. Yes. 5 Q. Okay. So it sounds like you -- you had 6 identified the issue because the canisters had come to 7 the MRSA, which is where they belonged because -- 8 A. Right. 9 Q. -- they were defective -- 10 A. Correct. 11 Q. -- and had done a lot of work to identify 12 that there was this potential failure rate, correct? 13 A. Yes. 14 Q. And then you say, The -- the investigation 15 was turned over to QAI? 16 A. Right. 17 Q. That -- that's quality assurance 18 investigation, correct? 19 A. Correct. 20 Q. And so it's their job to do the 21 investigations into an issue like this, correct? 22 A. Yes. 23 Q. So that would be the appropriate department, 24 correct? 25 A. It -- it would have been, in the initial</p>	<p style="text-align: right;">Page 255</p> <p>1 beginning. But, like you say, I'd been running this 2 for months. And we were literally, like, two days away 3 from finding root cause when [REDACTED] told me to turn it 4 over to QAI. So, yeah. 5 Q. Okay. And so, did [REDACTED] tell that you in a -- 6 in a face-to-face conversation or over email? 7 A. Yeah, face-to-face. 8 Q. Okay. And did you document the fact that 9 [REDACTED] told you to -- 10 A. Actually, it's -- 11 Q. -- turn it over to QAI? 12 A. I'm sorry. Go ahead. 13 Q. Did you document the fact that [REDACTED] told you 14 to turn it over to QAI? 15 A. It's in the emails that we supplied to y'all. 16 Q. Uh-huh. 17 A. And -- and it was turned over to [REDACTED] 18 (ph), I believe was her name. 19 Q. Okay. 20 A. And she was QAI working under [REDACTED] 21 And she took it over, like, first part of September, I 22 believe. 23 Q. Okay. 24 A. And that's when he told me to turn it over to 25 her.</p>
<p style="text-align: right;">Page 256</p> <p>1 Q. Okay. And -- and, again, just confirming, 2 Q -- I mean, the name of the organization is, Quality 3 Assurance Investigation. So it's my understanding -- 4 A. Right. 5 Q. -- that that -- that falls within their 6 purview, to investigate those kinds of potential 7 failures, correct? 8 A. Again, it -- it would be, if it was the 9 initial. But, at that point, I had already done the 10 investigation, and we were ready to define root cause. 11 Q. Uh-huh. 12 A. And that's why I went to [REDACTED] 13 Q. Uh-huh. 14 A. -- [REDACTED]. 15 Q. Well, the email that we just looked at, you 16 know, you have a multi-step plan in there about what's 17 needed. Because I -- my understanding is, you had just 18 performed some kind of informal test and had come up 19 with this approximate 15 percent failure rate number, 20 correct? 21 A. No. It really wasn't an informal test. 22 Would you like for me to explain what I did or -- 23 Q. Well, we have limited time, so -- 24 A. Okay. 25 Q. -- maybe. I'll come back to that.</p>	<p style="text-align: right;">Page 257</p> <p>1 You say, We need to perform a failure 2 analysis of the parts we currently have on hand in MRSA 3 so we can fully document the issue and determine next 4 steps. 5 And then you have a seven-part, kind of, plan 6 of, here's what's needed -- 7 A. Right. 8 Q. -- correct? So it sounds to me like this 9 is -- would be the natural point where QAI would get 10 involved, correct? Because this sounds like a lot of 11 work. And you have your own work to do in MRSA -- 12 A. Right. 13 Q. -- correct? Okay. 14 So -- so [REDACTED] says, Let's get QAI 15 involved so we can get this investigated, correct? 16 A. Not there he didn't. 17 Q. No. But you -- you said earlier that 18 [REDACTED] -- 19 A. He told me that in September. 20 Q. He told you to -- that QAI was going to 21 handle it, correct? Okay. 22 So then you're emailing in -- January 13th to 23 [REDACTED] and -- [REDACTED] and [REDACTED]. And you're 24 raising a concern. You don't feel like QAI has made 25 much progress on the investigation, correct?</p>

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<p>1 A. Correct. 2 Q. And how did you know that? 3 A. Well, because [REDACTED] was reaching out to 4 me and asking me question and -- and we were 5 communicating. 6 Q. Uh-huh. 7 A. And at that point -- 8 Q. So she was asking you questions about what 9 you had found when you had the issue originally? 10 A. It was more questions of, Well, could it be 11 handling or could it be something else, or -- 12 Q. Okay. 13 A. -- that kind of thing. 14 Q. Okay. And so how did you know that not much 15 progress had been made on the investigation? 16 A. Well, because talking with [REDACTED] like I say, 17 in September -- the first part of September -- I was 18 working with [REDACTED], up in BR+T. And he's the one 19 that actually was initiating the squibs to -- so we 20 could scrap the parts. We had to initiate them so we 21 could drain the oxygen, so we could -- 22 Q. Right. 23 A. -- scrap the parts, right. 24 Q. Uh-huh. 25 A. And we sent him 100 that we had received.</p>	<p>1 And just in passing, in a meeting, he said, Okay, we've 2 done these. But we had about 15 percent that didn't 3 initiate. And that raised red flags to me. It was 4 like, Wait a minute. We need to -- we need to take a 5 closer look at this. 6 Q. Uh-huh. 7 A. So then -- and you can see this all through 8 the email stuff that you have. I reached out to all 9 the appropriate organizations and said, you know, We 10 need to get on this and figure out if we have a problem 11 or not. I worked with MMO and actually pulled fresh 12 stock out of stores, still in the packages, so we could 13 eliminate whether it was handling or -- or -- that cut 14 wires or that type of thing. 15 I spent hours having my team trained up to 16 where they were appropriately, at least, certified and 17 qualified to take the PSUs apart and remove the oxygen 18 components without doing any damage. And we sent 19 that -- what I can call a control group up to [REDACTED] 20 [REDACTED] to have him initiate them, to either verify it 21 or it'd go away. And that'd show us that it was 22 handling. And, at that point, I fully expected the 23 failure rate to go to zero. 24 Q. Uh-huh. 25 A. But then when he came back and said it</p>
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<p>1 actually went up to 25 percent, that set off all kind 2 of alarms. And I was like, Okay, this is a serious 3 issue. 4 Q. Uh-huh. 5 A. So I continued to work with the group that I 6 had already established and put together. And we had 7 gotten to the point to where [REDACTED] had removed 8 those 75 squibs that did not fire. And we had them 9 in an explosives cabinet. And what he told me is -- he 10 said, Okay, it will take me about two days to take 11 these apart and identify root cause on why they didn't 12 fire. But we need a budget. My -- my management's not 13 going to pay for it. 14 I said, Well, I'll go talk to my manager and 15 have him pay for it. 16 I approached [REDACTED] and I said, Look, 17 we're two days away. All we need is a budget, so he 18 can tear these apart and figure out why they failed. 19 And, at that time, [REDACTED] looked at me and he 20 said, Well, why are you investigating it? Turn it over 21 to QAI. 22 Q. Uh-huh. 23 A. I was like, Well, the investigation's just -- 24 we're right there at -- at root cause analysis. 25 Q. Uh-huh.</p>	<p>1 A. So he had me turn it over to QAI. [REDACTED] 2 took it. And from what I was gathering in her emails 3 and her communications with me is, she was taking 4 people's opinions instead of actually working the root 5 cause. 6 Q. Okay. 7 A. Yeah. 8 Q. So in your opinion, the investigation hadn't 9 progressed -- 10 A. That's correct. 11 Q. -- quickly enough? Okay. And so you sent an 12 email to [REDACTED] on January 13th with -- raising 13 this concern? 14 A. Yeah. 15 Q. And [REDACTED] responds and says, [REDACTED] -- 16 and sends it to [REDACTED] who's the manager of QAI, 17 correct? 18 A. Correct. 19 Q. And he said, [REDACTED] can we get QAI to look 20 into this ASAP, correct? 21 A. Right. 22 Q. So he was elevating it and trying -- 23 and had -- had some urgency around that, correct? 24 A. Right. But they had already had it for three 25 months.</p>

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<p style="text-align: right;">Page 262</p> <p>1 Q. Okay.</p> <p>2 A. So I don't know why he would say, Let's get</p> <p>3 them to look into it. They've been looking into it for</p> <p>4 three months.</p> <p>5 Q. Well, you were saying that you didn't feel</p> <p>6 like it was going quickly enough. And so he's</p> <p>7 saying -- he's forwarding this email that you sent to</p> <p>8 the manager of [REDACTED] raising all of -- excuse</p> <p>9 me -- to the manager of MRSA, raising all of your</p> <p>10 concerns. He forwarded that to [REDACTED]</p> <p>11 correct?</p> <p>12 A. Who was the manager of QAI.</p> <p>13 Q. Of QAI -- I'm sorry -- of QAI. He forwards</p> <p>14 those concerns and says, [REDACTED] we need someone to look</p> <p>15 into this ASAP, referring to your below email?</p> <p>16 A. Right.</p> <p>17 Q. Okay. So he was taking your concerns</p> <p>18 seriously, correct?</p> <p>19 A. I don't think so. Because, like I say, he's</p> <p>20 the one that told me to turn it over to them three</p> <p>21 months earlier.</p> <p>22 Q. Uh-huh.</p> <p>23 A. So for that have -- to have fallen through</p> <p>24 the cracks, I --</p> <p>25 Q. Right.</p>	<p style="text-align: right;">Page 263</p> <p>1 A. It's not a good thing.</p> <p>2 Q. Other than talking with -- did you say her</p> <p>3 name was [REDACTED]?</p> <p>4 A. [REDACTED]</p> <p>5 Q. [REDACTED]?</p> <p>6 A. -- I believe [REDACTED]</p> <p>7 Q. Other. Than talking with [REDACTED] did you ever</p> <p>8 approach [REDACTED] and ask him why it was taking so</p> <p>9 long for the investigation to be completed?</p> <p>10 A. I mentioned to [REDACTED] what's going on, you</p> <p>11 know. And he was like, [REDACTED] working it, you know.</p> <p>12 So that told me to go talk to [REDACTED].</p> <p>13 Q. Uh-huh.</p> <p>14 A. -- don't bother him.</p> <p>15 Q. Uh-huh.</p> <p>16 A. Yeah.</p> <p>17 Q. So -- so you -- did you ever go to him and</p> <p>18 express a concern that -- similar to the one that you</p> <p>19 expressed in this email on January 13th?</p> <p>20 A. This is my concern. This is when I elevated</p> <p>21 it --</p> <p>22 Q. Okay.</p> <p>23 A. -- that I have of a concern.</p> <p>24 Q. So until January 13th, you hadn't elevated</p> <p>25 it?</p>
<p style="text-align: right;">Page 264</p> <p>1 A. Correct.</p> <p>2 Q. Okay.</p> <p>3 A. Because [REDACTED] was --</p> <p>4 Q. Okay.</p> <p>5 A. -- playing with it.</p> <p>6 Q. And -- and as a, you know, K-level manager,</p> <p>7 you had the full ability to go and knock on [REDACTED]</p> <p>8 [REDACTED]'s door and have that conversation with him,</p> <p>9 correct?</p> <p>10 A. Sure. Sure. And him and [REDACTED] sat</p> <p>11 right next to each other.</p> <p>12 Q. Uh-huh.</p> <p>13 A. So --</p> <p>14 Q. Uh-huh.</p> <p>15 A. -- yeah.</p> <p>16 Q. But you don't do that?</p> <p>17 A. No, I didn't.</p> <p>18 Q. Okay. So, again, in paragraph 24, I think</p> <p>19 you allege -- you allege -- you say, Barnett was</p> <p>20 criticized for documenting this issue and was</p> <p>21 immediately removed from any responsibility for</p> <p>22 investigating this problem.</p> <p>23 So based on what we just discussed and the</p> <p>24 emails we just looked at, that's not accurate, is it?</p> <p>25 A. I --</p>	<p style="text-align: right;">Page 265</p> <p>1 MR. KNOWLES: Objection.</p> <p>2 MR. TURKEWITZ: Objection.</p> <p>3 BY [REDACTED]</p> <p>4 Q. You can answer.</p> <p>5 A. I'd remove "immediately." But, yeah, the</p> <p>6 rest of it's accurate. I was removed from the</p> <p>7 responsibility of the investigation.</p> <p>8 Q. Were you criticized for documenting the</p> <p>9 issue?</p> <p>10 A. Absolutely. Because [REDACTED] was asking me,</p> <p>11 you know, Why are you doing this? How is this going?</p> <p>12 You know, how did this come up? So I had to explain it</p> <p>13 all over to him, show him the emails, which he was</p> <p>14 already a part of. It's like -- it's almost like he</p> <p>15 had forgotten about it.</p> <p>16 Q. But you weren't criticized for documenting</p> <p>17 it, [REDACTED] was saying, Why would you finish the</p> <p>18 investigation when that is the duty of QAI, correct?</p> <p>19 Well, we just looked at --</p> <p>20 A. Yeah.</p> <p>21 Q. -- we can pull them up. We just looked at --</p> <p>22 A. Sure.</p> <p>23 Q. -- all of those emails. And [REDACTED] was on</p> <p>24 all of them. And I didn't see any one where he was</p> <p>25 critical of you documenting --</p>



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<p style="text-align: right;">Page 266</p> <p>1 A. Yeah. 2 Q. -- the issues, correct? And, in fact-- 3 A. Yes. 4 Q. -- the last email we looked at was your plan 5 raising the issue and [REDACTED] responding, saying, 6 What's the EDT on these, correct? 7 A. Well, now, that was in August of 2016, right. 8 This one's January of 2017. 9 Q. Well, let's -- you sent an email on August 4, 10 2016 -- 11 A. Correct. 12 Q. -- saying, Due to the concern that was 13 brought up in our meeting, we have this failure rate. 14 This is an issue. We've got to -- we -- here's the 15 plan. 16 [REDACTED] responds to you and says, Who 17 has the action for each of these tasks and an ECD? We 18 need to start with BR+T, providing ECDs and the other 19 tasks so we can plan accordingly, correct? 20 A. Right. Right. 21 Q. So no -- no one criticized you for 22 documenting this issue -- 23 A. Not -- 24 Q. -- correct? 25 A. -- in this email, correct.</p>	<p style="text-align: right;">Page 267</p> <p>1 Q. Okay. 2 A. Yes. 3 Q. Well, not ever did -- were -- was there a 4 criticism about documenting this issue. 5 A. He was criticizing me for -- for pushing it 6 because he didn't really want to have to deal with it, 7 obviously, because it was three months between that. 8 Q. When you say he criticized you, you mean he 9 put QAI on the investigation, correct? 10 A. Well, that -- yeah, he removed me from it and 11 put QAI on it. 12 Q. Okay. 13 A. Yes. 14 Q. But -- so what did he say that was critical 15 to you in that conversation? 16 A. Well, it -- again, it was, you know, Why are 17 you doing this? You know, What are you doing? You 18 know, that type of thing. So that's -- 19 Q. Right. Why -- 20 A. To me, that's criticism. 21 Q. Okay. But during the course of you 22 documenting the issue with the oxygen squibs, no one 23 criticized you for documenting that issue, correct? 24 A. Actually, we do have an email where I was 25 trying -- let's see. What was it? It was -- oh, we</p>
<p style="text-align: right;">Page 268</p> <p>1 were talking about how to initiate the squibs and -- 2 and how to capture that data. And I kept -- had -- you 3 know, getting -- trying to get [REDACTED] to help. And he 4 sent -- fired off an email. And it was pretty nasty. 5 And I explained to him. And he's like, Okay, just fire 6 them. Just stop the madness. You know, that's the 7 kind of attitude he had. 8 Q. Uh-huh. 9 A. He just -- 10 Q. Uh-huh. We didn't see that in any of the 11 emails we just looked at? 12 A. Not these. 13 Q. Okay. 14 A. But you have my copies, yes. 15 Q. Okay. Okay. Let's -- let's talk about the 16 other issue you raised in your amended complaint, about 17 the missing or incomplete serial number data. 18 A. Yes. 19 Q. Okay. So in your amended complaint, you 20 allege -- so your allegation regarding this 21 investigation is just that you were removed from -- 22 removed as the SNC FAA audit response team leader; is 23 that right? 24 A. That's not all of it. But, yeah, that's -- 25 that's the bottom line, yes.</p>	<p style="text-align: right;">Page 269</p> <p>1 Q. Yeah. I mean, I'm looking at it. It looks 2 like that's the -- that's the gist of that allegation, 3 that you were removed from that role. 4 Okay. Let's look at 73. Another doozie. 5 (Defendant's Exhibit No. 36 marked for 6 identification.) 7 BY [REDACTED]: 8 Q. Here you go. So this is an email from you to 9 [REDACTED] It's dated September 15, 2016. Oh, 10 wait. I might have jumped the gun. Wait. Sorry. I 11 think -- I think I meant to give you another one. 12 Yeah, I did. Can we just put those aside for a second? 13 [REDACTED] 71. 14 (Defendant's Exhibit No. 37 marked for 15 identification.) 16 [REDACTED]: Yeah, that's fine. Are 17 we -- so I don't -- I'm confused on the numbering, 18 so I don't know what I'm saying. Here we go. All 19 right. So this will -- this is email from [REDACTED] 20 Barnett, dated July 7, 2016, that we're 21 numbering -- it's going to be Exhibit 37. Okay. 22 [REDACTED]: Yes. 23 MR. TURKEWITZ: Did we skip a few? 24 [REDACTED]: So we're not out of order. 25 [REDACTED]: We marked the previous one 36.</p>

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<p style="text-align: right;">Page 270</p> <p>1 MR. TURKEWITZ: Oh, okay. 2 [REDACTED]: So we're just going to talk 3 about this one first. 4 MR. TURKEWITZ: Which one's 35? 5 MR. KNOWLES: They got out of order. 6 MR. TURKEWITZ: Oh, I see. So this is 36 or 7 37? 8 [REDACTED]: 37, so we don't have to 9 mess up the order. 10 BY [REDACTED]: 11 Q. Okay. So this is an email dated July 7th, 12 from -- it starts with -- well, it actually starts on 13 the second page, from [REDACTED] to you. The subject 14 is, Serial Number Control Ad-hoc Audit? 15 A. Yes. 16 Q. Is the serial number issue that your -- you 17 reference in your complaint? 18 A. Yes, it is. 19 Q. And who is [REDACTED]? 20 A. He was the internal auditor, I believe. 21 Q. Okay. 22 A. Yeah, I read this one. 23 Q. And he says, I'm writing to inform you of a 24 pending audit finding related to BSC's processes for 25 serial number control?</p>	<p style="text-align: right;">Page 271</p> <p>1 A. Right. 2 Q. And I wanted to inform you of the results 3 before I begin to transfer the data. Please see the 4 attached document for a draft of what the finding will 5 look like. Also, please let me know if you have any 6 questions or concerns. 7 A. Right. 8 Q. And you send this to [REDACTED] and say, 9 Sharing. And [REDACTED] responds a little later and says, 10 Set something up and explain it to me. 11 Did I read that correctly? 12 A. Yes, you did. 13 Q. And then you explained it to him. In a 14 nutshell, BSC is awful at getting the right serial 15 numbers recorded and we have a big problem with the 16 entries being N/A in the serial number block. Our 17 internal audit group was instructed to perform an audit 18 by corporate, and they found all the errors and 19 inquiries we have sent to our customers. They are 20 writing an audit finding against it. Not sure who will 21 be responsible for the CA, but I am guessing it will be 22 [REDACTED] since it is a quality responsibility to 23 assure we capture the serial numbers. 24 Did I read that correctly? 25 A. Yes.</p>
<p style="text-align: right;">Page 272</p> <p>1 Q. So why was [REDACTED] sending it -- this to you? 2 A. Because I was the manager of the ARLSNC 3 team -- 4 Q. Okay. 5 A. -- at the time. 6 Q. The -- and -- and tell me what the ARSNC 7 [sic] team is. 8 A. Aircraft readiness log serial number control. 9 Q. Okay. So is that -- was that just a part of 10 your duties as the MRSA manager? 11 A. No. So that was a different group that I was 12 temporarily assigned to. 13 Q. So you were also -- 14 A. ARLSN-- 15 Q. -- managing ARLSA? 16 A. SNC. 17 Q. SNC, okay. Did you have any employees -- 18 A. Three. 19 Q. -- that were reporting to you from that 20 group? 21 A. Three. 22 Q. Okay. When -- when did that -- when did 23 you man- -- what was the time frame on managing that 24 group? 25 A. I'm not sure.</p>	<p style="text-align: right;">Page 273</p> <p>1 Q. Okay, that's fine. This was in July 2016, so 2 at least you were doing it then? 3 A. Right. 4 Q. Okay. 5 A. Right. 6 Q. Did you -- did you continue to do it up until 7 the time you left Boeing? 8 A. No. 9 Q. Okay. Okay. 10 [REDACTED] So, yeah, it's going to be 11 72. 12 (Defendant's Exhibit No. 38 marked for 13 identification.) 14 BY [REDACTED]: 15 Q. So this is an email from [REDACTED] to 16 [REDACTED] 17 MR. TURKEWITZ: What's the number of this 18 document? 19 THE WITNESS: 38. 20 BY [REDACTED]: 21 Q. And she's responding to an email from [REDACTED] 22 [REDACTED] And [REDACTED] is responding to an email from 23 you. So if you look on the second page, there is an 24 email from John Barnett to [REDACTED] [REDACTED] 25 This is dated August 22, 2016. Good morning. We need</p>

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<p style="text-align: right;">Page 274</p> <p>1 some help, please. I'm sure you were made aware we had 2 an internal audit finding for significant escapements 3 regarding ARL. The effects -- this affects the entire 4 787 program. FAA is to get copies of our internal 5 audit and are very aware of this issue. Everett is 6 fully engaged; however, I'm trouble [sic] finding help 7 in putting the information together and additional 8 resources to help with this endeavor. ██████████ 9 and ██████████ are fully engaged, but we need help, 10 please. Any assistance you can provide is greatly 11 appreciated.</p> <p>12 Did I read that correctly? 13 A. Yes. 14 Q. And then ██████████ response. And it 15 basically says, I wasn't aware of any audit finding. 16 And, I'm not seeing in-service escapes for ARL. But he 17 asked ██████████ Please get with John and team for 18 specific help needed. Engage QAI managers, ██████████ 19 and ██████████. And touch base with ██████████ and ██████████ 20 for any appropriate coordination at FAA is noted below, 21 correct? 22 A. Yes. 23 Q. So he was trying take some action and get you 24 the help you needed? 25 A. Yes.</p>	<p style="text-align: right;">Page 275</p> <p>1 Q. And then ██████████ responds to ██████████ Since you 2 were out of town -- and basically explains what -- 3 what's going on and ask -- and asks for resources, 4 correct? 5 A. Yes. 6 Q. Okay. And this was, again, August 22, 2016. 7 All right. And then -- okay. So now we'll 8 be referencing the email marked as Exhibit 36. 9 ██████████ Yeah, should be, 10 ██████████ Okay. Yeah. Yeah. 11 BY ██████████ 12 Q. So, Mr. Barnett, if you want to -- 13 A. Oh, sorry. I was still reading. 14 Q. It's that one, right there. Okay. So this 15 is light, but I think we can do it. So this is 16 September 15th, from you to ██████████ It says, 17 ██████████ as an FYI, ██████████ are no longer able to 18 support the BPSM meetings dealing with the ARL finding. 19 They have turned it over to the CA owners. As a 20 result, I will be spending most of my time working 21 those BPSMs and driving the CA. Just a heads-up. 22 Did I read that correctly? 23 A. You did. 24 Q. And so what did -- what did you mean in this 25 email? Can you explain that?</p>
<p style="text-align: right;">Page 276</p> <p>1 A. As far as ██████████ leaving or -- 2 Q. Well, it says, Finding -- I will be spending 3 most of my time working those BPSMs. 4 A. Right. 5 Q. Is -- is -- so you would be working the BPSMs 6 for the -- the serial control number, the ARL? 7 A. So a BPSM is a Boeing problem-solving 8 model -- 9 Q. Exactly. 10 A. -- right? 11 Q. Uh-huh. 12 A. And it's a template you follow. 13 Q. Right. 14 A. So in this particular case, I was working the 15 CAs for the issues I -- they identified in the audit 16 finding, where the -- our -- anticipated -- 17 Q. Uh-huh. 18 A. -- that we were lacking. 19 Q. Okay. 20 A. So I had started gathering a group -- a team 21 of members to start working a BPSM. Again, ██████████ told 22 me I shouldn't be doing that, so he assigned ██████████ and 23 ██████████. Or he had ██████████ come help us out 24 because they were the only two BPSM exerts, if you 25 will --</p>	<p style="text-align: right;">Page 277</p> <p>1 Q. Uh-huh. 2 A. -- on site. They came in for maybe two or 3 three weeks and then said that they're going off on 4 something else and, kind of, left it to me to work. 5 Q. Uh-huh. 6 A. So that's basically what that's saying. 7 Q. Okay. And did -- and so did -- did you do 8 that? Did you work the BPSMs? 9 A. I was in the process of working BPSMs. And, 10 as we were working through the BPSMs, we identified 11 specific issues. Probably the main one is that 12 mechanics weren't following process and just putting 13 "N/A" in blocks. And -- and we also found that they 14 had been photocopying one airplane -- one airplane 15 serial number list and copying it to a second, so you 16 had duplicates. It's -- 17 Q. Uh-huh. 18 A. -- it was -- there was a lot of errors. 19 Q. Uh-huh. 20 A. And it was really main [sic] to manufacturing 21 not following the processes. 22 Q. Uh-huh. 23 A. Yeah. 24 Q. And so -- so you did work on the Boeing 25 problem-solving model to -- to document all of this.</p>

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1 Boeing, that you made on October 19, 2016, where you
2 allege that you were being retaliated against by
3 unknown -- an unknown person for reporting quality
4 issues to ethics by being blocked from moving into
5 certain positions. Do you remember that complaint?
6 A. I do.
7 Q. Okay. So you alleged in that complaint that
8 you were -- that you applied for the New Orleans -- I
9 think it's the aerospace position -- the New --
10 position in New Orleans, correct?
11 A. Right. SLS.
12 Q. Yes.
13 A. Yes.
14 Q. And that -- you did not get it. And you
15 allege that that was in retaliation for the complaint
16 that you made against ██████████ in 2014, correct?
17 A. That I was blacklisted, yes.
18 Q. And you also allege that you did not get the
19 propulsion -- the -- you had applied for a manager
20 position in propulsion. You did not get that. And you
21 believe that was a result of the ethics complaint you,
22 again, made against ██████████ correct?
23 A. Where's that at? I want to make sure we're
24 reading it right for the record.
25 Q. Well, it's not in your complaint.

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1 A. Not according to the documents Boeing sent.
2 Q. Well, you were working with him.
3 A. Right.
4 Q. He was no longer your manager?
5 A. Right.
6 Q. Right?
7 A. They moved him.
8 Q. Uh-huh.
9 A. Right.
10 Q. Okay.
11 A. But I didn't know he was demoted, I
12 wasn't there --
13 Q. Okay.
14 A. -- when he was demoted.
15 Q. So when you say he wasn't demoted, you're
16 just basing that on your interpretation of documents
17 that we produced in this lawsuit?
18 A. The objective evidence provided, yes.
19 Q. They're documents that we produced in this
20 lawsuit, correct?
21 A. Correct.
22 Q. Okay. And so, when you were working at
23 Boeing with ██████████ everyone believed that ██████████
24 ██████████ had been investigated and had been demoted,
25 correct?

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1 A. Where is at?
2 Q. It's -- I don't know that it's in your
3 complaint at all, Mr. Barnett. I'm just --
4 A. Yeah, it's in here.
5 Q. -- asking you, from your memory, what you
6 complained to -- complained about to Boeing ethics.
7 A. So, like -- like I stated earlier, the
8 actions of pushing me to violate -- work outside
9 procedures and the BPIs and processes, and violating
10 FAA regulations had been going on for six years. With
11 each manager I had, I had issues with. And shortly
12 after ██████████ left and ██████████ took over --
13 or, actually, right before ██████████ left, my team had
14 filed an ethics complaint against him. It wasn't me.
15 They filed it unbeknownst to me.
16 Q. And that was investigated. And he was
17 demoted, correct?
18 A. Actually, that's not correct. Based on the
19 information Boeing sent me -- and, at the time, that's
20 what we were told; he was demoted and put on special
21 assignment. But looking at the records that Boeing
22 sent, if you look at that investigation, they said that
23 it was not substantiated and -- and no corrective
24 action was taken.
25 Q. He was demoted, correct?

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1 A. Yes.
2 Q. Okay.
3 A. That's what ██████████ told us.
4 Q. Okay.
5 A. Yes.
6 Q. All right. So going back to this -- this
7 complaint.
8 A. Which one?
9 Q. The -- the one that you made in 2016,
10 alleging that you were blocked from these two
11 positions.
12 A. Okay.
13 Q. Let's see. I can show you this. I don't
14 know that you've ever seen it, but it's --
15 ██████████ Yeah, 64.
16 (Defendant's Exhibit No. 39 marked for
17 identification.)
18 MR. TURKEWITZ: What's the number again?
19 ██████████ That one would have been 39, I
20 believe.
21 MR. TURKEWITZ: 39?
22 ██████████ Yeah, it's Bates'd.
23 MR. TURKEWITZ: I see. Okay.
24 BY ██████████
25 Q. So have you seen this document?

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<p style="text-align: right;">Page 286</p> <p>1 A. I'm trying to see. 2 Q. This is Boeing's report from the complaint 3 and investigation that was conducted. 4 A. Yes. 5 Q. And it's basically, kind of, notes that track 6 the, kind of, history of your complaint and any 7 conversations that the ethics department had with you. 8 So if you flip to the third page -- or, I'm sorry, the 9 second page -- it's -- gives some summary details about 10 a phone conversation that you had. Do you remember 11 having a phone conversation with anyone about this 12 complaint in ethics? Page -- the second page, summary 13 details. Where are you? Maybe it's the third page. 14 It's the third page, sorry. Or it may be -- oh, okay. 15 Wrong. I'm totally wrong. Hang on. Two, three, 16 four -- the fourth page. Sorry about that. 17 A. Fourth, okay. 18 Q. And it says -- 19 A. Okay. 20 Q. -- Reportant states that ever since he 21 submitted the allegation against [REDACTED], a South 22 Carolina senior manager, things have felt different. 23 It wasn't until he advised -- he was advised that [REDACTED] 24 [REDACTED] made a statement on October 17, 2016, to the 25 hiring group, that his suspicion was confirmed. The</p>	<p style="text-align: right;">Page 287</p> <p>1 reportant states that Manager [REDACTED] announced 2 to the hiring group, John Barnett isn't going anywhere, 3 and also stated, He must have really pissed someone 4 off. 5 Reportant doesn't know who this direction is 6 coming from, but surmises it is probably [REDACTED] 7 because he has sufficient influence over the team. 8 Okay. Did I read that -- that correctly? 9 A. Yes. And that's page 5, not 4. 10 Q. Sorry. Thank you. 11 And so do you remember having a phone 12 conversation to that effect with anyone in the ethics 13 department? 14 A. I believe I sent an email, not a phone call. 15 Q. Okay. So you attribute the -- so the -- the 16 crux of your complaint -- 17 A. The conversation -- 18 Q. -- is that you believe that you were being 19 blocked from these two positions that we just 20 discussed, correct? 21 A. Correct. 22 Q. And you attribute that blocking or 23 blacklisting to the complaint that you made against 24 [REDACTED] in 2014, two years prior to this 25 complaint, correct?</p>
<p style="text-align: right;">Page 288</p> <p>1 A. Yes. 2 Q. And, once again, this was in the middle of 3 the lost parts investigation that we just discussed, 4 correct? 5 A. Yes. 6 Q. And the oxygen squib investigation that we 7 just discussed? 8 A. So this was after I was taken off the squib. 9 Q. Uh-huh. 10 A. And I believe it was after I was taken off 11 the ARL SNC -- 12 Q. Uh-huh. 13 A. -- yeah. 14 Q. And you did not include either of those as 15 grounds for this complaint, correct? 16 A. So, actually, that's not true. Because 17 this -- this complaint is -- is the letter I sent to 18 [REDACTED]. 19 Q. Okay. 20 A. And that's what kicked this complaint off. 21 Q. Okay. 22 A. And within that letter I sent to [REDACTED] 23 [REDACTED], I told her that -- everything that had been 24 going on in Charleston. And y'all should have that 25 letter, as well.</p>	<p style="text-align: right;">Page 289</p> <p>1 Q. So -- is it this letter? Oh, are you 2 referring to the letter that we discussed earlier, 3 that -- that [REDACTED] was helping you write? 4 A. No, different letter. 5 Q. Okay. I have this letter. 6 [REDACTED] This -- 66, [REDACTED] 7 (Defendant's Exhibit No. 40 marked for for 8 identification.) 9 [REDACTED] This is 40. 10 [REDACTED] Uh-huh. 11 BY [REDACTED] 12 Q. So this is an email from you to [REDACTED] 13 on October 26, 2016. Is this the letter you're 14 referring to? 15 A. Yes, that's it. 16 Q. Okay. So it says, Recently, I contacted 17 corporate ethics regarding what I feel is retaliatory 18 actions taken against me by -- by my executive 19 leadership. And in my complaint, I stressed the 20 importance of the investigation being conducted by 21 someone outside of BSC due to the potential for 22 additional retaliation. After only a couple 23 days, I received a note from the investigator telling 24 me my concern was being turned over to HRG here at BSC. 25 I now feel at risk and have requested my complaint be</p>

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<p style="text-align: right;">Page 290</p> <p>1 canceled. Having been with The Boeing Company for 30- 2 -- 32 years, over 16 of which has been in 3 management, I'm familiar with the zero tolerance stance 4 the company takes on retaliation. However, I'm highly 5 concerned that my issue was not dealt with in a serious 6 and discreet manner but rather minimized and pushed off 7 on the local HR. I'm sure they would have done their 8 best. She is new, overwhelmed with her workload. And, 9 from what I -- what I've seen, these types of items do 10 not remain anonymous here at BSC. If I can't count on 11 corporate investigations to research and validate my 12 complaint, who will? This issue has affected me in 13 many ways to include my career growth, career 14 opportunities and earning potential. It seems the talk 15 of zero tolerance for retaliation is minimized by the 16 lack of actions being taken.</p> <p>17 Q. Did I read that correctly? 18 A. Yes, you did. 19 Q. Okay. So where in this letter does -- do you 20 raise the concerns about being taken off of the oxygen 21 squib investigation or the serial number investigation 22 or pencil whipping lost parts? 23 A. So I pretty much sum it up in that last 24 paragraph. This issue has affected me in many ways, 25 including my career growth and career opportunities, to</p>	<p style="text-align: right;">Page 291</p> <p>1 start the investigation so that I could provide the 2 objective evidence. 3 Q. Okay. 4 A. Right. 5 Q. Well, so that's not accurate; is it, 6 Mr. Barnett? Because we just looked at the case 7 details report that reflects the conversations and 8 notes that the ethics investigator had with you. And 9 it details what your complaint was. Your complaint was 10 about being blocked from those two positions. And 11 you -- 12 A. Where are you reading? I'm sorry. 13 Q. Well, I'm just going back to where we were 14 reading before. That's the fifth page, where you say 15 ever since you submitted the allegation against 16 [REDACTED] a South Carolina senior manager, things have 17 felt different. Or -- I'm sorry, the ethics 18 investigator is notating what she discussed with you. 19 A. Where are you at? I'm sorry. 20 Q. It's the case report document that we were 21 just looking at it -- at. And -- page 5 of 7. And 22 so -- so the -- according to this and, you know, 23 everything we've seen, I mean, the -- the -- I think 24 you -- even your amended complaint, you allege -- let's 25 see. Yeah. Well, you don't say what the retaliation</p>
<p style="text-align: right;">Page 292</p> <p>1 is for. But in your internal complaint, you attribute 2 it to the complaint you filed against [REDACTED]. And 3 then you give as, kind of, evidence that you were being 4 blocked a statement that you -- someone told you [REDACTED] 5 [REDACTED] made. Do you recall talking to ethics about 6 that? 7 A. Yes. 8 Q. Okay. And what was that statement? 9 A. As far as what? 10 Q. What did [REDACTED] say? 11 A. So the information I received was pretty 12 much -- well, it is -- this is part of it. John 13 Barnett isn't going anywhere. Or -- yeah, John Barnett 14 isn't going anywhere. And he stated that he must have 15 really pissed somebody off. 16 Q. And -- and who -- 17 A. And -- 18 Q. -- told you that [REDACTED] said that? 19 A. [REDACTED]. So the way it worked was, 20 they had a meeting with [REDACTED] and [REDACTED] 21 [REDACTED] was retiring. 22 Q. Uh-huh. 23 A. And they were backfilling for him. 24 Q. Uh-huh. 25 A. And they had used this -- they had done a no</p>	<p style="text-align: right;">Page 293</p> <p>1 -- what's called a no post job requisition. So they 2 sent it out in an email. 3 Q. Well, they -- and they -- they sent the email 4 to you, correct? 5 A. Correct. 6 Q. And when you say "they," that was [REDACTED] 7 [REDACTED] correct? 8 A. Yes, correct. 9 Q. Okay. And they sent it to a limited number 10 of people, correct? 11 A. Correct. 12 Q. But they did include you on it? 13 A. Yes, that's correct. 14 Q. Correct. Okay. So -- okay. So my question 15 is -- and you answered it. You said [REDACTED] was 16 the one that overheard the statement from [REDACTED] 17 [REDACTED] or -- 18 A. No. [REDACTED] told me that 19 [REDACTED] had told her about it. 20 Q. Okay. 21 A. And then I circled back and asked [REDACTED] 22 myself. I was like, What -- what happened in that 23 meeting? 24 Q. Uh-huh. 25 A. You know, Is this what was said? And she</p>



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1 said, Yeah. And I said, Do you think I was blocked?
2 And she said, Yeah.
3 Q. Uh-huh.
4 A. So...
5 Q. And [REDACTED] was -- was he the hiring
6 manager for propulsion?
7 A. My understanding was, yeah, he was temporary
8 assignment from Washington and --
9 Q. Uh-huh.
10 A. -- yeah.
11 Q. And during the investigation, do you
12 remember -- I believe [REDACTED] was the one that was
13 investigating this and interviewed you. Do you
14 recall --
15 A. That's correct.
16 Q. -- that?
17 Do you recall her asking you to disclose the
18 identity of the person that told you this comment from
19 [REDACTED]
20 A. She did.
21 Q. And you refused to do that, correct?
22 A. No. I gave it to her. In fact, y'all have
23 the documentation where I gave it to her.
24 Q. Why do you think we have documentation where
25 you gave it to her?

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1 it. He declined to give that person's name. I
2 explained to him that I would try to substantiate his
3 concerns with the information I had. And if I was
4 unable to do so, I would give him an -- give him an
5 opportunity to share additional witnesses.
6 Did I read that correctly?
7 A. Yes.
8 Q. So according to the information we have, you
9 never shared the name --
10 A. Well --
11 Q. -- with -- with Boeing.
12 A. -- so she's got -- she's got -- she
13 interviewed [REDACTED] So I -- I had to have given
14 her a name.
15 Q. Well, she's saying that you did not. But
16 that -- that's fine. If you -- if you recall that
17 differently, that's fine.
18 A. Well, it says right here I met with [REDACTED]
19 [REDACTED] from [REDACTED]. So I don't know how she
20 can just...
21 Q. Well, if you look at the second page, the
22 12/14/16 conversation with you, she says, I spoke with
23 John Barnett on the phone and let him know at this
24 point I've been unable to substantiate his allegations.
25 I told him that, if he would like me to continue the

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1 A. Because we provided it.
2 Q. And what -- what is that documentation?
3 A. Let's see. That was --
4 [REDACTED] The notes.
5 BY [REDACTED]:
6 A. Not sure if it was an email or a statement,
7 but I'd have to go back and look. Oh, in the ethics
8 investigation, it spells it out in there. Do we have a
9 copy of that?
10 Q. Yeah. Okay. These are notes that [REDACTED]
11 [REDACTED] took of the -- all of the interviews that she did
12 in connection with your complaint.
13 A. Where does it say it's from [REDACTED]
14 Q. Let me switch this with you. Well, I'll
15 represent to you it's [REDACTED] But it's a -- you
16 see at the top it says, Complainant, John Barnett.
17 Respondent, Unknown. And then it lists summaries of
18 all of the conversations that she had, the interviews
19 that she did. And if you look on the second one, it's
20 a conversation with John Barnett on December 6, 2016,
21 first page. Do you see that?
22 A. Yes.
23 Q. And four sentences down it says, He stated
24 that someone was in a meeting with [REDACTED] And
25 [REDACTED] heard the comment and told him about

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1 investigation, he would need to provide me with
2 additional witnesses.
3 Did I read that correctly?
4 A. Yes.
5 Q. So she's still looking for additional wit- --
6 witnesses that would substantiate the comment that you
7 heard --
8 A. Right.
9 Q. -- correct?
10 A. But go further down, 12/16/16, correspondence
11 with John Barnett and [REDACTED]
12 Q. Yeah.
13 A. That's where I told her, [REDACTED]
14 Q. Right. But I -- I think -- but I don't think
15 you ever revealed the source of where [REDACTED]
16 heard it from.
17 A. Sure, I did.
18 Q. Okay. Well, it's not -- it's not in these
19 notes.
20 MR. TURKEWITZ: It never asked her, did she
21 say that.
22 BY [REDACTED]:
23 Q. Okay. So you mentioned it to the
24 investigator, I think, that you thought it was [REDACTED]
25 [REDACTED] that was blocking you --

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<p style="text-align: right;">Page 298</p> <p>1 A. That was -- 2 Q. -- is that correct? 3 A. -- an assumption. 4 Q. Uh-huh. And -- and why do you make that 5 assumption? 6 A. Well, again, because shortly after [REDACTED] 7 left and [REDACTED] look over, [REDACTED] had a 8 meeting. And -- with all -- 9 Q. Okay. Just to -- just to stop you. I'm 10 sorry. I don't mean to interrupt you. But I just want 11 to get the time frames right. [REDACTED] left in, 12 what, 2013? 13 A. Somewhere around in there, yeah. 14 Q. Okay. So this -- 15 A. Yeah. 16 Q. -- several years -- 17 A. Right. 18 Q. -- prior is what -- okay. 19 A. Right. 20 Q. So -- so what evidence did you have that [REDACTED] 21 [REDACTED] was behind this blocking in 2016? 22 A. Well, based on his -- what he stated in a 23 meeting back in 2013, he's -- he told us that, if we 24 had any issues with our management, he expected it to 25 work out -- work it out with our management and not go</p>	<p style="text-align: right;">Page 299</p> <p>1 to ethics or HR. 2 And then, later on, he had another man -- 3 meeting with his second-level managers. And -- 4 Q. Were you in that meeting? 5 A. I was not. 6 Q. Okay. 7 A. [REDACTED] and [REDACTED] came 8 out and said that he told them, anybody that went to 9 ethics would not have a career in quality. 10 Q. Uh-huh. 11 A. And since I had gone to ethics against [REDACTED] 12 I figured he was living up to his word. 13 Q. Uh-huh. So [REDACTED] told you that 14 [REDACTED] said that? 15 A. [REDACTED] and [REDACTED] 16 Q. Okay. So based on those two events, you 17 assumed that [REDACTED] must be the one blocking you 18 from these positions? 19 A. Or having it done, yes, by people under him. 20 Q. Okay. And you ultimately withdrew this 21 complaint, correct? 22 A. No, not ultimately. So when I contacted 23 ethics, sent it to [REDACTED] I asked her again, Don't turn 24 it over to BSC. And then, in these conversations from 25 [REDACTED] he's saying he's going to work it. And</p>
<p style="text-align: right;">Page 300</p> <p>1 then he turns around and says, Oh, we're going to turn 2 it over to BSC. And I said, I'm sorry, I don't feel 3 safe. I'm going to withdraw my complaint. And then I 4 wrote the letter again -- or -- 5 Q. So the answer to my question was, yes, you 6 ultimately withdrew the complaint? 7 A. From that, yes, from fear. 8 Q. Okay. And then you filed your AIR21 9 complaint on January 16, 2017, correct? 10 A. Correct. 11 Q. Okay. And in -- in that complaint, you 12 allege you were pressured to close out nonconformance 13 records without investigation. You allege you were 14 removed from the oxygen squib investigation, the serial 15 ARL investigation; is that correct? 16 A. Yes, so far. 17 Q. Okay. 18 A. Yeah. 19 Let's see. Let's take a quick look at that. 20 [REDACTED] We may have to -- we've got 21 to go to 35, which is in the first -- 22 [REDACTED] Yeah. 23 [REDACTED] -- so I need that binder. 24 35. 35. 25 [REDACTED] This one?</p>	<p style="text-align: right;">Page 301</p> <p>1 [REDACTED]: Yeah, I think so. Yes. 2 That's okay. 3 (Defendant's Exhibit No. 41 marked for 4 identification.) 5 [REDACTED]: Actually, [REDACTED] can you 6 take that off? Let's -- let's hold off on that 7 real quick. I want to do that different, 8 without -- sorry. 9 [REDACTED]: Oh, no, know you're fine. 10 [REDACTED]: Okay. 11 BY [REDACTED]: 12 Q. You allege in your amended complaint that you 13 had learned that -- from some -- that someone had told 14 you that your AIR21 complaint had been left on a 15 printer at Boeing. Do you -- do you recall that? 16 A. Yes, I do. 17 Q. And can you talk to me a little bit about 18 that? Who told you that? 19 A. [REDACTED] 20 Q. And who is [REDACTED] 21 A. She was -- she worked for [REDACTED] under 22 the RQSO group. 23 Q. Okay. And how did she tell you? Did she 24 email you, text you? 25 A. She called me.</p>

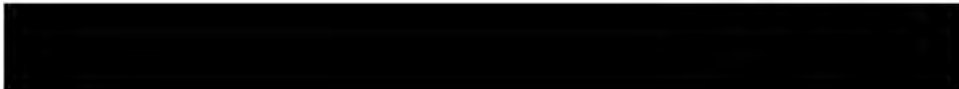
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<p style="text-align: right;">Page 302</p> <p>1 Q. Okay. When was that? 2 A. Shortly after I filed my complaint, she 3 called me and said that she found my complaint on the 4 printer, with my name and everything on it, and wanted 5 me to know. And I asked her, Would you please go put 6 it face down on [REDACTED] desk? 7 Q. Okay. And where was the printer located? 8 A. Down and around the corner. It was a -- it 9 was common area -- 10 Q. Uh-huh. 11 A. -- versus RQSO area. 12 Q. So had -- was -- do you think [REDACTED] 13 was printing it out? 14 A. I think so, yes. 15 Q. Okay. And he -- was he the legitimate 16 recipient of that AIR21 complaint, so he should have 17 been printing it out? 18 A. Yeah. But my understanding is, my PII 19 shouldn't have been on there. 20 Q. I'm sorry, what's PII? 21 A. Personal identifiable information. 22 Q. Oh. What -- what was [REDACTED] position 23 again? 24 A. K-level manager over the RQSO group. 25 Q. Okay. Did anyone other than -- I think you</p>	<p style="text-align: right;">Page 303</p> <p>1 said her name was [REDACTED] 2 A. [REDACTED] -- 3 Q. -- correct? 4 A. -- [REDACTED] 5 Q. Did anyone else say anything to you about 6 your AIR21 complaint? 7 A. Being found on the printer or -- 8 Q. Yes. 9 A. No, she was the only one. 10 Q. Okay. Okay. Have we covered all of the 11 complaints and issues that you raised in your amended 12 complaint against Boeing in this action? 13 A. That's a good question. 14 Q. If we haven't, it's going to be a long night. 15 A. I know -- I know we covered a lot. But I -- 16 I don't know that I'd say everything, but I know we hit 17 the big ones. 18 Q. Okay. Okay. Let's take five minutes and 19 regroup. 20 [REDACTED] Off the record, 17:17. 21 (A brief recess was taken.) 22 [REDACTED] Back on the record, 17:27. 23 BY [REDACTED] 24 Q. Okay. All right, Mr. Barnett. You have 25 alleged that your performance review rating was</p>
<p style="text-align: right;">Page 304</p> <p>1 downgraded from a 40 to a 15. Do you recall that 2 allegation? 3 A. I do. 4 Q. Okay. When did you receive a 40? 5 A. I need to correct that. After I sent that, I 6 received information that the process had changed. 7 Q. Uh-huh. 8 A. So they basically reversed how they were 9 counting points. So based on my first PM in 10 Charleston, I added the same numbers in the same 11 columns. And I found out that was the incorrect way to 12 do it. 13 Q. Okay. 14 A. So it would actually be, like, a 20 or a 21. 15 Q. So you never received -- 16 A. Right. 17 Q. -- a 40? 18 A. Right, right, right. 19 Q. Okay. 20 A. I'm sorry. That was -- 21 Q. So when you -- 22 A. Yeah. 23 Q. -- made that allegation in your amended 24 complaint, that was not accurate? 25 A. Yes.</p>	<p style="text-align: right;">Page 305</p> <p>1 Q. Okay. 2 A. I've since learned that the way I calculated 3 it was incorrect. And I've gone back and redone that. 4 Q. So the -- the highest score would be a 20 or 5 21 -- 6 A. 21, right. 7 Q. -- you think? 8 A. Yeah. 9 Q. Okay. 10 A. Yeah. 11 Q. So, really, what it should be is your 12 performance rating was downgraded from a 20 to a 15, 13 correct? 14 A. Right. Right. 15 Q. Okay. And then you've also alleged that the 16 corrective action plan that [REDACTED] put you on was 17 an adverse action, correct? 18 A. Absolutely. 19 Q. And I just want to re-- I just want to go 20 through a couple things on that, just to make sure, 21 He -- [REDACTED] never put you on a performance 22 improvement plan, correct? 23 A. Correct. 24 Q. And that -- 25 A. That I'm aware of.</p>

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<p>1 Q. -- and that corrective action memo didn't 2 contain any reference to any discipline or possible 3 termination, correct? 4 A. It did not reference it. But per the 5 process, that's -- that's what it's leading to. 6 Q. Well, you would have to get a PIP first -- 7 A. Right. 8 Q. -- correct? Okay. 9 A. Right. 10 Q. And no one ever threatened you with 11 termination, correct? 12 A. Other than being told they was going to push 13 me to -- until I broke and that type of thing, no. 14 They didn't come out and actually say, I'm going to 15 fire you. 16 Q. And -- and that reference -- the statement 17 you just made, push you till you break, you -- you say 18 [REDACTED] said that to you? 19 A. Right. Right. 20 Q. But, again, you never made a complaint with 21 HR or ethics about that -- 22 A. Right. 23 Q. -- correct? Okay. 24 And we discussed that you've put employees on 25 corrective action plans before, or at least performance</p>	<p>1 improvement plans, correct? 2 A. Correct. 3 Q. Were you aware that one of your employees 4 filed an ethics complaint against you for putting him 5 on a performance improvement plan? 6 A. I am. 7 Q. And when did you become aware of that? 8 A. When we received the documentation from 9 Boeing, I believe. 10 Q. So you did not know about it at the time? 11 A. I didn't recall. I might have heard 12 something about he was going to, but I -- I don't 13 know that -- I don't remember actually seeing it. But 14 I may have. I mean, that was quite a while ago. 15 Q. Okay. Okay. And then, we talked briefly 16 about this when we were talking about the complaints 17 that you raised, but let's talk about the positions 18 that you allege you were blocked from, briefly. So you 19 applied to the quality manager position at Boeing's 20 aerospace division in New Orleans, Louisiana, in 2016, 21 correct? 22 A. I applied for it. I can't swear to the date, 23 but I'll go with that, yeah. 24 Q. Okay. And there wasn't going to be a change 25 in your pay, correct?</p>
<p>1 A. Well, we hadn't got that far yet, so I'm not 2 sure. 3 Q. What was the -- it -- you were still going to 4 remain a K-level manager, correct? 5 A. Yes. 6 Q. It was a lateral transfer, correct? 7 A. As far as job title, yes. 8 Q. Okay. And you were flown down there and had 9 an interview; is that correct? 10 A. That is correct. 11 Q. Do you know of any of the other candidates 12 that interviewed for the position? 13 A. I know of one. 14 Q. Who was that? 15 A. I think that was -- what was the name? 16 [REDACTED] 17 Q. [REDACTED]? 18 A. Yes. 19 Q. Okay. And neither of you were selected for 20 the role, correct? 21 A. That's what I hear, yes. 22 Q. Okay. When did you learn that you didn't 23 receive the position? 24 A. [REDACTED] called me. 25 Q. Okay. What did she say?</p>	<p>1 A. She called me and said, Thank you for taking 2 the time to apply. I've decided to go a different 3 direction, and she hung up on me. 4 Q. Okay. When you say she hung up on you, she 5 didn't say good-bye or -- okay. 6 A. Nothing. 7 Q. Had -- had you and [REDACTED] been 8 friendly when she worked at BSC? 9 A. We worked together. 10 Q. Uh-huh. 11 A. I knew her. We worked close together. Like 12 I said, we were part of the same team that helped [REDACTED] 13 [REDACTED] with his PIP. 14 Q. Uh-huh. 15 A. So, yeah. 16 Q. So you knew her from your time at BSC? 17 A. Correct. 18 Q. And your testimony is that she just hung up 19 on you? 20 A. Right. 21 Q. Okay. 22 A. Which was very uncharacteristic. 23 Q. Okay. And -- and you've said elsewhere -- I 24 think in your amended complaint and in other 25 pleadings -- that you -- you thought she was under</p>

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<p style="text-align: right;">Page 310</p> <p>1 duress? 2 A. Correct. 3 Q. And -- and what made you think that? 4 A. Well, again, just her tone of her voice when 5 she called me. Having worked with her before, it just 6 didn't sound like her. I knew something was off. And 7 the way she hung up on me, I -- I knew that wasn't -- 8 that's not how a manager tells somebody they didn't get 9 a job. 10 Q. Uh-huh. 11 A. You know, you -- you try to ease them down 12 and talk to them and -- and tell them what kind of 13 direction you're going. But just to say, You didn't 14 get it, I'm going a different direction, and hang up, 15 that was a big red flag that -- 16 Q. Uh-huh. 17 A. -- something wasn't right. 18 Q. You don't have any evidence? 19 A. I do not. 20 Q. -- that she was under duress? And she 21 certainly didn't say that to you, correct? 22 A. No. 23 Q. Okay. 24 A. Just indications. 25 Q. And she never told you that she was</p>	<p style="text-align: right;">Page 311</p> <p>1 instructed by anyone not to hire you because you had 2 brought safety complaints, correct? 3 A. I haven't talked to her and asked that. So 4 she -- she didn't call me and tell me. But I hadn't 5 reached out and asked her -- 6 Q. Okay. 7 A. -- either. 8 Q. And no one else told you that about that 9 position, correct? 10 A. Tell me? 11 Q. That you were not given the position because 12 you were blocked for raising safety concerns? 13 A. That's correct. Nobody's actually -- 14 Q. Okay. 15 A. -- told me that. 16 Q. So you're just speculating on that? 17 MR. KNOWLES: Object to the form. 18 BY [REDACTED] 19 Q. You -- you can answer that. 20 A. Based on what I just described, yes. 21 Q. Okay. And do you know who was eventually 22 selected? 23 A. I think it was a [REDACTED] somebody. 24 Q. Uh-huh. Okay. 25 [REDACTED] Let's look at 82. It's in</p>
<p style="text-align: right;">Page 312</p> <p>1 a different notebook. 2 (Defendant's Exhibit No. 42 marked for 3 identification.) 4 [REDACTED] Sorry. 5 [REDACTED] No, that's fine. I'll give 6 you some space. 7 [REDACTED] Sorry. 8 [REDACTED]: That's all right. 9 [REDACTED] Okay. 10 MR. TURKEWITZ: I don't know, I don't want 11 it to go into tomorrow. 12 BY [REDACTED]: 13 Q. Here we go. Here you go. Okay. So I just 14 showed you your talent profile. There are three talent 15 profiles here, yours, [REDACTED] and [REDACTED] 16 [REDACTED] Do you see that? 17 A. Yes. 18 Q. Excuse me. And if you -- just want to call 19 to your attention this score. Under Performance 20 Leadership Attributes, there's a, kind of, total score 21 there on the left-hand side of the page. 22 A. Yes. 23 Q. For 2015, it says 17; do you see that? 24 A. Yes. 25 Q. Okay. And that -- this was -- this was your</p>	<p style="text-align: right;">Page 313</p> <p>1 talent profile that we're looking at? 2 A. Yes. 3 Q. And so you scored a 2017 [sic] on the 4 performance metrics, correct? 5 A. A 17 on the 2015 metric. 6 Q. Yes, 2015. Yes. And so can -- if you flip 7 the page, this is [REDACTED] -- or [REDACTED] 8 [REDACTED] talent profile. And for 2015, he second 9 an 18? 10 A. Right. 11 Q. Do you see that? 12 A. Yes. 13 Q. And then the next page is [REDACTED] 14 talent profile. And for 2015, he scored a 20; do you 15 see that? 16 A. Yes. 17 Q. Okay. So you would agree 20 is higher than 18 17? 19 A. Yes. 20 Q. Okay. You don't contend that he wasn't a 21 qualified candidate? 22 A. I can't attest to that. But, again, based on 23 my previous discussions about PMs -- 24 Q. Uh-huh. 25 A. -- the PMs I was put under were a violation</p>



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<p style="text-align: right;">Page 314</p> <p>1 of Boeing processes and procedures. And to put this -- 2 use this as a guide, I don't think, is right. Because 3 you're looking at apples and oranges. 4 Q. And that's just because you have an opinion 5 that your performance management reviews were a 6 violation of Boeing's processes and procedures? 7 A. Right. They don't meet the SMART goals. 8 Q. Okay. 9 A. And I was unfairly judged. 10 Q. And your contention is that all of your 11 performance reviews violated Boeing's processes and 12 procedures? 13 A. No, just the ones in Charleston. 14 Q. So all of the -- all of your performance 15 reviews that you received while you were an employee at 16 BSC violated Boeing's processes and procedures? 17 A. I don't believe they met the requirements of 18 SMART goals where you can measure them and achieve 19 them -- 20 Q. Okay. 21 A. -- and relevant -- 22 Q. Okay. 23 A. -- yeah. 24 Q. And you -- you -- you have no idea if [REDACTED] 25 [REDACTED] had any knowledge of the ethics complaint you</p>	<p style="text-align: right;">Page 315</p> <p>2 filed against [REDACTED] in 2014, correct? 3 MR. TURKEWITZ: Wait. Can you repeat that? 4 I'm sorry. 5 BY [REDACTED] 6 Q. You have no idea whether or not [REDACTED] 7 had knowledge of the ethics complaint you filed against 8 [REDACTED] in 2014? 9 A. I have no knowledge of that. 10 Q. Yeah. 11 A. Right. 12 Q. Okay. And was [REDACTED] in the interview 13 that you had for this New Orleans position? 14 A. He was not. 15 Q. Okay. To your knowledge, was he involved in 16 any way in that interview process? 17 A. He was not. 18 Q. Okay. Or the selection process? 19 A. That I'm not sure of. 20 Q. Was [REDACTED] in your interview for this 21 position? 22 A. He was not. 23 Q. And he was not involved in this selection 24 process, correct? 25 A. Not as far as I know. Q. Okay. And at this point, [REDACTED] hadn't</p>
<p style="text-align: right;">Page 316</p> <p>1 been your manager for over two years, correct? 2 A. When was that? 3 Q. 2016. 4 A. Somewhere around in there, yes. 5 Q. Okay. And [REDACTED] -- [REDACTED] was not in 6 the interview, correct? 7 A. That's correct. 8 Q. And he wasn't involved in the hiring process, 9 correct? 10 A. Not that I'm aware of. 11 Q. Okay. All right. Let's talk about the pro- 12 -- the quality manager position for the propulsion 13 division at BSC. That also was a lateral transfer, 14 correct? 15 A. In title, yes. 16 Q. Well, you were going to remain a K-level 17 manager, correct? 18 A. Right, which is title. 19 Q. Yes. And you would say that you had the same 20 pay, correct? 21 A. We hadn't got that far. Because, typically, 22 then they send out a job offer, when they select the 23 person, that's when you talk about pay raises or what 24 have you. So we hadn't got that far in the process. 25 Q. Well, I think Boeing's pay scale is based on</p>	<p style="text-align: right;">Page 317</p> <p>1 your level at the time, correct? So K-level 2 managers -- there's a range K-level managers can make. 3 And you -- 4 A. Right, there's a range. 5 Q. -- would make something within that range? 6 A. Yes. 7 Q. Okay. 8 A. Yes. 9 Q. But there was no offer of additional pay that 10 accompanied this -- this invitation to apply for this 11 job, correct? 12 A. Right. We hadn't got that far -- 13 Q. Okay. 14 A. -- in the process. 15 Q. And the benefits were going to remain the 16 same, correct? 17 A. Correct. 18 Q. And you just mentioned that you received an 19 email from [REDACTED] inviting you to apply for this 20 position, correct? 21 A. Yeah. She sent out a standard email. 22 Q. Uh-huh. 23 A. And I -- I responded. 24 Q. But she didn't include everyone on that 25 email, correct?</p>

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<p style="text-align: center;">Page 318</p> <p>1 A. I have no idea. 2 Q. Okay. But, as -- as you said before, it was, 3 kind of, an unusual -- or not unusual, but it was -- it 4 was not your regular job posting. It was an email that 5 went out to a select group -- 6 A. Right. 7 Q. -- of individuals, correct? 8 A. Right. 9 Q. So they included you in the invitation to 10 apply. 11 A. Right. 12 Q. Okay. 13 A. I was on the distribution list. 14 Q. Okay. 15 A. Yes. 16 [REDACTED] All right. Let's look at 17 84 real quick. 18 (Defendant's Exhibit No. 43 marked for 19 identification.) 20 BY [REDACTED] 21 Q. Okay. This is an email between you and [REDACTED] 22 [REDACTED] And if you look down at the last email on the 23 first page, it's you to [REDACTED] January 21, 2016. 24 And you are telling [REDACTED] that you're very interested in 25 the opportunity to work at the propulsion center. And</p>	<p style="text-align: center;">Page 319</p> <p>1 then you ask him, If you get a minute, can you review 2 my resume and provide pointers or advice on what I can 3 do to make it flow better and be more appealing? I 4 would really appreciate it. 5 Did I read that correctly? 6 A. You did. 7 Q. So you were asking [REDACTED] to provide 8 feedback on your resume? 9 A. Correct. 10 Q. And his response was, What? Question mark, 11 smiley face; is that right? 12 A. Right. 13 Q. And then he says, Glad to help. Thank you -- 14 A. Yes. 15 Q. -- correct? 16 A. Yes. 17 Q. And you say, Thank you, sir? 18 A. Right. 19 Q. And did he provide feedback to you? 20 A. He just said, Looks good. Send it on, I 21 think. Yeah, Looks good. Send it on. 22 Q. Okay. Were you aware that [REDACTED] 23 provided favorable feedback to [REDACTED] when she 24 inquired about you to him? 25 A. I did not.</p>
<p style="text-align: center;">Page 320</p> <p>1 Q. And you weren't interviewed for the 2 propulsion position, correct? 3 A. Right. Nobody was. 4 Q. Who ended up being selected for that 5 position? 6 A. I believe it was [REDACTED]. 7 Q. Did you know him? 8 A. I knew of him. He was, kind of, a K-level 9 manager with me. And we'd crossed paths. I knew he 10 was working on flight line. I was in the factory. 11 Q. Uh-huh. 12 A. We -- yeah. 13 Q. Were you aware of his credentials? 14 A. No, not really, no. 15 Q. You're not contending that he wasn't 16 qualified for the position, are you? 17 A. I wouldn't have the knowledge to contend 18 that. 19 Q. Okay. And then we talked about your claim 20 that [REDACTED] had said -- had made a comment 21 about, Barnett's not going anywhere, something to that 22 effect. Do you remember us discussing that? 23 A. Right. That's what he was told. 24 Q. Okay. And who told him that? 25 A. He didn't say. But based on the process</p>	<p style="text-align: center;">Page 321</p> <p>1 and -- and how things worked, when [REDACTED] -- so 2 this no post job that they did, again, was actually a 3 violation of the processes. Because you're not allowed 4 to do that, to backfill a person that's retired. But 5 when they do a no post job, they send everybody that 6 applied, just a list of names, over to the hiring 7 manager, which, in this case, was [REDACTED]. And, 8 typically, what happens is, they review the list. And 9 if they don't know the whole list, they'll talk to 10 their team and get feedback. And they'll decide on who 11 they're going to hire. No interviews, no structured 12 interview -- 13 Q. Uh-huh. 14 A. -- no -- nothing like that, just based on 15 opinion and resumes. 16 And, at that time, like I say, [REDACTED] 17 [REDACTED] and both -- and [REDACTED] said they wanted 18 to work with me. And [REDACTED] told them, If 19 Barnett's who you want, Barnett's who you'll get. 20 So then he left and a few hours later came 21 back. So based on the process and the way it works, 22 when he left, he went to the skill team, which is led 23 by [REDACTED] and [REDACTED]. So, based on the way 24 things worked out, I would say that they decided on me. 25 He went to the skill team to say he wanted to hire me.</p>

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<p style="text-align: right;">Page 322</p> <p>1 And after learning that, I believe [REDACTED] is the 2 one that told him, Barnett's not going anywhere. I 3 don't care how bad you want him. 4 Q. So you think it was [REDACTED] that -- 5 A. Correct. 6 Q. -- gave that instruction? And what evidence 7 do you have of that? 8 A. Just following the process, like I just 9 explained. 10 Q. Uh-huh. 11 A. The way the process is supposed to work. 12 Q. Uh-huh. 13 A. You know, that would be the nod- -- the 14 logical step for him to go. 15 Q. And what motivation would [REDACTED] have to 16 make that comment? 17 A. Well, so I have some -- I provided some 18 information about [REDACTED] against me, as well. He 19 had told me he had started a folder on me, which, 20 again, is a violation of company policy. You can't 21 start a folder against a single employee because you're 22 singling them out and targeting them. But he told me 23 directly. And I have -- I sent y'all that 24 documentation, as well. He had -- he had started a 25 folder on me. And -- and he was holding me accountable</p>	<p style="text-align: right;">Page 323</p> <p>1 to different things that he was holding other people 2 accountable to. So he was -- he was -- 3 Q. Okay. So let's -- let -- I don't mean to 4 interrupt you. 5 A. That's okay. 6 Q. But let's unpack that. 7 A. Okay. 8 Q. That's the first time I'm hearing of that. 9 A. I'm sorry. 10 Q. When did -- when did he tell you he started a 11 folder on you? 12 A. It's in the email we sent. I think it was 13 back in 2012, 2013. 14 Q. Okay. 15 A. That time frame. 16 Q. And what does that mean, starting a folder on 17 someone? 18 A. That means that you're targeting them and 19 you're to -- you're going to -- if they make one step 20 out of line, you're going to take corrective action. 21 Q. And he said that -- 22 A. That's what that means. 23 Q. -- to you in an email? 24 A. No. He told me that face-to-face. But then 25 I documented it in an email and sent it back to him.</p>
<p style="text-align: right;">Page 324</p> <p>1 And y'all have that email. 2 Q. Okay. So in 2012 -- 3 A. Or '13 -- 4 Q. -- or 2013 -- 5 A. -- somewhere around -- 6 Q. -- which -- 7 A. -- maybe even '14. I'm not sure. 8 Q. Again, we're talking about 2016 now. So 9 you're saying three or four years prior, [REDACTED] 10 had a discussion with you where he told you he was 11 keeping a file on you? 12 A. He had started a folder. 13 Q. He had started a folder. And did he tell you 14 why he had started a folder? 15 A. He didn't have to. When you start a folder 16 on somebody, that means you're tracking them in an 17 attempt to take corrective action or to terminate them. 18 That's the only reason -- reason to start a folder on 19 somebody. 20 Q. So is this a common term around Boeing, 21 "start a folder"? 22 A. It -- it's a common term. But, again, we've 23 been directed flat out by HR, You are not allowed to 24 start a folder on somebody -- 25 Q. Uh-huh.</p>	<p style="text-align: right;">Page 325</p> <p>1 A. -- by name, because that shows that you're 2 targeting them and singling them out. 3 Q. Uh-huh. So was that a problem at Boeing, 4 that problem were -- were, quote, start- -- unquote, 5 starting folders? 6 A. I've heard -- I've heard things. 7 Q. Okay. 8 A. Yeah. 9 Q. I've never heard that term before. 10 A. Okay, yeah. 11 Q. So he told you that your -- so your 12 allegation is, he told you that in 2012, 2013. Why 13 would he have said that to you? 14 A. Well, because, again, at that time we were -- 15 and that was back when [REDACTED] was still around. 16 And they kept pushing us to violate procedures. And I 17 kept pushing back. 18 Q. Uh-huh. 19 A. And, at that time, he started holding me 20 accountable for things he wasn't holding other people 21 accountable for. And all that's in your email. As an 22 example, he sent me an email, basically chewing me out 23 for not doing my tie-in correctly and having my lead do 24 it instead of me doing it. 25 Q. Uh-huh.</p>



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1 A. Well, every other area in the neighborhood
2 had their lead doing it. And he didn't say a word to
3 them.
4 Q. Okay.
5 A. But he calls me out on it.
6 Q. Okay. But, again, this -- this -- these are
7 all events that took place in 2012 or 2013, correct?
8 A. Right, those did.
9 Q. Between that time period --
10 A. But it carries on, yes.
11 Q. -- between 2012, 2013, and the time that
12 you're applying for this position in 2016, what -- what
13 actions did [REDACTED] take against you that you felt
14 were retaliatory or improper?
15 A. Shortly after that -- and I think it was
16 right around the time [REDACTED] went away. I think he
17 was moved over to the other building, so he was no
18 longer in my management stream.
19 Q. Okay. So you didn't have any interaction
20 with him after that?
21 A. For those couple of years, yeah.
22 Q. And he's not mentioned a single time in your
23 amended complaint, correct?
24 A. That's correct. Because, at that time, I was
25 thinking [REDACTED]. But, after hearing how the pro-

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1 A. [REDACTED].
2 Q. Did you talk to [REDACTED] about it?
3 A. No.
4 Q. Okay. Do you know [REDACTED]?
5 A. Yeah, I did, at the time. He's retired.
6 Like I say, that position was to backfill for him --
7 Q. Okay.
8 A. -- his retirement.
9 Q. What -- why didn't you ask him about it?
10 A. He retired, like, shortly there, and he was
11 gone.
12 Q. Okay.
13 A. I didn't -- I didn't see him. That was --
14 they're in a completely different site.
15 Q. Okay. And you were men -- you mentioned
16 that it was [REDACTED] that relayed this comment to
17 you, correct?
18 A. Correct.
19 Q. And were you and [REDACTED] dating at the time?
20 A. No.
21 Q. Okay. But you did start dating shortly
22 thereafter, correct?
23 A. No.
24 Q. When did you start dating?
25 A. We didn't really date. Would you like me to

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1 -- understanding the process, it would make sense that
2 it was [REDACTED]. And it wouldn't surprise me at all
3 if that direction came from [REDACTED].
4 Q. Okay.
5 A. So...
6 Q. So, again, you're just guessing on all of
7 this --
8 A. I'm --
9 Q. -- right?
10 A. Based on process, yes.
11 Q. Okay.
12 MR. KNOWLES: Object to the form.
13 THE WITNESS: Oh, I'm sorry.
14 BY [REDACTED]:
15 Q. So when you heard that [REDACTED] made
16 this comment about you allegedly, what -- what did you
17 you do?
18 A. What did I do?
19 Q. Did you go speak with him about it?
20 A. Oh, no. I don't -- I don't know [REDACTED].
21 [REDACTED] I wouldn't know him if I walked by him.
22 Q. You said there was another -- you said [REDACTED]
23 [REDACTED] was in the meeting when he said that there.
24 And there was another employee as well. Who is the
25 other person?

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1 explain?
2 Q. Let's hold off on that. Let's hold off on
3 that. Okay. We have limited time.
4 A. Okay.
5 Q. Okay. But you-all had a close relationship?
6 A. Sounded weird, didn't it?
7 Q. Yeah. You had a close relationship, correct?
8 A. We did.
9 Q. Okay.
10 A. She was my best friend.
11 Q. Yeah.
12 A. Yeah.
13 Q. Okay. And just to -- just to clarify, you --
14 you don't believe [REDACTED] had anything to do with
15 you being blocked from these positions, correct?
16 A. I don't believe he played a hand. I believe
17 he knew about it, based on his reaction. And all
18 that's documented, too.
19 Q. When you say "that's documented," is that
20 also in an email to yourself?
21 A. Actually, I think it's part of the complaint.
22 Q. Okay. What did --
23 A. But I'm not sure. Yeah --
24 Q. -- what -- what was his reaction? What are
25 you referring to there?

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<p style="text-align: right;">Page 330</p> <p>1 A. [REDACTED] -- like we talked about 2 earlier, [REDACTED] called me. It was very short, 3 very curt, hung up on me. And I knew immediately 4 something was wrong. I went in to -- I was -- 5 actually, I was sitting at my desk. And [REDACTED] came 6 up. And he could tell I was upset. And he pulled me 7 into a private room. And he said, What's going on? 8 Q. Uh-huh. 9 A. So I explained it to him. I said, This is 10 BS. Somebody's blocking me. And he just looked at me. 11 And, I don't know anything about it, and turned around 12 and walked off -- 13 Q. Uh-huh. 14 A. -- with a smirk on his face. 15 Q. So his words were, I don't know anything 16 about it? 17 A. Right. 18 Q. Okay. 19 A. But his look was different. 20 Q. Okay. So -- all right. Also in your amended 21 complaint, you allege in paragraph 34 that you were 22 continuously harassed and denigrated -- 23 A. Correct. 24 Q. -- and humiliated and treated with scorn and 25 contempt.</p>	<p style="text-align: right;">Page 331</p> <p>1 A. What paragraph? 2 Q. 35. 3 A. Okay. 4 Q. Or, I'm sorry, 34. 5 And then in paragraph 75, the bolded E, 6 Barnett was continuously denigrated, humiliated and 7 treated with scorn and contempt. 8 A. Uh-huh. 9 Q. Do you see that? 10 A. Yes, I do. 11 Q. And there are one, two, three, four 12 paragraphs under that heading. 13 A. Yes. 14 Q. And so those paragraphs mention, [REDACTED] 15 on numerous occasions, announced in front of the team 16 that Barnett was responsible for a certain production 17 delay or that Barnett was responsible for the entire 18 team having to work overtime and being away from their 19 families. These comments were the result of Barnett's 20 documentation of processes, procedure violations and 21 defects in writing, and refusal to work in the gray 22 areas. 23 Did I read that correctly? 24 A. I believe so. 25 Q. Okay. And so your contention is that's an</p>
<p style="text-align: right;">Page 332</p> <p>1 example of being continuously denigrated, humiliated 2 and treated with scorn and contempt? 3 A. So what I'm talking about here is over the 4 whole six-year period. It's not just one or two days. 5 It's, pretty much, every day for six years. 6 Q. Okay. 7 A. That's what I'm -- 8 Q. Well -- 9 A. -- trying to describe here. 10 Q. Okay. Well, we have to be specific when 11 we're talking about these kinds of allegations. So I'm 12 trying to get -- 13 A. Okay. 14 Q. -- as specific as possible. And you've 15 actually put specific allegations in your amended 16 complaint. 17 A. Correct. 18 Q. So in paragraph 77 it says, When Barnett 19 questioned decisions that violated standards, [REDACTED] 20 [REDACTED] raised his hands in the air, waving them around 21 in an animated manner, and loudly and aggressively 22 stated, John, are you just waving your hands in the air 23 or do you have an idea? 24 Did I read that correctly? 25 A. Yeah. You skipped quite a bit, but, yeah,</p>	<p style="text-align: right;">Page 333</p> <p>1 you got the gist of it. 2 Q. Well, I didn't -- 3 A. Yeah. 4 Q. Yeah. I mean, I can -- I can read the whole 5 thing. But I think -- 6 A. No, that's -- 7 Q. -- that -- 8 A. -- fine. 9 Q. -- that -- 10 A. You captured it. 11 Q. -- conveyed the meaning of that paragraph. 12 A. Right. 13 Q. Correct? 14 A. Yes. 15 Q. So your -- that's an example of the 16 harassment, denigration -- 17 A. Correct. 18 Q. Okay. And then in paragraph 78, it -- you go 19 on to say, These meetings were always very tense and 20 the comments made about Barnett were disrespectful, 21 denigrating, sarcastic, degrading, humiliating, mean 22 and unprofessional. 23 Did I read that correctly? 24 A. Yes. 25 Q. Nota-- notably, this gaslighting campaign</p>



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<p style="text-align: right;">Page 334</p> <p>1 against Barnett was done in order to punish Barnett for 2 identifying problems, insisting on the rules being 3 followed and documenting in writing all process and 4 procedure violations and defects? 5 A. Yes. 6 Q. Okay. This gaslighting was also directed 7 against Barnett publicly, in front of his team, to 8 discourage Barnett and others from complying with the 9 law. 10 Did I read that correctly? 11 A. Yes. 12 Q. And so all -- so, at the beginning of this 13 paragraph, it says, "These meetings were always very 14 tense," and "this gaslighting campaign". That's all 15 referring to paragraph 77 and 76, correct, the 16 interactions with [REDACTED]? 17 A. Yes. 18 Q. Okay. And then in paragraph 79 it says, The 19 denigrating comments caused Barnett a tremendous amount 20 of stress, made it very difficult for Barnett to 21 concentrate and perform his job and caused him 22 emotional suffering to the point of taking medical 23 leave of absence and, ultimately, leaving Boeing. 24 Did I read that correctly? 25 A. You did.</p>	<p style="text-align: right;">Page 335</p> <p>1 Q. Okay. So I -- we just established that 2 these -- these examples were all related to 3 [REDACTED] correct? 4 A. Through 78. 79 includes the whole six years 5 again. 6 Q. Okay. So the -- so the only thing in your 7 complaint that references the -- the time period after 8 [REDACTED] is this paragraph that says, The 9 denigrating comments caused Barnett a tremendous amount 10 of stress, made it very difficult for Barnett to 11 concentrate and perform his job, and caused him 12 emotional suffering -- 13 A. Right. 14 Q. -- correct? Okay. 15 So you haven't made any allegations against 16 [REDACTED] for example, in relation to your 17 complaint that you were constantly denigrated, 18 humiliated and treated with scorn and contempt, 19 correct? 20 A. Not here, right. But you have evidence, 21 yeah. 22 Q. Well, it's not in your amended complaint -- 23 A. Okay. 24 Q. -- correct? 25 A. Okay.</p>
<p style="text-align: right;">Page 336</p> <p>1 Q. And you haven't alleged that -- 2 A. Fair enough. 3 Q. -- [REDACTED] participated in continuously 4 denigrating, humiliating or treating you with scorn and 5 contempt, correct? 6 A. Correct. 7 Q. Or [REDACTED]? 8 A. Not in my complaint, yes. 9 Q. Or anyone else by name, correct? 10 A. Correct. 11 Q. It's all [REDACTED] correct? 12 A. Yes. 13 Q. And the last time [REDACTED] was your 14 supervisor was 2014, correct? 15 A. Yes. 16 Q. Okay. And you didn't have any interaction 17 with [REDACTED] after 2014, correct? Well, let -- let 18 me just clarify. All of these allegations that you're 19 making in your amended complaint that relate to 20 [REDACTED] relate to the time when he was your 21 supervisor, correct? 22 A. Yes. 23 Q. Okay. And just to confirm, you never filed a 24 single retaliation complaint against [REDACTED] 25 correct?</p>	<p style="text-align: right;">Page 337</p> <p>1 A. Correct. 2 Q. And you never filed a hostile work 3 environment complaint against [REDACTED], correct? 4 A. Correct. 5 Q. Okay. And the -- the last complaint that you 6 filed in 2016, where you do allege retaliation, that 7 did not include [REDACTED] at all, correct? 8 A. 2016? Is that the scrap bin incident? 9 Q. No, the -- the last complaint that you -- 10 ethics complaint you filed related to your allegation 11 that you were blocked from the two positions. 12 A. Oh, correct. 13 Q. Okay. You have -- you had testified earlier 14 today that [REDACTED] made a comment that -- I'm -- 15 what did he say? Something about he was going to break 16 you? 17 A. He was going to push me until I broke. 18 Q. Okay. Did you ever ask him what he meant by 19 that? 20 A. No. 21 Q. And was -- was he joking when he said that? 22 A. Oh, absolutely not. 23 Q. Okay. And what was the context of that 24 comment? 25 A. So I was talking to him because -- well, back</p>



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<p>1 to the lost nonconforming parts. He called me 19 times 2 in one day and then 21 times another day. And each 3 time he had called -- so that's, what, about every 15, 4 20 minutes in an eight-hour shift. Every time he had 5 called, it stated off the same. John, is this part 6 controlled? It's like, [REDACTED] what part are you talking 7 about? Where are you at? And he's like, I'm down here 8 on the factory floor, and I need to make sure this 9 part's controlled. 10 Q. Uh-huh. 11 A. And as I talked to him, what I realized he 12 was doing is, he was walking through the -- the stores 13 areas -- which the stores areas is where we -- what we 14 call where we stage the -- the parts to be installed on 15 the airplane. So that stores area, it's all controlled 16 by MMO. And those are new parts with different color 17 tags. MRSA uses red tags to identify defective parts, 18 whether it's DPT or DPRT. MMO and stores use, like, 19 yellow tags and green tags. So they're marked and that 20 type of thing. And what I realized he was doing, just 21 going around randomly picking up parts and calling me 22 to give me a hard time about lost nonconforming parts 23 and trying to make sure that every part in the 24 factory's under control. And -- and each time I had to 25 explain to him, [REDACTED] you're in an MMO store. They're</p>	<p>1 controlling them. They're not defective parts. And it 2 just -- like I say, 19 times one day; 21 times -- 3 Q. So you think he was -- 4 A. -- another one. 5 Q. -- intentionally doing that to just mess with 6 you? 7 A. Rub my nose in it because I kept complaining 8 about the nonconforming parts being closed out. 9 Q. Uh-huh. 10 A. Yeah, absolutely. 11 Q. Okay. So you thought that. But, again, you 12 didn't bring any complaints to HR or ethics about 13 him? 14 A. That he's calling me? He's my boss. I mean, 15 they're -- you know, what am I going to say? 16 Q. Well, what you're saying now is that he was 17 essentially harassing you? 18 A. Right. 19 Q. Okay. 20 A. Right. 21 Q. But you didn't -- you never told anyone at 22 Boeing that? 23 A. Oh, absolutely. So on these phone calls, 24 actually, [REDACTED] -- 25 Q. No. I'm sorry. I don't mean to interrupt</p>
<p>Page 340</p> <p>1 you. 2 A. Oh, okay. 3 Q. But when you said -- when you say, 4 absolutely, you told someone at Boeing that [REDACTED] 5 [REDACTED] was harassing you, explain that, please. 6 A. Strike that. I'm sorry. So there were 7 people that were aware because they heard the phone 8 calls. 9 Q. Okay. 10 A. That's what I meant. 11 Q. But you never made a complaint to HR -- 12 A. That's correct. 13 Q. -- or ethics about it? 14 A. That's correct. 15 Q. And you certainly knew how to do that? 16 A. Oh, sure. 17 Q. Okay. 18 A. Yeah. 19 Q. And -- and you -- and you didn't include it 20 in your amended complaint that you filed in this 21 lawsuit? 22 A. I don't believe so, yes. 23 Q. No. And [REDACTED] never asked you to not 24 follow process or procedure, did he? 25 A. He didn't come out and say that. But the</p>	<p>Page 341</p> <p>1 deadlines he put on me would have required me to. 2 Q. Okay. But he never instructed you to not do 3 that? 4 A. Right. 5 Q. And he never told you that safety wasn't 6 important -- 7 A. Oh, no. 8 Q. -- did he? Right. He never said, We're 9 going to put profits over safety, did he? 10 A. No, not -- not in his words, no. 11 Q. Okay. Or in any way? 12 A. Well, again, by pressuring people to -- and 13 not just me -- but anybody, pressuring them, setting 14 them on deadlines that, the only way they can achieve 15 them, is by violating procedures, absolutely, you're 16 putting -- 17 Q. Well, again, going back to the missing 18 parts -- 19 A. -- you're putting the schedule -- 20 Q. -- investigation that he initially said, I'd 21 like this to be done in two days, that it became clear 22 that was unrealistic, and he gave you months and months 23 to complete that investigation, correct? 24 A. He didn't give me. It's just, that's how 25 long --</p>



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<p>1 Q. Long it took?</p> <p>2 A. -- it took.</p> <p>3 Q. Okay. And during 2016, did anyone ever</p> <p>4 instruct you to not follow process or procedure?</p> <p>5 A. 2016?</p> <p>6 Q. Leading up to your retirement.</p> <p>7 MR. KNOWLES: Object to the form.</p> <p>8 BY [REDACTED]</p> <p>9 A. 2016? So that'd have been under [REDACTED]</p> <p>10 So, again, based on his actions and his requirements</p> <p>11 set before me, absolutely. Because he's -- he's</p> <p>12 putting expectations on me to complete jobs or complete</p> <p>13 functions that there's no way to do --</p> <p>14 Q. Okay.</p> <p>15 A. -- while meeting procedures.</p> <p>16 Q. Okay. So when you say, "absolutely," you're</p> <p>17 referring to your claim that [REDACTED] put</p> <p>18 unreasonable time expectations on you?</p> <p>19 A. Correct.</p> <p>20 Q. Okay. During 2016, your pay wasn't</p> <p>21 decreased, right?</p> <p>22 A. Correct.</p> <p>23 Q. In fact, from Boeing records, it looks like</p> <p>24 you actually got another pay increase in 2016 of</p> <p>25 \$2,000. Does that sound familiar?</p>	<p>1 A. Yes.</p> <p>2 Q. And your benefits remained the same in 2016?</p> <p>3 A. Yes.</p> <p>4 Q. And you remained on the same shift up until</p> <p>5 your retirement in 2016?</p> <p>6 A. Correct.</p> <p>7 Q. And your hours remained essentially the same?</p> <p>8 A. Well, again, I was responsible for all three</p> <p>9 shifts and --</p> <p>10 Q. Right.</p> <p>11 A. -- yeah.</p> <p>12 Q. They weren't reduced, though?</p> <p>13 A. Right.</p> <p>14 Q. If anything, you were working more hours?</p> <p>15 A. Right.</p> <p>16 Q. Right? Yeah.</p> <p>17 A. And not getting paid for it, yeah.</p> <p>18 Q. Okay. You didn't seek any medical treatment</p> <p>19 for any work-related stress during the 2015 or 2016</p> <p>20 time frame, did you?</p> <p>21 A. I believe I did. Didn't we turn over my</p> <p>22 medical records?</p> <p>23 Q. You did. And they did not contain any</p> <p>24 documents from the 2015-2016 time period, any medical</p> <p>25 documents.</p>
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<p>1 A. No, I don't -- well, I don't believe I did.</p> <p>2 If you don't -- if we don't have the records, then I</p> <p>3 didn't.</p> <p>4 Q. Okay. So did you take any vacations during</p> <p>5 this time period, 2016, the -- this is -- you know, the</p> <p>6 fall, winter of 2016?</p> <p>7 A. I may have taken a couple days here and</p> <p>8 there. You -- typically, I take all my vacation over</p> <p>9 Christmas so I could go home.</p> <p>10 Q. Okay. What were you doing during your free</p> <p>11 time?</p> <p>12 A. My free time when?</p> <p>13 Q. During this time period, in the fall, winter</p> <p>14 of 2016, leading up to your retirement? Did you go</p> <p>15 out? Go out to dinners? Go out with friends? Did</p> <p>16 you --</p> <p>17 A. Yeah, we went out.</p> <p>18 Q. -- and [REDACTED] --</p> <p>19 A. I went out --</p> <p>20 Q. -- go out?</p> <p>21 A. -- a few times.</p> <p>22 Q. Uh-huh.</p> <p>23 A. Yeah. Yeah.</p> <p>24 Q. Okay.</p> <p>25 A. Yeah.</p>	<p>1 Q. Okay. You have an allegation in your amended</p> <p>2 complaint that you were informed by someone that your</p> <p>3 name was on a list of 49 people to get rid of. Do you</p> <p>4 recall that allegation?</p> <p>5 A. I do.</p> <p>6 Q. And the allegation includes an allegation</p> <p>7 that this was on [REDACTED] computer. Do -- do you</p> <p>8 recall that?</p> <p>9 A. Yeah, I -- [REDACTED] desk is what I was</p> <p>10 told.</p> <p>11 Q. Okay. And -- and who told you that?</p> <p>12 A. [REDACTED]</p> <p>13 Q. Okay. And who is [REDACTED]?</p> <p>14 A. She was his office administrator.</p> <p>15 Q. And when did she tell you that?</p> <p>16 A. I have the conversation documented. I'll</p> <p>17 sent it to y'all. I believe it was January of 2017.</p> <p>18 Q. Was this before you left on leave of absence,</p> <p>19 medical leave of absence?</p> <p>20 A. Correct.</p> <p>21 Q. Okay.</p> <p>22 A. That -- yeah, that added to my stress, yes.</p> <p>23 Q. And what did you do when -- did she tell --</p> <p>24 was this on a phone call or an email or a text message</p> <p>25 that she told you this?</p>

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<p>1 A. No. She came down and -- and talked to me 2 and -- 3 Q. So it was while you were both working? 4 A. Right. Right. 5 Q. So she came down and told you that? 6 A. Right. 7 Q. Okay. 8 A. I think it was, like, the day before I went 9 out on medical or something like -- they were real 10 close. 11 Q. Okay. Did you talk to anyone about that? 12 A. No. Like I say, it -- it was par for the 13 course. I had been dealing with this for six years. 14 And, I mean, what can you do, you know, you're -- if 15 you're on a list to be gotten rid of? And [REDACTED] 16 told me he had started a file on me. I mean... 17 Q. Well, according to your testimony, you allege 18 that [REDACTED] said that for three to four years 19 prior to -- to this happening -- 20 A. Right. 21 Q. -- right? 22 A. Right. 23 Q. Okay. So, I mean, in -- in that time period, 24 you had not had anyone else threaten to terminate you 25 or talk about putting you on a folder or anything like</p>	<p>1 that? 2 A. Actually, I was told that, if I didn't do 3 something, then they'd find somebody who would. And it 4 was a constant discussion about, There's a thousand 5 people lined up outside. If you don't want to do it, 6 we'll bring somebody else in -- 7 Q. Uh-huh. 8 A. -- that will. So, yeah. 9 Q. And -- and when was that conversation? 10 A. That was -- that was [REDACTED] 11 Q. Uh-huh. 12 A. She was sitting in as senior manager. 13 Q. Uh-huh. And what was she referring to? 14 A. She had told me to -- again, set an unex- -- 15 unrealistic expectations and said, You need to go do 16 it. I'm like, I'm not going to make it in time. 17 Q. Okay. 18 A. And she said, Well, if you can't, we'll find 19 somebody who will. 20 Q. Okay. So you didn't tell anyone at work that 21 you were notified that you were on this list of 49 22 people to get rid of, correct? 23 A. Yes. Yeah. 24 Q. Did you tell any family members about that? 25 A. I think I probably mentioned it after I went</p>
<p>1 out on leave. 2 Q. Okay. Who did you tell? 3 A. I -- just my family, I guess. I don't know. 4 Q. Well, did you tell a family member? 5 A. I don't know if I actually specifically 6 talked about that to my family members because they 7 don't really understand the inner workings of Boeing. 8 So when I talk -- 9 Q. Did you tell -- 10 A. -- to them -- 11 Q. -- any friends? 12 A. -- it's -- 13 Q. Did you tell any friends? 14 A. I don't recall. 15 Q. Okay. And you never saw this email, correct? 16 A. That's correct. 17 Q. And where were you when [REDACTED] told 18 you that? 19 A. Right outside the MRSA cage, right outside my 20 office. 21 Q. Was anyone else around? 22 A. No, just me and her. 23 Q. Okay. And when was your last day of working 24 at Boeing? January 18, 2017? 25 A. Somewhere around there, yes.</p>	<p>1 Q. Okay. And you filed your AIR2I complaint on 2 January 16, 2017, correct? 3 A. Yes. 4 Q. What happened on January 18, 2017? You came 5 in to work that morning. What happened? 6 A. I literally felt I was having a heart attack, 7 chest pains, that type of thing. Kind of caught my 8 breath. It settled down a little bit. I got my things 9 together. It was like, I'm just going to go home 10 and -- 11 Q. Uh-huh. 12 A. -- try to get past this. And as I was 13 leaving, it got worse. And I decided to go to the 14 doctor and get checked out. 15 Q. Okay. And you attribute that to the -- to 16 being stressed? 17 A. Right -- 18 Q. Okay. 19 A. -- for six years. 20 Q. Okay. 21 A. Yes. 22 Q. You've had heart problems here for several 23 years, correct? 24 A. No. 25 Q. Okay. Well, we'll go through your medical</p>

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<p style="text-align: right;">Page 350</p> <p>1 records. 2 A. Okay. 3 Q. Anything out of the ordinary happen on 4 January 18th, though, that led you to start having 5 those symptoms? 6 A. I can't think of anything specific. It's 7 just a culmination -- 8 Q. And you didn't have any -- 9 A. -- accumulation -- 10 Q. -- confrontations with anyone? 11 A. I -- I really don't recall. Yeah. 12 Q. I meant to ask you, did [REDACTED] ever 13 yell or scream at you? 14 A. No. He was -- he -- he would just sneak 15 around behind my back and do things. But, no, he 16 didn't yell at me. 17 Q. Okay. You actually called out sick on 18 January 16, 2017, so two days -- the day that you filed 19 your AIR21 complaint; is that correct? 20 A. Okay, yeah. 21 Q. Okay. Let's look at 90. 22 [REDACTED] Is that this one or this? 23 [REDACTED]: Yeah, it's this one. 24 [REDACTED]: Okay. 25 (Defendant's Exhibit No. 44 marked for</p>	<p style="text-align: right;">Page 351</p> <p>1 identification.) 2 [REDACTED] Yeah. Thank you. 3 BY [REDACTED]: 4 Q. Here you go. 5 [REDACTED]: He's got two of them. 6 BY [REDACTED]: 7 Q. Oh. 8 A. Oh. 9 Q. Okay. So this is an email. If you, kind of, 10 scroll down to the -- or look at the bottom, the 11 beginning of the chain, it's an email from [REDACTED] 12 [REDACTED] -- 13 A. Yeah. 14 Q. -- on January 18th at 6 a.m. or 5:57 a.m. 15 And it says, John, can you answer this CA? 16 Do you see that? 17 A. I do. 18 Q. And you respond, This is the first I've seen 19 of this CA being assigned to me. This looks like the 20 CA for all the missing parts with open NC SOIs that 21 [REDACTED] has been investigating. I will need your help and 22 guidance on how to address this CA, please. 23 So what are you referring to there? 24 A. Well, because there's certain things that 25 must be addressed in the CA task, in the CA issue --</p>
<p style="text-align: right;">Page 352</p> <p>1 and this particular issue, this -- this particular CA 2 task had been written a couple of months earlier. And 3 it was -- or, actually, several months earlier. It was 4 due. It was already overdue when it was assigned to 5 me. 6 Q. Right. 7 A. So I told him, I -- I -- you know, I don't 8 know why this is the first time I've seen it. But I'm 9 going to need some help. 10 Q. Okay. And he responds after that and says, I 11 will assist you in the CA response. Set up meeting for 12 tomorrow to address it, correct? 13 A. Yes. 14 Q. So he is agreeing to give you the help you 15 need, correct? 16 A. Correct. 17 Q. And then at 2 p.m. that afternoon, you email 18 him and say, [REDACTED] I trust you heard your voicemail 19 letting you know I had to leave. I went to the ER and 20 then to my doctor. 21 And this says, She told me to take a few days 22 off. I'll need the rest of the -- this week off. I'll 23 be in on Monday. 24 A. Yes. 25 Q. And then [REDACTED] responds, Yes, I got the VM, so</p>	<p style="text-align: right;">Page 353</p> <p>1 you're off the rest of the week. Anything you need 2 from me? Take care of yourself and get back here for 3 more fun. 4 Did I read that correctly? 5 A. Yes. 6 Q. Okay. And you asked him to have someone 7 cover an ADR meeting. What -- what's the ADR meeting 8 referencing? 9 A. So [REDACTED] sending that to me. Oh, no, that's 10 me to him. 11 Q. Would that be an alternative dispute 12 resolution meeting, potentially, with one your 13 employees? 14 A. I'm not sure what that was. 15 Q. Well, ADR is the alternative dispute 16 resolution that Boeing has to deal with employee 17 disputes -- 18 A. Right. 19 Q. -- is that correct? 20 A. I'm familiar with that. 21 Q. Yeah. 22 A. But I'm just thinking, there might another -- 23 for that acronym. 24 Q. So you don't recall what that was? 25 A. I really don't.</p>

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<p style="text-align: right;">Page 354</p> <p>1 Q. Okay. 2 A. No. 3 Q. So you -- so on the morning of January 18th, 4 you get this notice that you have to deal with this 5 corrective action. And that seemed like a lot -- that 6 was going to be a lot of work to you, correct? 7 A. Well, it was already overdue. And it -- and 8 another issue to criticize me. But, also, you skipped 9 this last paragraph where I'm taking about so many 10 people having keys to our cages and missing parts. 11 Q. Uh-huh. 12 A. And that was another part of this, is, they 13 handed out keys to everybody. And then, when parts 14 would go missing out of my cages, it was my fault. So 15 all of that added up. 16 Q. Uh-huh. 17 A. Right. 18 Q. So the -- the job was stressful? 19 A. My management was stressful -- 20 Q. Uh-huh. 21 A. -- for not supporting -- 22 Q. And the job -- 23 A. -- me. 24 Q. -- was stressful, too? You would -- 25 A. No. The job was pretty easy itself, if</p>	<p style="text-align: right;">Page 355</p> <p>1 everybody'd follow procedures. It's pretty simple. 2 Q. Well, with the missing parts investigation 3 alone had to be stressful. You said you worked long 4 hours doing that, correct? 5 A. It's a lot of work. 6 Q. Yes. 7 A. Yeah. 8 Q. Okay. And in the days leading up to your -- 9 you -- your last -- you leaving Boeing -- the last day 10 of work, again, was January 18, 2017 -- did you talk to 11 anyone, family members, friends, about the stress that 12 you were experiencing at work? 13 A. No. Because, at that time, I was by myself 14 and really didn't have anybody else to go talk to, 15 so... 16 Q. You didn't have a family member or friend 17 that you confided in? 18 A. Not here in Charleston, no. 19 Q. Well, you could pick up a phone? 20 A. Well, yeah, you could, but... 21 Q. So you didn't talk to anyone about -- 22 A. No -- 23 Q. -- being -- 24 A. -- not on the phone. 25 Q. -- stressed at work, being unhappy at work?</p>
<p style="text-align: right;">Page 356</p> <p>1 A. I talked to my doctors and my -- yes. 2 Q. Okay. But not prior to -- not in -- not 3 prior to you leaving Boeing? We don't have any medical 4 records that you talked to doctors about being stressed 5 at work -- 6 A. Right. 7 Q. -- prior to leaving Boeing. 8 A. Right. 9 Q. So prior -- lead- -- in the -- in the days 10 leading up, and the month, weeks leading up to you 11 leaving Boeing, did you go to any friend or family 12 member and -- and seek, you know, help, assistance, 13 support, for the stress that you were under at work? 14 A. Well, we talked -- I've talked to peers, you 15 know. And -- and a lot of the peers would see what I 16 was under. 17 Q. Who did you talk to? 18 A. As far as -- well, I know when [REDACTED] 19 [REDACTED] and [REDACTED] were there, we talked 20 about it. And on the 60-day action plan, all of that 21 brought up stress. And it -- you know, like I say, 22 it's six years. So as -- as time went through, yeah, I 23 would talk to my peers and ask them, Are you seeing the 24 same thing? You know, why is this just me? Why -- you 25 know --</p>	<p style="text-align: right;">Page 357</p> <p>1 Q. Uh-huh. 2 A. -- why are they treating me different, that 3 kind of thing. 4 Q. Uh-huh. So [REDACTED] -- 5 A. So, yeah, I -- 6 Q. -- [REDACTED] are the 7 people that you talked to about -- 8 A. That's two of them -- 9 Q. -- being -- 10 A. -- yeah. 11 Q. -- excessively stressed? 12 A. I'm sorry. Yes. That's correct. 13 Q. And any -- anyone outside of work? 14 A. Outside of work? Well, again, my doctor. 15 Q. Well, again, you didn't talk to your -- 16 A. I talked to my -- 17 Q. -- doctor -- 18 A. -- general practitioner. 19 Q. -- prior to leaving Boeing about being 20 stressed. Accord- -- we don't have the medical records 21 that illustrate that. 22 A. Okay. Well... 23 Q. So any -- any friend or family member? No? 24 A. No. 25 Q. Okay. And so -- so when you left on January</p>



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<p style="text-align: right;">Page 358</p> <p>1 18th, you said you were experiencing chest pains, 2 correct? 3 A. Short- -- it was a lot of symptoms, yes. 4 That was -- that was -- 5 Q. What were -- 6 A. -- one. 7 Q. -- the other symptoms? 8 A. Shortness of breath, dizziness. I couldn't 9 think straight. It's like -- like I was, kind of, in a 10 dream world, you know. 11 Q. Okay. 12 A. That type of thing. 13 Q. And -- and did you go to the doctor that 14 day? 15 A. I believe I did. It says -- 16 Q. Okay. 17 A. -- didn't I say that? 18 Q. And -- and what did your doctor say to you? 19 A. Well, she told me that, basically, the job's 20 going to kill me because of what I was going through. 21 And I, pretty much, had to make a decision, you know, 22 either continue in that environment and, most likely, 23 drop dead of a heart attack or figure -- 24 Q. Okay. 25 A. -- something else out.</p>	<p style="text-align: right;">Page 359</p> <p>1 Q. So -- so where -- what -- what was the name 2 of this doctor that said that to you? 3 A. [REDACTED] 4 Q. Okay. And -- and where -- where was that? 5 Was this at a hospital, doctor's office? 6 A. It was in the notes we sent you. It was -- 7 yeah, you have those documents. 8 Q. I'm asking you. 9 A. Oh, I'm sorry. What -- 10 Q. Was -- was -- did you go to the hospital or 11 did you go to see this doctor in a doctor's office? 12 A. [REDACTED] so it was in -- 13 Q. [REDACTED] 14 A. -- a doctor's office. Yes. 15 Q. Okay. Is that like a Patient First? 16 A. I'm not sure. It -- it's -- it's like a 17 small clinic -- 18 Q. Okay. 19 A. -- you go to, yeah. 20 Q. Is [REDACTED] a doctor that you saw 21 regularly? 22 A. She is my general practitioner. 23 Q. Okay. 24 A. Yes. 25 Q. And you could go in without making an</p>
<p style="text-align: right;">Page 360</p> <p>1 appointment? 2 A. Yes. 3 Q. Okay. Okay. And did she perform any tests? 4 A. I believe she did an EKG and several others. 5 I don't know what all those acronyms are, but, yeah. 6 Q. Okay. And so [REDACTED] is -- and what -- 7 is she a physician? 8 A. Yes, I believe so. 9 Q. And she's the doctor that you allege told you 10 that you needed to take a leave, that the job was going 11 to kill you; is that right? 12 A. Yeah. She actually put me out on leave for a 13 couple of days. She told me to take a few days off. 14 Q. Okay. And -- and what -- what were the exact 15 words she used, to -- to the extent you remember? 16 A. Take a few days off. 17 Q. Okay. Anything -- I mean you -- you -- your 18 testimony earlier was a little more elaborate than 19 that. Did she saying anything else about why you 20 should take a few days off? Or what -- 21 A. Because I was -- 22 Q. -- what was the conversation? 23 A. Right. Because -- so I was explaining to her 24 what I was going through at work and what I felt was 25 the stress causers. And after a pretty lengthy</p>	<p style="text-align: right;">Page 361</p> <p>1 conversation and her checking my vitals and that type 2 of thing, she said, Yeah, your -- you know, your stress 3 level is way up there. 4 Q. Okay. 5 A. You need to -- you need to get out of that 6 environment. 7 Q. Okay. 8 A. Yeah. 9 Q. You testified earlier that she said something 10 about you're going to drop dead? She -- 11 A. No. I said -- 12 Q. You were -- 13 A. She said I was going to have a heart attack 14 and die, or I could have a heart attack and die in that 15 environment, yes. 16 Q. She said to you, during this appointment, You 17 could have a heart attack and die if you don't leave 18 work? That's your testimony? 19 A. If I don't get out of that environment -- 20 Q. Okay. 21 A. -- yes. 22 Q. So you allege you had to resign because of 23 the stress you experienced because Boeing insisted that 24 you engage in illegal conduct. Do you -- do you recall 25 that allegation?</p>

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<p style="text-align: right;">Page 362</p> <p>1 A. Yes. 2 Q. And we talked a little bit about this 3 earlier, the -- but I really want to get the specifics 4 about what illegal conduct you're alleging. So we 5 talked about that it was illegal to not document 6 defects in the build record, correct? 7 A. It's illegal to violate any BPI or process -- 8 Q. Okay. 9 A. -- anything under the quality management 10 system. 11 Q. Okay. So you're -- so, basically, when you 12 make that allegation, you're -- the support -- your 13 contention is, any time anyone told you to violate any 14 process or any procedure, that's an illegal act? 15 A. Absolutely. 16 Q. Okay. Okay. Let's take a short break and 17 then I think we'll be able to wrap up. 18 [REDACTED] Off the record, 18:27. 19 (A brief recess was taken.) 20 [REDACTED] Back on the record, 18:41. 21 BY [REDACTED]: 22 Q. Mr. Barnett, just going back real quickly to 23 what we were just discussing, the weeks and months 24 leading up to you leaving Boeing on that day, January 25 18, 2017, you were working during that whole time,</p>	<p style="text-align: right;">Page 363</p> <p>1 correct? 2 A. Yes. 3 Q. So you were able to work? 4 A. Yes. 5 Q. And how -- were -- how was your diet? Were 6 you eating well? 7 A. Yeah. 8 Q. You were able to sleep well? 9 A. "Ish." 10 Q. Okay. 11 A. Yeah. 12 Q. Is that -- is that an issue that you have 13 generally? 14 A. Not typically. And -- and just, like I say, 15 over the years, it just got worse and worse, but, yeah. 16 Q. But you were sleeping through the night -- 17 A. Yeah. 18 Q. -- for the most part? 19 A. Yeah. 20 Q. Okay. So you just testified about a doctor's 21 appointment that you had when you left Boeing that day, 22 January 18, 2017. I believe you testified you went to 23 see your doctor, [REDACTED] is that correct? 24 A. Correct. I believe, yes. 25 Q. Okay.</p>
<p style="text-align: right;">Page 364</p> <p>1 A. Yes. 2 Q. I want to show you -- let's see where it 3 starts. 4 [REDACTED]: Okay. We can -- it's one 5 exhibit, so we'll just do the whole thing and 6 we'll go from there, right? 7 [REDACTED]: Yeah. We might just have one 8 copy of that one. Let me look first. 9 [REDACTED]: Of course. All right. 10 We're on the clock, so... 11 [REDACTED]: Yeah. These are the injury 12 and illness reports. So -- 13 [REDACTED]: Okay. 14 [REDACTED]: -- we've just got the one. 15 [REDACTED]: Can we go off the record 16 for a minute? 17 [REDACTED] Off the record, 18:43. 18 (Defendant's Exhibit No. 45 marked for 19 identification.) 20 [REDACTED] Back on the record, 18:43. 21 BY [REDACTED]: 22 Q. Okay. 23 MR. TURKEWITZ: By the way, did y'all receive 24 the latest -- 25 [REDACTED]: Yes, we did.</p>	<p style="text-align: right;">Page 365</p> <p>1 BY [REDACTED]: 2 Q. Mr. Barnett, if you could turn to page 004, 3 these are copies of medical records that your counsel 4 produced to us during the course of this litigation. 5 If you go to the next page and then the next page -- 6 let's see. I'm trying to find a date. Okay. So on 7 Medical 006, do you see at the very bottom of that it 8 says, on 1/18/2017? 9 A. One -- yes. 10 Q. Okay. And this says, [REDACTED] 11 -- [REDACTED], correct? 12 A. Okay, yes. 13 Q. Is that the facility that -- that you went 14 to? 15 A. I believe it -- yes, you're right. 16 Q. Okay. 17 A. Yeah. 18 Q. So it wasn't the one that you mentioned 19 earlier? 20 A. That's correct. I stand corrected. 21 Q. Okay. And so it -- so it wasn't [REDACTED] 22 that you saw -- 23 A. This was -- 24 Q. -- that day, correct? 25 A. Right.</p>

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<p>1 Q. It wasn't -- 2 A. My -- 3 Q. -- [REDACTED] 4 A. Right. 5 Q. Okay. 6 A. My apologies. 7 Q. And your -- so the ad -- admit date is 8 1/18/2017, in that -- that top? 9 A. Right. 10 Q. Okay. So this is the visit where you left 11 work because you were having chest pains. And you went 12 to [REDACTED] correct? 13 A. Right. Right. 14 Q. And your -- looks like you were accompanied 15 by [REDACTED], is that right? Or she's listed as 16 your spouse or companion. 17 A. Companion, yeah. I think -- I think I was -- 18 yeah, person to notify. 19 Q. Well, she's listed as your person to notify. 20 But she's also listed as your spouse or companion. So, 21 at that point, were you-all living together? 22 A. No. 23 Q. Okay. All right. If you flip to page 17, 24 there are some comments here. It says -- these are, I 25 guess, symptoms you were exhibiting: Sweaty, charley</p>	<p>7 horse -- it's kind of hard to read -- something -- 8 right side, sharp chest pain, numbness, tingling lips. 9 Does that sound like the symptoms you were 10 experiencing? 11 A. Very familiar, yes. 12 Q. Okay. It says, One and a half years off 13 clonazepam? 14 A. Yes. 15 Q. Is that an anxiety medication? 16 A. I believe, yes, it is. 17 Q. So you had been taking clonazepam? 18 A. Right. 19 Q. At -- for how long? 20 A. Well, that year and a half off, so that's 21 when I hurt my back at Boeing. And -- and I had to go 22 through pain clinic and that type of thing, I believe. 23 I don't see a date on here. 24 Q. Well, this is all from 1/18. This is all 25 from January 18th. This is all part of that same medical record. A. Oh, okay. So that's when they put me on clonazepam, was 1/18. Q. Well, this says you were off -- had been off it for a year and a half. So did they put you on clonazepam that day?</p>
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<p>1 A. Yes, they did. I don't know what that "1.5 2 year off" is. 3 Q. Well, it's indicating that you had been off 4 of clonazepam for a year and a half at that point. 5 Had -- had you taken clonazepam before this January 18, 6 2017, visit? 7 A. Yes. 8 Q. Okay. And you had been on Cymbalta, as well, 9 correct? 10 A. Correct. 11 Q. And that's an antidepressant, correct? 12 A. Correct. 13 Q. And how long had you been on Cymbalta? 14 A. So, actually, they started me on Cymbalta, 15 again, going back to when I hurt my back. My back was 16 injured at work. And, at that time, I was being told 17 that I probably wouldn't be able to go back because of 18 my back issues. And -- and they put me on that for the 19 depression. 20 Q. Uh-huh. 21 A. Depression. So that was to treat depression. 22 Q. And when was that? 2005 sound about right? 23 A. Yeah, okay. 24 Q. Okay. 25 A. We'll go with that.</p>	<p>1 Q. So have you been taking antidepressants since 2 2005? 3 A. Yes. 4 Q. At -- what about anti-anxiety medication? 5 A. No. So, again, the clonazepam would stop. 6 And, again, because it was related to my back -- well, 7 they put me back on clonazepam. 8 Q. Well, I -- 9 A. So... 10 Q. -- I don't know that they did on this visit. 11 There's another document we can look at. 12 A. Okay. 13 Q. It looks like all they prescribed you was 14 baby aspirin. I'm just trying to confirm how long you 15 had been on anti-anxiety medication. 16 A. Well, I was on Cymbalta for the depression, 17 right? 18 Q. You'd been on -- right. You had been on 19 antidepressants for, I think you just said, ten 20 years? 21 A. Right. 22 Q. Okay. 23 A. Right. Right. 24 Q. The anti-anxiety medication, had you been on 25 that for ten years, as well?</p>

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<p style="text-align: right;">Page 370</p> <p>1 A. The clonazepam, no, I don't think so. I 2 think that's when they put -- 3 Q. You said that was -- 4 A. -- me on it. 5 Q. -- prescribed to you when you hurt your back, 6 as well? 7 A. Right. 8 Q. Okay. 9 A. And I went to a pain clinic. And they got me 10 off all that. 11 Q. Okay. So -- so you think you had been off it 12 for about a year and a half? 13 A. No, because I went to the pain clinic back in 14 2006. 15 Q. Okay. 16 A. I believe. 17 Q. Okay. 18 A. Yeah, this -- this don't really add up here. 19 Q. So -- so just looking back at those notes, it 20 says, Under tons of stress recently, right? 21 A. Yes. 22 Q. And then it says that you're -- you checked 23 to smoke, yes? 24 A. Yes. 25 Q. So you were smoking then?</p>	<p style="text-align: right;">Page 371</p> <p>1 A. Yes. 2 Q. Do you still smoke? 3 A. Yes. 4 Q. Okay. If you look at Medical 12 -- 5 A. Okay. 6 Q. -- this is the radiologist's impression and 7 report. And they say, Mild pulmonary vascular con- -- 8 congestion. Do you see that? 9 A. I do. 10 Q. Okay. So that was the outcome from the tests 11 that they ran that day. 12 If you look at the next page, Medical 13, 13 Reevaluation Progress Number 1. Evaluation following 14 treatment. Patient feels better. Condition improved. 15 Denies pain. Alert. Appears nontoxic. Appears well. 16 Vital signs stable. 17 Did you -- did I read that correctly? 18 A. Yes. 19 Q. Okay. So this doesn't say your vital signs 20 were elevated, right? 21 A. Well, right. This was later, I believe. It 22 says, Feels better. So that indicates that it was a 23 little later than when I first showed up. 24 Q. Okay. 25 A. Yeah. In fact, down here in the tables, it</p>
<p style="text-align: right;">Page 372</p> <p>1 shows both times they took it. 2 Q. Uh-huh. Yeah. And I'm not a doctor. But if 3 you look at those numbers, some are higher the second 4 time. Some are higher the first time. So -- but -- so 5 they just said, as a general matter, your vital signs 6 were stable? 7 A. The second time they checked it, yes. 8 Q. Well, as I said, some of these numbers on the 9 second time are higher than the first time. So I -- I 10 don't know that they were making that distinction. 11 They were just saying they were stable. I -- I 12 don't -- I haven't seen anywhere on this document -- 13 and you're welcome to flip through it -- where it says 14 your vital signs were elevated, which I believe you 15 testified to. 16 A. Absolutely. Where does it start? 1/18. 17 Where does this one start? 18 Q. Well, it's -- it -- 19 A. Here it is. 20 Q. Yeah. And -- and there's nothing in this 21 document that indicates that you need to take a leave 22 of absence or you'll have a heart attack, correct? 23 A. This is one hour heart shortness of breath, 24 nausea. Yeah, here you go. Reports chest pain, 25 palpitations.</p>	<p style="text-align: right;">Page 373</p> <p>1 Q. Yeah. 2 A. That's Medical 008. 3 Q. Right. Yes. We've already established that 4 you went to the doctor because you were having chest 5 pains and shortness of breath. But you have testified 6 that your -- that a [REDACTED] told you that, if 7 you don't leave work, you're going to die of a heart 8 attack. And we've confirmed that you didn't see [REDACTED] -- 9 a [REDACTED] that day. 10 A. On that day -- 11 Q. And this -- 12 A. -- correct. 13 Q. -- and this medical record does not establish 14 or doesn't support that testimony at all. 15 MR. KNOWLES: Object to the form. Is that a 16 question or a statement? 17 BY [REDACTED] 18 Q. And I understand it's a detailed document, 19 but it was produced by your lawyers. So the assumption 20 was that you would have reviewed it. 21 Okay. Let's -- let's move on because we're 22 short on time. The -- the next medical record -- we 23 have a -- we have a medical record from you -- for you 24 from February 2016, where you also visited the ER for 25 chest pains. Do you -- do you recall that?</p>

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<p style="text-align: right;">Page 374</p> <p>1 A. 2016? Where's that at? 2 Q. Well, I was trying to avoid actually getting 3 into the documents because we just don't have a lot of 4 time. Do you recall -- 5 A. Right. 6 Q. -- visiting -- 7 A. Right. 8 Q. -- the ER for chest pain in February 2016? 9 A. I remember going a few times. I can't 10 remember exactly what -- 11 Q. Okay. 12 A. -- the date without seeing it. 13 Q. And -- 14 A. Yeah. 15 Q. -- and they prescribed Lipitor for high 16 cholesterol. Do you take Lipitor? 17 A. Where are you at? 18 Q. I'm just -- 19 A. I did, yes. 20 Q. -- asking you to go -- 21 A. Yes. 22 Q. -- from memory. 23 A. Oh. 24 Q. Do you -- were you prescribed Lipitor during 25 that visit --</p>	<p style="text-align: right;">Page 375</p> <p>1 A. I was. 2 Q. -- to the ER? 3 A. Well, I was prescribed Lipitor. I'm just not 4 sure -- 5 Q. Okay. 6 A. -- when, yeah. 7 Q. So -- and do you recall that you were given 8 nitroglycerin to treat your chest pain? 9 A. I don't recall that. 10 Q. Okay. 11 A. But, okay. 12 Q. But you weren't given any medication to treat 13 any kind of panic attack or anything, were you? 14 A. Again, I'd have to look at the record -- 15 Q. Okay. 16 A. -- to be sure. 17 Q. All right. 18 A. I -- I just don't remember. That was quite a 19 while ago. 20 Q. And do you -- do you remember your doctor at 21 this visit, or any visit, saying you had high risk 22 factors for coronary heart disease because you smoke, 23 you have high cholesterol and you have a family history 24 of premature coronary heart disease? 25 A. Vaguely.</p>
<p style="text-align: right;">Page 376</p> <p>1 Q. Okay. All right. The next medical record we 2 have for -- for you is not until May 2020. Actually, I 3 take that back. Let's -- let's talk about this real 4 quickly. 5 [REDACTED]: Yeah. 6 [REDACTED]: Okay. 7 (Defendant's Exhibit No. 46 marked for 8 identification.) 9 BY [REDACTED]: 10 Q. So on February 2, 2017, you went to see 11 [REDACTED] who's a licensed clinical social worker, 12 I believe. Do you recall that? 13 A. Yes. 14 Q. And this was the first time you had seen 15 [REDACTED] is that right? 16 A. That's correct. 17 Q. Okay. And how -- how did you learn about 18 [REDACTED] What motivated you to go see her? 19 A. So this is February. So I -- I do recall 20 seeing [REDACTED] And she did tell me that. I just 21 got mistaken on the dates. And -- and -- but [REDACTED] 22 [REDACTED] had put me out on a few days leave of absence, 23 telling me to take some time off. 24 Q. Uh-huh. 25 A. And my -- it was, kind of, over a weekend.</p>	<p style="text-align: right;">Page 377</p> <p>1 So that Monday, I had gotten up and gotten ready for 2 work, planning on going back to work. And walked out 3 the door. And as soon as the screen door closed, I had 4 an anxiety attack again. And that led me to -- to 5 follow up and try to find somebody to talk to and 6 figure out how I could get -- 7 Q. Okay. 8 A. -- this addressed. 9 Q. Was -- did someone refer you to her? 10 A. I can't remember if [REDACTED] did or not. 11 Q. Okay. 12 A. I'm not sure. I -- I don't -- 13 Q. I -- I don't -- 14 A. -- recall. 15 Q. -- think we have any medical records from a 16 [REDACTED] 17 MR. TURKEWITZ: I know we've requested them. 18 BY [REDACTED]: 19 A. I think -- yeah, we do. I think -- yeah, I 20 saw them. 21 Q. Any -- anyway, we can -- we can address 22 that -- 23 A. Yeah. 24 Q. -- in a minute. 25 A. Yeah. I know I saw some.</p>



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1 Q. Okay. So let's -- let's talk about your
2 visits with [REDACTED]. So you visited her -- visited
3 her three times in 2017, correct?
4 A. I believe so, yeah.
5 Q. Okay. We can --
6 A. Yes.
7 Q. -- so --
8 A. Wait. One, two --
9 Q. Yeah. It's --
10 A. -- three, four time.
11 [REDACTED] The beginning page.
12 BY [REDACTED]:
13 Q. Right. It's Medical 001, 002. And that's
14 all I have.
15 A. All right. And it shows four visits.
16 Q. No. Oh, I'm -- initial visit, second visit,
17 third visit, yeah, that's --
18 A. Oh --
19 Q. -- it.
20 A. -- and that phone call. You're right.
21 Q. Right. Right.
22 A. Right.
23 Q. So -- so let's look at that second page, the
24 phone call. It says, Call from [REDACTED] with [REDACTED]
25 who's handing -- handling client's disability. Spoke

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1 [REDACTED] from a visit that you had this past Monday, March
2 4, 2024, with her.
3 A. That's correct.
4 Q. Did -- did you see [REDACTED] this past
5 Monday?
6 A. Yes.
7 Q. Okay. It says, Client seen at the request of
8 Attorney Rob Turkewitz.
9 So did your attorney request that you go and
10 see [REDACTED]?
11 A. Actually, I was having a lot of --
12 MR. KNOWLES: Object to the form.
13 THE WITNESS: I'm sorry.
14 BY [REDACTED]:
15 Q. You can go ahead.
16 A. I was having a lot of issues with anxiety
17 and -- and --
18 THE WITNESS: Can I say we discussed it?
19 MR. KNOWLES: I'm going to object to any --
20 BY [REDACTED]:
21 Q. Yeah, I don't want to hear any privileged --
22 MR. KNOWLES: -- conversation --
23 BY [REDACTED]:
24 Q. -- I don't want to hear any --
25 A. Okay.

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1 with client prior to taking call.
2 So did -- did you apply for disability
3 benefits?
4 A. [REDACTED] -- okay. That's the ones
5 that -- I believe those are the ones that send me
6 letters.
7 Q. Did you apply for disability benefits?
8 A. I did not apply.
9 Q. Did --
10 A. I requested -- I inquired.
11 Q. Did -- did -- are you receiving any
12 disability benefits?
13 A. I am not.
14 Q. Okay. So you were denied?
15 A. Yes.
16 Q. Okay.
17 [REDACTED] Can we go off the record,
18 please.
19 [REDACTED]: Off the record at 19:01.
20 (A brief recess was taken.)
21 [REDACTED] Back on the record, 19:01.
22 BY [REDACTED]:
23 Q. Okay. Mr. Barnett, I'm going to hand you a
24 document that was produced by your lawyers to us
25 yesterday afternoon. These are notes from [REDACTED]

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1 Q. -- privileged information. I'm just
2 asking --
3 A. So, anyway...
4 Q. -- why did you go see [REDACTED] on March 4,
5 2024?
6 A. I brought it up because of the anxiety and
7 panic attacks I was having.
8 Q. Okay.
9 A. And anxiety issues.
10 Q. Okay.
11 A. Yeah.
12 Q. And you hadn't seen [REDACTED] at this point,
13 since 2000 -- February 2017, correct?
14 A. That's correct.
15 Q. Okay. So almost ten years?
16 A. '17 and --
17 Q. What --
18 A. -- '24.
19 Q. Okay. We don't -- we're not going to take
20 the time to do the math. But it was a long -- several
21 years, right?
22 A. Right. I was in Louisiana.
23 Q. Right.
24 A. I wasn't here.
25 Q. Okay.

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<p>1 A. Yeah. 2 Q. Okay. And your deposition was originally 3 scheduled for the -- last Thursday; is that correct? 4 A. I -- I believe so. I -- yeah. 5 Q. Well -- 6 A. I don't remember specifically. 7 Q. -- well, you traveled here to attend your 8 deposition -- 9 A. Right. 10 Q. -- last -- last week, correct? 11 A. Well, I've been here three weeks. But, yeah. 12 Q. Okay. 13 A. I believe it was Thursday. I'm just -- 14 Q. Okay. 15 A. I'm not arguing. I'm just -- 16 Q. Okay. 17 A. -- trying to clarify. 18 Q. Do you know why it was canceled? 19 A. I have an idea, but not legally. I mean, I 20 don't really know. 21 Q. What was the idea? What's the idea you 22 have? 23 A. That we had received a lot more forms and we 24 hadn't had a chance to review them -- 25 Q. Okay.</p>	<p>1 A. -- before the deposition. 2 Q. Are you currently working, Mr. Barnett? 3 A. No, I'm not. 4 Q. Have you worked at all since you left Boeing? 5 A. I have not. 6 Q. Have you made any attempts to find other 7 employment? 8 A. I have. 9 Q. And what -- what have you done? 10 A. So the first five years after my constructive 11 discharge, I really wasn't able to. I just wasn't in 12 the mental capacity. After that time -- 13 Q. Let -- let me stop you there. I'm sorry. 14 A. I'm sorry. 15 Q. But you said, for the first five years after 16 you left Boeing, you were not mentally capable of 17 working? 18 A. Right, because the anxiety and panic -- 19 Q. Okay. 20 A. -- attacks and that -- 21 Q. But -- 22 A. -- type of thing. 23 Q. -- but you saw no physicians to be treated 24 for that, correct? 25 A. That's correct.</p>
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<p>1 Q. Okay. 2 A. Yeah. 3 Q. All right. You can -- 4 A. Tried to handle it on my own. 5 Q. Uh-huh. 6 A. But -- but after I, kind of, got things 7 squared away, I decided it was time to go back to work. 8 And -- and I went to -- it's called A Million Air. And 9 it's two different words. And what they do is, they 10 work on millionaires' airplanes and service them and 11 maintenance and that type of thing. 12 Q. Okay. 13 A. So I went up there, picked up an application 14 and took it home to fill out. And I was filling it 15 out, just thinking about having to report to somebody 16 in that type of structure. I just broke out in an 17 anxiety attack. So I threw that away. And then, 18 probably a month or so later, we have a place called 19 Union Cars -- or Union Rails -- right there in 20 Alexandria, that produces railroad cars. So I thought 21 I'd go down there and try to apply for some type of 22 inspection job or something, because that's what I'm -- 23 my background is. And, again, I took it home, tried to 24 fill it out and just -- I -- I just -- the anxiety and 25 stuff -- I just couldn't do it, so I threw it away.</p>	<p>1 And I got to thinking, how am I going to do this? So I 2 started, kind of, working towards opening my own 3 business, so I didn't have to report to anybody. I'd 4 be my own boss. And I'm still working towards that 5 today. I'm getting real close to starting my own 6 business. 7 Q. And -- and what is that going to be? 8 A. It's going to be a handyman, auto, little bit 9 of everything, you know, small construction, working -- 10 Q. Okay. 11 A. -- on cars, that type of thing. 12 Q. Your counsel hasn't produced any applications 13 for employment that -- that you have submitted to 14 anyone. So are you -- is your testimony that you don't 15 have any applications? 16 A. Well, right. Like I say, when I was -- 17 Q. You -- your -- 18 A. -- I threw them away. 19 Q. -- so you're saying you tried twice and you 20 threw them away? 21 A. Right. 22 Q. Okay. 23 A. That's correct. 24 Q. So you haven't applied for any jobs since you 25 left Boeing, correct?</p>



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<p style="text-align: right;">Page 386</p> <p>1 A. That's correct. 2 Q. Okay. I just want to talk brief- -- briefly 3 about your media appearances. You have been in several 4 newspaper articles, podcasts, a Netflix special; is 5 that correct? 6 A. Yes. 7 Q. How many media appearances do you think 8 you've had? 9 A. As far as, like, video or just interviews? 10 Q. Inter- -- any -- yeah, inter- -- 11 interviews -- 12 A. Probably -- 13 Q. -- whether over the phone or in person. 14 A. I'd say probably eight or ten, somewhere 15 around there. 16 Q. Uh-huh. Do you enjoy doing that? 17 A. Not really. But I think it's important to 18 get the information out. 19 Q. Uh-huh. That doesn't cause you stress and 20 anxiety, talking about the -- those issues with the 21 media? 22 A. Absolutely. 23 Q. But you do it anyway? 24 A. Right. 25 Q. Have you received any financial benefit from</p>	<p style="text-align: right;">Page 387</p> <p>1 those appearances? 2 A. I have not. 3 Q. Do you have any movie deals in the works? 4 A. I do not. 5 Q. Book deals in the works? 6 A. No. 7 Q. Okay. 8 A. No. 9 Q. I think that's all we have. 10 MR. TURKEWITZ: I've got some questions. 11 CROSS-EXAMINATION BY MR. TURKEWITZ: 12 Q. You were talk- -- you were asked questions 13 about -- 14 [REDACTED]: Hey, Rob, I'm sorry. I'm 15 sorry to interrupt you. How long are your 16 questions going to go? 17 MR. TURKEWITZ: I don't know. 18 [REDACTED]: Okay. Well, let's -- yeah, 19 no. We're -- let's go off the record for a second. 20 [REDACTED]: Off the record, 19:08. 21 (A brief recess was taken.) 22 [REDACTED] Back on the record, 19:09. 23 [REDACTED] Thank you. I just -- just 24 wanted to make sure we got on the record that 25 there's a protective order in this matter. And</p>
<p style="text-align: right;">Page 388</p> <p>1 the -- I just want to make sure that the 2 transcript from these proceedings is designated 3 confidential pursuant to that protective order. 4 Thank you. 5 [REDACTED]: Okay. This will conclude 6 Volume One of the video deposition of John M. 7 Barnett. Off the record at 19:10 on March 7, 8 2024. 9 (The deposition adjourned at 7:10 p.m.)</p>	<p style="text-align: right;">Page 389</p> <p>1 CERTIFICATE 2 STATE OF SOUTH CAROLINA; 3 COUNTY OF CHARLESTON; 4 I, [REDACTED], Registered Professional 5 Reporter and Notary Public, State of South Carolina at 6 Large, certify that I was authorized to and did 7 stenographically report the foregoing deposition of 8 John M. Barnett; and that the transcript is a true 9 record of the testimony given by the witness, and was 10 sworn as such. 11 I further certify that I am not a relative, 12 employee, attorney or counsel of any of the parties, 13 nor am I a relative or employee of any of the parties' 14 attorney or counsel connected with the action, nor am I 15 financially interested in the action. 16 WITNESS MY HAND AND OFFICIAL SEAL this 21st day of 17 March, 2024, in the City of Charleston, County of 18 Charleston, State of South Carolina. 19 20 21 22 [REDACTED] 23 [REDACTED] RPR, CLR 24 and Notary Public 25 My commission expires: January 13, 2031</p> 

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Attachment 4

Deposition of:
John Barnett - Vol. 2 - Confidential

Barnett
v.
The Boeing Company

Case #: 2021-AIR-00007

March 8, 2024



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Page 1

UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES
Case Number: 2021-AIR-00007

*** CONFIDENTIAL TRANSCRIPT ***

John M. Barnett,)
)
 Complainant,)
)
 v.)
)
 The Boeing Company,)
)
 Respondent.)

VIDEOTAPED DEPOSITION OF:

JOHN M. BARNETT - VOL 2

DATE TAKEN: Friday, March 8, 2024

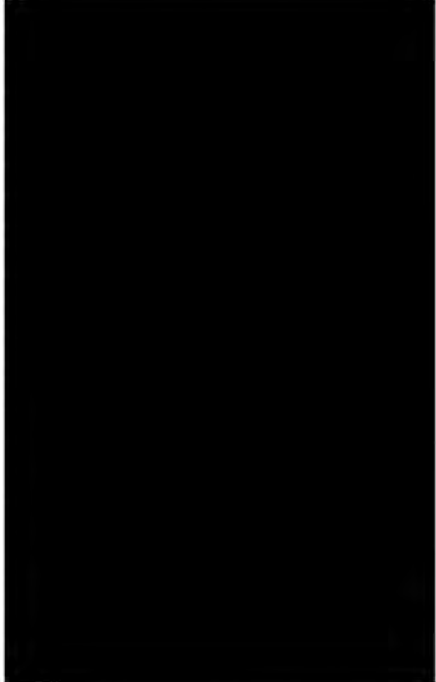
TIME: 10:00 A.M.

PLACE:



REPORTED BY:



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	<p style="text-align: center;">INDEX</p> <p>Testimony of John M. Barnett Cross-Examination by Mr. Knowles 5</p> <p>CERTIFICATE 169</p> <p style="text-align: center;">INDEX OF EXHIBITS</p> <p>Plaintiff's Exhibit No. 1 - Email Boeing_Barnet000049L_93</p> <p>Plaintiff's Exhibit No. 2 - Complainant's Answers to Respondent's Second Interrogatories 105</p> <p>Plaintiff's Exhibit No. 3 - Emails 496, 430, 1475, 2077, 2388, 3047-3050 107</p> <p>Plaintiff's Exhibit No. 4 - Emails 267, 684, 865, 1358, 2400- 2401, 2414, 2417, 2972, 3064, 3280, 3320, 3386, 3741, 3744 115</p> <p>Plaintiff's Exhibit No. 5 - Emails 174, 220, 356, 2412, 2484, 3064, 3889 117</p> <p>Plaintiff's Exhibit No. 6 - Emails 3720 120</p> <p>Plaintiff's Exhibit No. 7 - Emails 2409 121</p> <p>Plaintiff's Exhibit No. 8 - Interim Manager Comments 3076 122</p> <p>Plaintiff's Exhibit No. 9 - Review/Emails 3069, 3074-3076, 3218-3219, 3249, 3253, 3274, 3278, 424</p> <p>Plaintiff's Exhibit No. 10 - Boeing Code of Conduct/ Emails 184, 254, 256-257, 267, 638-664, 1796, 2256, 2275, 2390, 2404, 2479, 2481, 3029, 3403-3405, 3463, 3529, 3562, 3629, 3634, 3646-3647, 3654- 3658, 3668, 3678, 3868, 3720, 3726, 3759-3760, 3778, 3781, 3812, 3818, 3852 129</p>
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<p>Plaintiff's Exhibit No. 11 - Emails 2955-2956 141</p> <p>Plaintiff's Exhibit No. 12 - Emails/60-Day Action Plan 2420-2421, 3268, 3273, 3317, 2423 143</p> <p>Plaintiff's Exhibit No. 13 - Notes 444, 581 144</p> <p>Plaintiff's Exhibit No. 14 - Emails/Employee Survey 052, 036, 464, 469, 2371, 2399, 3005, 3075, 3126, 3394, 3468, 3727 146</p> <p>Plaintiff's Exhibit No. 15 - Emails 828, 845, 2916-2918, 2920, 3313 154</p> <p>Plaintiff's Exhibit No. 16 - Emails 3257, 3261 155</p> <p>Plaintiff's Exhibit No. 17 - Emails/Results Summary 703, 036, 3200, 3204- 3205, 3394-3396, 3614 159</p> <p>Plaintiff's Exhibit No. 18 - Emails 1472 164</p>	<p>(The deposition reconvened at 11:07 a.m.) [REDACTED] Now on the record at 11:07 a.m. on March 8, 2024. This is Volume 2 in the video deposition of John M Barnett.</p> <p>CROSS-EXAMINATION BY MR. KNOWLES:</p> <p>Q. Good morning, Mr. Barnett.</p> <p>A. Good morning.</p> <p>Q. Yesterday, you were asked, related to Defendant's Exhibit 4 -- if you could take a look at this.</p> <p>A. Yes.</p> <p>Q. And could you tell us what that is?</p> <p>A. So this is the email I was preparing for [REDACTED] that I had sent to [REDACTED] for her to wordsmith and provide feedback on.</p> <p>Q. And you indicated that was your email?</p> <p>A. That's correct.</p> <p>Q. And if you look at the bottom of the first page, what -- what do you see Here?</p> <p>A. Subject line: Retaliation, Harassment and Hostile Work Environment.</p> <p>Q. Who is it from and to?</p> <p>A. From me to [REDACTED] and [REDACTED] me.</p> <p>Q. So is that -- and then it says what, below</p>



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<p style="text-align: right;">Page 6</p> <p>1 that?</p> <p>2 A. Hi, [REDACTED]</p> <p>3 Q. And then, if you flip over the page, what is</p> <p>4 it?</p> <p>5 A. [REDACTED] Let me start by saying I'm</p> <p>6 a 29-year Boeing employee.</p> <p>7 Q. All right. So is that the continuation of</p> <p>8 that?</p> <p>9 A. Of this one?</p> <p>10 Q. Yeah.</p> <p>11 A. Yes.</p> <p>12 Q. Okay.</p> <p>13 A. Yes.</p> <p>14 Q. You talked a bit yesterday about MFPP?</p> <p>15 A. Correct.</p> <p>16 Q. Do you know if the FAA would have to approve</p> <p>17 MFPP?</p> <p>18 A. Yes, they would.</p> <p>19 Q. Did -- do you know when the FAA approved</p> <p>20 MFPP?</p> <p>21 A. I don't know. No, I don't.</p> <p>22 Q. Would it surprise you to know that they</p> <p>23 didn't approve it until around 2014 or '15?</p> <p>24 A. That would surprise me.</p> <p>25 Q. If that was the case, that the FAA did not</p>	<p style="text-align: right;">Page 7</p> <p>1 approve MFPP until 2014 or '15, would that program have</p> <p>2 been conducted legally?</p> <p>3 A. Had they implemented it prior to approval,</p> <p>4 absolutely.</p> <p>5 Q. Absolutely what?</p> <p>6 A. That it would have -- they can't legally</p> <p>7 implement it unless -- until it's actually approved by</p> <p>8 the FAA and -- and the documentation is incorporated</p> <p>9 into the processes and procedures.</p> <p>10 Q. And when did you say Boeing started pushing</p> <p>11 and implementing MFPP?</p> <p>12 A. Well, they started that around the first part</p> <p>13 of 2011.</p> <p>14 Q. Did you ever have any discussions with</p> <p>15 anybody about whether or not running MFPP -- strike</p> <p>16 that.</p> <p>17 Did you ever have any conversations about</p> <p>18 MFPP not being approved by the FAA yet?</p> <p>19 A. So in the discussions we were having, they</p> <p>20 were pushing us to -- to implement it and get it out</p> <p>21 there. I remember, in several meetings, we did discuss</p> <p>22 needing FAA approval. But I -- I wasn't on that side</p> <p>23 of it to know how the conversations were going or who</p> <p>24 was approving what.</p> <p>25 Q. I'm going to hand you Defendant's Exhibit 2,</p>
<p style="text-align: right;">Page 8</p> <p>1 the first amended complaint.</p> <p>2 A. Yes.</p> <p>3 Q. If you could turn to paragraph 23.</p> <p>4 A. Okay.</p> <p>5 Q. Could you read paragraph 23?</p> <p>6 A. [REDACTED] refusal to pencil whip lost</p> <p>7 nonconforming parts. In July 2-- 2016, [REDACTED] was</p> <p>8 assigned to handle lost nonconforming parts shop order</p> <p>9 instances -- SOI -- closure activity in MRSA and was</p> <p>10 given two days to close out over 400 lost nonconforming</p> <p>11 parts SOIs without investigating them. [REDACTED] had --</p> <p>12 [REDACTED] had discovered close to 200 SOIs had already</p> <p>13 been pencil whipped and closed out by another group</p> <p>14 without investigating them. [REDACTED] strongly objected</p> <p>15 and pressed that they be reopened and investigated. He</p> <p>16 was ordered to let it go, which would be a violation of</p> <p>17 FAA regulations which required that lost parts be</p> <p>18 documented and reported to the FAA.</p> <p>19 Q. Again, who told you to let it go?</p> <p>20 A. [REDACTED]</p> <p>21 Q. We talked pretty extensively about the 200</p> <p>22 parts that MMO pencil whipped yesterday?</p> <p>23 A. Yes.</p> <p>24 Q. Explain more about the lost parts that you</p> <p>25 were directed to pencil whip.</p>	<p style="text-align: right;">Page 9</p> <p>1 A. So those were the ones -- again, in the -- my</p> <p>2 bucket in the MRSA cage, as the MRSA manager. There</p> <p>3 were some that we had to investigate. And they wanted</p> <p>4 me to just close them out and not -- not track them</p> <p>5 down. So we -- we did that, anyway.</p> <p>6 Q. How many parts are we talking about?</p> <p>7 A. I really don't recall. Because, like I say,</p> <p>8 there was so many lists bouncing around with different</p> <p>9 groups and different buckets. Like I say, we had mid</p> <p>10 body, aft body, my group. So it'd really be hard to</p> <p>11 say how many of those were...</p> <p>12 Q. What does it mean to pencil whip?</p> <p>13 A. Just means to -- to check the boxes and close</p> <p>14 it out and get -- get rid of it, close it out and --</p> <p>15 Q. Does that --</p> <p>16 A. -- finalize it.</p> <p>17 Q. To pencil whip something, does that conform</p> <p>18 to BPIs?</p> <p>19 A. Absolutely not.</p> <p>20 Q. Would it be falsification of paperwork?</p> <p>21 A. So, yeah. It -- if I can refer to the lost</p> <p>22 parts form that was actually done, those were checked</p> <p>23 off, pencil whipped. And those were attached to the NC</p> <p>24 SOI, which the NC SOI has specific steps you have to</p> <p>25 follow. And by not following those steps and relying</p>

3 (Pages 6 to 9)



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<p>1 on that form that really wasn't done, then, yeah, that 2 would be a violation. 3 Q. Should that be reported to the FAA, that 4 being -- 5 A. Yeah. 6 Q. If -- if Boeing was directing people to 7 pencil whip paperwork, should that be reported to the 8 FAA? 9 A. I believe so, yes. It's a violation of our 10 QMS and FAA regulations. 11 Q. Would Boeing be required to self-report that? 12 A. Yes. 13 Q. Do you know if Boeing did, indeed, 14 self-report that? 15 A. I was told they weren't going to. And -- 16 Q. Who told you that? 17 A. [REDACTED] 18 Q. And who is [REDACTED]? 19 A. So [REDACTED] the -- at that time, he was 20 the director over mid and aft bodies. And in the 21 documentation, you'll see that I went to what's called 22 an ESAM. I forget what that acronym stands for. 23 But -- and I was pitching the fact that we had all 24 these lost norm- -- nonconforming parts. And during my 25 discussion, I informed the entire leadership team,</p>	<p>1 actually -- it wasn't just [REDACTED] it was a whole 2 group of leaders -- and I explained to them, I said, 3 you know, We -- we really need to find these. And if 4 we can't find them, any that we can't find, we need to 5 report to the FAA. And [REDACTED] said, Absolutely 6 not. We are not reporting anything to the FAA. 7 Q. You say he was the director of what? 8 A. So he was the director of mid and aft bodies, 9 which were the 8819 and 8820 buildings [REDACTED] was 10 the director of final assembly. And -- and then there 11 were, like I say, probably 10 or 12 other managers in 12 there. So [REDACTED] were equals on 13 the site. 14 Q. So there was a meeting where [REDACTED] 15 said -- this was raised, about needing to report it to 16 the FAA. And [REDACTED] said, We're -- we're not 17 going to report it to the FAA? 18 A. Yes. 19 Q. And that was in a meeting with a dozen 20 managers? 21 A. Yes. 22 Q. Did he say why they were not going to report 23 it to the FAA? 24 A. He just said, We're not going to report 25 anything to the FAA. Yes.</p>
Page 12	Page 13
<p>1 Q. What would happen if this was reported to the 2 FAA? 3 A. Well, again, it's a violation of the QMS. 4 It's a violation of FAA regulations. And I would 5 imagine FAA would really frown on it. I'm not sure 6 what action they'd take, but they wouldn't like it. I 7 can promise you that. 8 Q. Who directed you to pencil whip the forms for 9 those lost parts? 10 A. So that direction, like I say, came from [REDACTED] 11 [REDACTED] by pressing me to just close them out, is -- 12 what I took him to mean was pencil whip it. Because 13 there's no way I could have done it in the amount of 14 time that he was wanting me to. 15 Q. So explain to us nonaviation folks how -- how 16 would this work with lost parts and documenting and 17 reconciling where the part is? 18 A. Lost parts or lost nonconforming parts? 19 Q. Lost nonconforming parts. 20 A. Okay. So lost nonconforming parts, like I 21 say, they're -- it's not allowed. There's no procedure 22 at Boeing that allows -- that defines what to do if you 23 lose a nonconforming part. Because the procedures are 24 set up and, if followed, you're not going to lose a 25 lot -- a nonconforming part. That's the whole intent</p>	<p>1 of MRSA and -- and keeping them in cages and keeping 2 control of them, so you don't -- you don't lose them. 3 And to lose a part is -- is a violation of our QMS, 4 period. 5 Q. So who came up with this plan to draw up some 6 paperwork if you lost a part -- 7 A. So that -- 8 Q. -- a nonconforming part? 9 A. -- so that was actually done in the 8819 and 10 8820 buildings before I had responsibility for them. 11 So that -- that leadership was [REDACTED] 12 I think [REDACTED] was over there. 13 And when we were working our side in final 14 assembly, a different group over there was working 15 theirs. And when [REDACTED] was no longer with Boeing 16 and I took it back over, I -- that's when I found 17 what -- what had been done over there. 18 Q. Is it a safety issue to lose a nonconforming 19 part? 20 A. Well, again, depending on what the part is, 21 it -- it very well could be. But it also goes to 22 configuration control of the airplane and -- and 23 compliance and -- and that type of thing. It -- if a 24 nonconforming part's installed on an airplane, then 25 that would create a false build record, if you will,</p>

4 (Pages 10 to 13)



<p style="text-align: right;">Page 14</p> <p>1 because now you have a nonconforming part that hasn't 2 been worked. But, yet, the paperwork has been bought 3 off. So -- so it, kind of, branched out to a bunch of 4 different things. And -- and like I was explaining 5 yesterday, you know, as far as whether it's a safety 6 issue or not, again, it depends on the type of part and 7 where it's at.</p> <p>8 But more -- more critical is, where it's at. 9 Because, again, when we're talking about not torquing 10 fasteners and not verifying they were installed, on the 11 surface, that don't look like a big deal. But if it's 12 holding a critical part on, then it is a big deal. So 13 it really, really depends on the situation.</p> <p>14 Q. You say it's not allowed to lose 15 nonconforming parts?</p> <p>16 A. This is correct.</p> <p>17 Q. What's that based on?</p> <p>18 A. That's based on the fact that our quality 19 management system is designed and -- and approved by 20 the FAA on how you do things. And one of the things 21 that FAA's drilled into us over years and years is, Say 22 what you do; do what you say. And what that means is, 23 your QMS is supposed to lay out exactly what you're 24 going to do. And then you have to follow those BP -- 25 those -- the QMS by the letter. And the fact that</p>	<p style="text-align: right;">Page 15</p> <p>1 there's not a procedure to allow you to basically 2 investigate lost nonconforming parts is because they 3 expect you not to. You know, if there's not a 4 procedure for it, you can't do it. So the -- the 5 expectation is that you don't lose them.</p> <p>6 Q. Well, how are they getting lost? Do you 7 know, in general?</p> <p>8 A. So when I first took over MRSA, I -- I'd been 9 sent a letter from the previous -- from the group -- 10 from the pre- -- that the previous manager had sent 11 out. And -- and if you followed the BPI it -- it tells 12 you that, if MRSA is going to release a part, then it 13 has to be released to quality, so quality can take that 14 part down, write the NCR and attach it to that 15 airplane, so you don't lose track of it. We weren't 16 allowed to hand out parts on NUT tags. They had to be 17 constrained to a SOI that was attached to an airplane. 18 And that's how it's -- you are to maintain the 19 whereabouts of these parts.</p> <p>20 And what I learned was, the manager -- it was 21 before [REDACTED] His name was actually [REDACTED] 22 He had sent the team a letter basically saying that 23 they could issue it out to, pretty much, anybody that 24 came up. And they didn't have to write a unitized tag. 25 And they -- he instructed his crew that anybody that</p>
<p style="text-align: right;">Page 16</p> <p>1 came to the cage wanting a defective part, he'd hand -- 2 they'd hand it over to them. And it had -- had -- 3 didn't have to be quality.</p> <p>4 Q. And this [REDACTED]?</p> <p>5 A. Correct.</p> <p>6 Q. And who was -- what was his position?</p> <p>7 A. He was the quality manager over MRSA before 8 [REDACTED]</p> <p>9 Q. So, in reality, does that mean that mechanics 10 could come up to the cage and ask for parts?</p> <p>11 A. Yes, according to his email.</p> <p>12 Q. Did mechanics come up and ask for parts?</p> <p>13 A. That's what I understand. And not only did 14 they ask for parts, but, after I took over MRSA and -- 15 and we found that all these lost nonconforming parts 16 were going out, I performed a key audit. And all the 17 MRSA cages have locks on them. And just the people 18 that worked the cage are supposed to have the keys so 19 we can keep control on the nonconforming parts. So I 20 did a key audit. Actually, I had -- I contacted 21 security and had them do a key audit. And I found that 22 manufacturing managers had keys. Manufacturing lead 23 had keys. And they were just able to walk in, unlock 24 the cage, and take any part they wanted.</p> <p>25 So I -- again, going through security, I</p>	<p style="text-align: right;">Page 17</p> <p>1 said, We need all the locks changed on the cages. I 2 need to keep control of who has keys and who has access 3 to these cages. And they did that. We went through 4 the expense and changed all the locks on the cage -- 5 cages. I made sure all my team had keys and my 6 managers had a key.</p> <p>7 And then, it wasn't a couple days after that, 8 I guess, somebody went and complained to [REDACTED] 9 because [REDACTED] came down and he said he wanted us to 10 issue keys to all K-level managers. And I pushed back. 11 So [REDACTED] was actually the one that issued all 12 the keys out. And I can't tell you how many he let 13 out, but I know he issued quite a bit.</p> <p>14 And immediately after those keys were issued 15 out, we noticed lost nonconforming parts were 16 disappearing again. We found parts pulled out of our 17 scrap bin that was out on the production floor being 18 used. We had nonconforming parts out on the floors 19 being used. It was just totally out of control.</p> <p>20 Q. You said scrap parts were out on the 21 production line, being used?</p> <p>22 A. Yes. We actually found scrap parts out 23 there. And the way I know they're scrap parts is 24 because our processes say, before you scrap a part, you 25 paint it red. And we found numerous parts out in</p>



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<p>1 production that were painted red, that had come out of 2 the scrap bin. 3 Q. So you -- your testimony is that people would 4 come into the cage, take parts, take it out to the 5 airplane? 6 A. Right. 7 Q. And put it on planes? 8 A. They were out on the production floor. I 9 couldn't tell you how many ended up on airplanes. I 10 just know that we found an awful lot out there. 11 Q. Well, what else they would be doing taking 12 the parts out and putting them on the production line, 13 if they weren't going to put them on a plane? 14 A. Right. Right. 15 Q. Is that -- 16 A. That's the only -- that's the only reason I 17 could think of. 18 Q. Was there -- was there a shortage of parts 19 that would be requiring mechanics to try to take an 20 alternate route and use scrap parts? 21 A. Yeah. We were having a lot of struggles with 22 our suppliers keeping up. It was hard to get parts in. 23 They were behind schedule. And part of that is 24 because -- I believe it was 2016, first part of 2016 -- 25 leadership on the production floor gave direction that,</p>	<p>1 if a mechanic screws up a part, scrap it and go get 2 another one. Excuse me. So by doing that, they really 3 created a lot of extra -- a lot of parts came into MRSA 4 to be scrapped. And then they'd go to get another one, 5 and they wouldn't have a part. And they wouldn't be 6 able to get one for who knows how long. So then they'd 7 come back in and take it out of the scrap bin. 8 Q. Were there parts that were too large to fit 9 in the cage -- 10 A. Oh, yes. 11 Q. -- that were nonconforming? 12 A. There was. 13 Q. Like what? 14 A. I know we had two -- two 47 sections, 48 15 sections that had been lost. We had stringers. We had 16 strap joins. I forget what they're called, but some -- 17 some pretty majors ones. You know, a lot of them were 18 minor. But a lot -- there was a lot of major ones out 19 there. 20 Q. You say there was a 47 or 48 section that was 21 lost? 22 A. Two of them. 23 Q. What do you mean they were lost? 24 A. The paperwork -- trying to find the 25 paperwork. Nobody knew where they went. Nobody could</p>
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<p>1 find them. My understanding is, they weren't anywhere 2 to be found. 3 Q. How do you lose a 47 or 48 section? 4 A. That's a good question. That's -- that's 5 what I couldn't understand. 6 Q. Were they tagged? 7 A. Yeah, they were, per -- yeah. The process 8 says put a hang -- a red tag on it. So I didn't 9 actually verify them because, obviously, I didn't see 10 them. But if the process was followed, then, yeah, 11 they should have been tagged. 12 Q. Do you believe those -- there -- that there 13 are two 47 or 48 sections that's been -- that were 14 nonconforming, that were installed on an aircraft? 15 A. I have no idea. I mean, that's -- that would 16 be a theory. 17 Q. Well, where else would they go? 18 A. Well, it -- it's possible that they may have 19 gotten scrapped out and sent to a college or something 20 like that for use. I don't know. I'm just -- 21 Q. How would -- 22 A. -- theorizing. 23 Q. -- how would Boeing be able to trace that? 24 A. So, again, you'd have to follow the paperwork 25 and see who released it, how it was released, and where</p>	<p>1 it went, right. So -- 2 Q. What if there is no paperwork? 3 A. Well, and that's what we ran into was, there 4 was no -- the paperwork came to a dead end. So we 5 didn't know where they were. 6 And -- and when I say "we," I mean Boeing. 7 Because these were all done in the other buildings 8 before I had any control over them. 9 Q. Do you know how a mechanic would document, 10 for instance, one of these fuselage sections being used 11 on a plane, that -- that was nonconforming? 12 A. As far as I know, there wouldn't be a 13 documentation because, as far as the mechanics are 14 concerned, they get the parts. They put them together. 15 They -- they don't really check to see if it's lost or 16 nonconforming. They just get the part and put it on. 17 And that's why it's so important to have the paperwork, 18 show where the part went. 19 Q. What are stringers? 20 A. So stringers are inside structure. And -- 21 and I said "stringers," but I, kind of, misspoke. 22 Because a 787, they're all embedded. That was going 23 back to my 747 days. But -- but it's structural 24 components and -- and that type of thing, like bathtub 25 fittings that hold on the wings and that type of thing.</p>



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1 Q. What other large parts were kept outside the
2 cage?
3 A. So outside the cage we had a lot of large
4 parts, anything like the cells, exhausts, engines,
5 landing gear. We've had some wings that were rejected.
6 We had -- I mean, just really anything that the
7 airplane is built out of, if it gets rejected, then
8 it's got to be controlled by MRSA. And that could be
9 anywhere from a -- from a bolt to a, like I say, a
10 landing gear and everything in between.
11 Q. Who else was aware that two -- two fuselage
12 sections were lost, other than you?
13 A. So, like I said, that was all done prior to
14 me. So it would have been that whole -- that whole mid
15 body and aft body. That -- that's the groups that were
16 working those. And -- and --
17 Q. Is that --
18 A. -- again --
19 Q. -- where [REDACTED] --
20 A. Right, [REDACTED] --
21 Q. -- said --
22 A. [REDACTED]
23 [REDACTED] that group.
24 Q. And [REDACTED] is the one that said he --
25 We're not reporting this to the FAA?

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1 A. Correct.
2 Q. -- BPIs, you're not following the law, right?
3 A. Exactly right. Yes.
4 Q. So directors are telling you to violate the
5 law, correct?
6 A. Bottom line, yes. When you -- yes, when you
7 follow it through exactly.
8 Q. And how did -- how did -- how did that make
9 you feel, when directors and others are telling you to
10 violate the law?
11 A. So that's -- that was a big part of my
12 stresses and concerns at the time. Because, like I
13 say, I had had close to 30 years experience. And I
14 knew the procedures and processes. And -- and for them
15 to direct me to -- to not follow them, I knew was
16 putting me in a position to where I either had to do as
17 I'm told and violate the law, or not do as I'm told and
18 be insubordinate. And if you look at Pro 1909, which
19 is the employee corrective action process, if you
20 violate a procedure, it's a written warning. But if
21 you're insubordinate, you're terminated on the spot.
22 So it really puts any employee in a very bad spot
23 because it's either violate the BPI, which you're
24 violating the law, or, if you don't, you're going to be
25 terminated for insubordination. So it's a very tough

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1 A. Correct.
2 Q. Would that not be a fraud on the FAA, to not
3 report lost nonconforming parts?
4 A. I'm not familiar with the legal term. I can
5 tell you that it is a definite violation of our quality
6 management system, which would have then violated
7 federal aviation requirements.
8 Q. Because you're concealing from the FAA a
9 substantive fact related to your quality control --
10 control system, correct?
11 A. Correct.
12 Q. And you're having directors tell you not to
13 follow process and procedure --
14 A. Yes. That's --
15 Q. -- in essence, by not --
16 A. In essence.
17 Q. -- telling you, We're not going to report
18 this to the FAA, I'm -- that means that [REDACTED] is
19 saying, We're not going to follow BPIs?
20 A. Yes, that would be a logical conclusion.
21 Yes.
22 Q. And that means we're not going to follow the
23 law, correct?
24 A. Again, that would be a yes.
25 Q. Because if you don't follow your --

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1 spot to be in.
2 Q. Would you consider that a hostile work
3 environment?
4 A. I would, yes.
5 Q. Did you know [REDACTED]?
6 A. Briefly, yes. He was there, prior to -- like
7 I say, he was over the other two buildings. And then,
8 after he left The Boeing Company, I took over his
9 areas. And prior to him leaving, yeah, we worked quite
10 a bit together because we shared the -- shared the same
11 statement of work.
12 Q. In MRSA?
13 A. Correct.
14 Q. Did you know that [REDACTED] was fired?
15 A. That's what I learned later. I just -- I --
16 I knew he left, but I didn't know why. And later I
17 found out he was fired.
18 Q. Do you know why he was fired?
19 A. Actually, I do. Because after he was
20 terminated, HR called me into their office. And I
21 forget his name. But he was very honest with me. He
22 said, you know, I got a case here. It looks a little
23 weak. He said, It was the same statement of work
24 you're working. I want your input on -- on this PIP
25 that was used to terminate this employee.



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<p>1 And I said, Okay. And -- and I'm, kind of, 2 fair -- paraphrasing our conversation. It's all 3 documented. But I said, Okay. 4 And he said -- and he asked me if I knew [REDACTED] 5 [REDACTED] which, at that time, I didn't. And he asked me 6 if I knew [REDACTED] And, again, at that time, I'd 7 seen him around. I hadn't really worked with him that 8 much. So I said, you know, I've heard of [REDACTED] I 9 didn't really know [REDACTED] I said, So I'll give you my 10 honest opinion. I don't have a bias one way or the 11 other. 12 And he handed me the PIP. And he -- and we 13 went down line by line. And just the more I read in 14 that PIP that was used against [REDACTED] the more really 15 angry I got. Because the things that were in there 16 were just, in my opinion, picking fly poop out of black 17 pepper. You know, I mean, he was being criticized for 18 just the minorest things. And I think it was, like, 19 the fifth item -- fifth or sixth item down -- there was 20 actually a line item in there about he was given two 21 months to close out the lost nonconforming part SOLs, 22 and it took him, like, two and half months. So they 23 used that as him not meeting schedule. 24 And by the time we got through reviewing that 25 PIP -- and, again, like I say, before this, I didn't</p>	<p>1 know either one of them. But by the time we got 2 through, I told him flat out, I said, This is a bunch 3 of crap. I said, Somebody's got an ax to grind with 4 [REDACTED] And they're using this to do it. 5 Q. Did you believe that his -- [REDACTED] 6 termination was retaliatory? 7 A. Based on what I saw in the PIP, yes. 8 Q. And after reading that, did you fear that you 9 would also be terminated? 10 A. Oh, absolutely. You know, if -- if they can 11 terminate somebody for those minor issues, you know, 12 they're -- no telling what they could do, yeah. 13 Q. What position was [REDACTED] again? 14 A. He was [REDACTED] senior quality manager. 15 Q. So you had a senior quality manager call you 16 in as a K-level manager to review a PIP? I didn't -- 17 maybe I'm misheard that. 18 A. Yeah, let me rephrase or restate. [REDACTED] had 19 been terminated because of the PIP. HR called me up -- 20 Q. H- -- 21 A. -- there. 22 Q. -- HR? 23 A. HR called me up there to review the PIP and 24 give them feedback on what I thought. 25 Q. Who in HR called you?</p>
<p>1 A. I forget his name. I -- I think I have it 2 documented. But it was -- it was a gentleman. 3 Q. Why would somebody from HR call you to review 4 [REDACTED] PIP? 5 A. Well, what he told me was, he said he felt it 6 was weak and he wanted to get my opinion on what I 7 thought because I had the same statement of work. 8 Q. And this was before or after [REDACTED] was 9 terminated? 10 A. I believe it was after because he said this 11 was -- or it might have been right in the same time. 12 I'm not -- I'm not sure exactly when. I don't know 13 what day he was terminated and what day -- but it was 14 right in the same area. 15 Q. And this HR person wanted your input for what 16 reason? 17 A. Because I'm -- he -- because I had the same 18 statement of work as [REDACTED] So he was wanting me 19 to compare and get my input because I was very familiar 20 with his statement of work. 21 Q. Understood. So you -- you allege that Boeing 22 South Carolina was a hostile work environment at the 23 time you were there, correct? 24 A. Correct. 25 Q. Describe the day-to-day actions or inactions</p>	<p>1 that were taken around you that led you to feel like 2 you were in a hostile work environment. 3 A. Well, again, this was over a six-year period 4 of time. And -- and without any kind of chronological 5 order, I'll just, kind of, go through as they bounce 6 through my head. But -- 7 Q. Actually, let me stop you. 8 A. Okay. Sorry. 9 Q. I'm going to withdraw that question and I'm 10 going to -- 11 A. Okay. 12 Q. -- get to it later. 13 [REDACTED] Brian, I think you need to 14 let him answer. 15 [REDACTED] All right. 16 [REDACTED] 17 A. Could you repeat the question? 18 Q. On a day- -- I don't know. 19 [REDACTED] Do you want to read it back? 20 Could you read -- Ms. Court Reporter -- sorry. 21 (Requested portion read back.) 22 [REDACTED] 23 A. So as we've discussed, you know, being 24 pressured to work outside the quality management 25 system, violation of FAA regulations, that type of</p>

8 (Pages 26 to 29)



<p style="text-align: right;">Page 30</p> <p>1 thing. I know of several occasions -- I can't even 2 count how many times -- an issue would come up with 3 manufacturing, say they wanted to violate procedures or 4 work outside the procedures, like the incidence we 5 had -- we talked about where they were wanting to use a 6 spreadsheet. I would push back and say, No, we can't 7 do that. We need to follow the process. And instead, 8 he'd -- like in that example, You can't use a 9 spreadsheet. You have to write pickups and -- to 10 document it that way. And constantly, whenever I'd 11 push back to manufacture-- -- or identify the correct 12 path for manufacturing, my management team, oftentimes, 13 would come down and they'd stand over me with their 14 arms folded, you know, intimidating manner, asking me, 15 you know, What stops them from doing it? And, Where 16 does it say they can't? And I'd explain to them, Look, 17 if it don't say you can, then you can't, you know. 18 And -- and it was just a constant, you know, Show me -- 19 show me exactly where it's at that says they can't do 20 this. It's like, The processes aren't set up to tell 21 you what you can't do. They're set up to tell you what 22 you can do. 23 And I remember specific incidents where we -- 24 I found out that we had a supplier working on our 25 plane. And if you followed the requirements, whenever</p>	<p style="text-align: right;">Page 31</p> <p>1 suppliers come in, there's a whole thing of things you 2 have to vet. You have to make sure they have the 3 proper training, the proper certifications. There's 4 some training they have to go through before they can 5 work on Boeing airplanes. And there's a whole list. 6 But also in the BPIs, in very bold, black print, it 7 says, Boeing quality will inspect. And there's, like, 8 six different line items that we're supposed to inspect 9 when a suppliers's working on our airplane. And I'd 10 found out that we had suppliers in there from Labinal 11 working on our airplanes without Boeing inspections, 12 without anybody verifying that he'd -- they'd gone 13 through the proper processes and trainings to be 14 working on the airplane. 15 And I recall, I was in a meeting. And -- and 16 MMO was leading the meeting. And we were discussing 17 this. And I brought the BPI with me so we could talk 18 about it. Actually, it was on Zoom. So I was ready 19 with the BPI. And the leader of the meeting, he was 20 the buyer. I forget his name. But when I brought this 21 concern up, I said, you know, We have Labinal out there 22 working on our airplanes. And I'm not seeing any 23 quality inspectors out there supporting them. And I 24 don't see any evidence that they had the stuff they 25 need, you know, the training and that type of thing.</p>
<p style="text-align: right;">Page 32</p> <p>1 And the leader asked me, Well, you know, what do you 2 think we should do, John? Think we should pull them 3 off until we get inspectors? Or how do you think we 4 should handle that? I said, Well, if it was my choice, 5 I'd go ahead and pull them off the airplane. Let's get 6 inspection. Let's make sure we're doing this right. 7 And he agreed, you know. And it wasn't three minutes 8 later, [REDACTED] ing me, you know, chewing me out 9 about stopping production. I was like, Look, I didn't 10 stop it. I just gave my opinion in a meeting. 11 And -- and I was called up to the office. 12 And I brought the BPI with me. And they put me in the 13 corner, in a chair. And there's about five of them 14 standing over me with their arms crossed. Where does 15 it say we can't do this? And I'd show them the BPI. 16 And I said, Look, right here in black and white it 17 says, Boeing quality will inspect. And we -- we just 18 argued it for several minutes. And, basically, what it 19 came down to was, they were telling me that I was 20 misreading the BPI, that that's not what it meant, and 21 that that just meant that we had to verify the work. 22 And I said, Well, you can't verify it without 23 inspecting it. And then it was, Well, yeah, all we 24 have to do is make sure that they stamp the paperwork 25 to verify it. And I strongly disagreed. And I said,</p>	<p style="text-align: right;">Page 33</p> <p>1 No, that's -- that's not what the BPI says. And they 2 said, Well, that's -- that's our interpretation, so 3 that's what we're going with. 4 Q. Five of them, you said? Five -- who's 5 "them"? 6 A. So it was [REDACTED] 7 [REDACTED] I believe, was there, and a couple 8 others. I'm not sure who they are. I'd have to look 9 at the documentation I provided. 10 Q. Remind me, what position was [REDACTED]? 11 A. [REDACTED] was a senior quality manager, so 12 he was my boss. 13 Q. Why would a senior quality manager be worried 14 about slowing down production? 15 A. Well, that's -- that was -- the environment 16 at Charleston was, it's all about production. And, 17 Don't want to hold them up. You know, I was told 18 several times I'm not allowed to tell manufacturing no, 19 that it's their responsibility to follow procedures. 20 And we're just a support organization and -- and we 21 support what they want to do. And I argued. And I was 22 like, Absolutely not. Quality's chairman of the MRB 23 board -- material review board. And we have the last 24 say. And I was told, That is not correct. And we 25 are -- we are to allow manufacturing to do what they</p>



<p style="text-align: right;">Page 34</p> <p>1 want, and we support them. 2 Q. Who told you that? 3 A. So that was actually told to me a couple of 4 times. [REDACTED] told me that. He actually put it in 5 writing. [REDACTED] said it. That's the two I can 6 think of right off the top of my head. 7 Q. Isn't quality the last line of defense? 8 A. Absolutely. And, like I said, quality's 9 chairman of the board. So we have -- we should have 10 the last say, you know. 11 But in -- and in Puget Sound, we did. You 12 know, quality had the final say. And I -- I can't tell 13 you how many meetings I was in where I'd stand up and 14 push back and say, No, you know, this isn't right. 15 We're not going to allow it. And my leadership would 16 support me. Whereas, in Charleston, down here, I would 17 do that and push back, and my leadership would jump on 18 me for pushing back. So... 19 Q. You raised a lot of complaints in this case, 20 right? 21 A. I did. I did. 22 Q. Did -- did -- did you have the same 23 experience in your prior 25 years at Boeing? 24 A. Oh, absolutely not. It's like night and day. 25 Like I say, my leadership up there knew the procedures</p>	<p style="text-align: right;">Page 35</p> <p>1 and they supported me because they knew I was right. 2 The leadership here didn't know the procedures and 3 didn't support me because they were trying to support 4 manufacturing. 5 Q. Why were they trying to support 6 manufacturing? 7 A. Well, again, the environment and the culture 8 here is, manufacturing is allowed to do what they want 9 to do. And we're just here to support them and make 10 sure that, you know, we support them. I mean, that -- 11 there's... 12 Q. So did you -- you took it, then, by [REDACTED] 13 [REDACTED] and those other five managers or four managers 14 telling you that you're misreading this BPI that -- 15 that this supplier can inspect without you guys 16 inspecting? 17 A. Right. 18 Q. And telling you that it was slowing down 19 production? 20 A. Right. 21 Q. Did you take that as pressuring you to look 22 the other way and violate process and procedure? 23 A. Well, it was clearly violating procedures, 24 you know. But what -- what -- what they were doing is 25 what we call weasel wording it, you know. When it's</p>
<p style="text-align: right;">Page 36</p> <p>1 bold, black letters that Boeing quality will inspect, 2 and then they switch it around -- excuse me -- and 3 weasel word it to where all that just means, you verify 4 they stamped it, you know, I mean, that's -- that's not 5 what it said and that's not the intent of it. So they 6 didn't understand the intent. But, yet, they were 7 telling me that I was wrong. So -- and I had been 8 doing it for a couple of decades. And, you know, when 9 you do something that long, and then you get a new boss 10 that comes in and tells you, you don't know how to do 11 your job, that's pretty -- pretty hard on you. 12 That's -- you know, that's -- that's pretty tough to 13 take. 14 Q. I mean, is this a one-off thing, being told 15 to violate BPIs and processes? Did this just happen 16 one or two times? 17 A. Oh, no. It was constant. Like I say, it 18 was -- I -- I feel like it was almost every day. 19 Because, as we worked through the processes and as I 20 worked with different manufacturing teams -- I recall 21 [REDACTED] was a manufacturing manager. And we 22 worked great. And she'd come ask me a question. And 23 I'd say, Okay, this is how we need to handle this 24 situation. I'd, kind of, give her a path forward. And 25 somehow my leadership would find out and they'd chew my</p>	<p style="text-align: right;">Page 37</p> <p>1 ass because, you know, I'm holding up production and 2 slowing things down. We don't have time to follow 3 processes; we're building airplanes. You know, and -- 4 and that was a common theme all the time, was, We don't 5 have time to follow processes; we're building 6 airplanes. 7 Q. Wait a minute. You've got quality managers 8 telling you, you don't have time to follow processes? 9 A. Right. We're building airplanes. 10 Q. Who's telling you this? 11 A. Oh, it -- well, like I say, this has been 12 going on for six years. And I've heard it over and 13 over and over again. I've heard it from quality 14 managers. I've heard it from manufacturing. I was in 15 the EI -- so EI is what they call employee involvement 16 team. I was in the EI meeting. I was invited there 17 because they were doing a report-out. And they were 18 going through the report-out and talking about the 19 different changes they were going to do and how they're 20 going to save time. And I said -- you know, I, kind 21 of, raised my hand. I said, That sounds great. But I 22 said, We've got to make sure that the processes are 23 changed to support what y'all want to do. You can't 24 just do it. And the lead of the EI team even said, 25 We're building -- we don't have time to follow</p>



<p style="text-align: right;">Page 38</p> <p>1 processes. We're -- we're building airplanes. And I 2 sat there a minute, waiting on his manager to stand up 3 and say something. And he don't. So I took it upon 4 myself to stand up and say, Look -- you know, and I 5 said -- just like I had been trained, I said, The 6 paperwork is just as important as the aircraft. You 7 know, what -- if the paperwork's not right, it's just 8 like the structure is not right. You know, either 9 case, it's going to cause the plane not to be able to 10 fly. I was trying to put emphasis on how important the 11 build record was and how important it was to follow 12 procedures. And when I said the paperwork was just as 13 important as the hardware, pretty much the whole room 14 started laughing at me and said, Yeah, that's not true. 15 Q. The whole room started laughing at you? 16 A. Yeah. Yeah. They were all mechanics. I had 17 one inspector off my team that was there. And they're 18 the ones that invited me to this EI team. So it was 19 all manufacturing except for myself and an inspector. 20 Q. What -- what would be funny about not 21 following process? 22 A. I'm assuming they were laughing because I 23 said the paperwork was just as important as the 24 hardware. And they thought that was funny for some 25 reason. I'm not sure.</p>	<p style="text-align: right;">Page 39</p> <p>1 Q. How is that funny? 2 A. I -- I couldn't tell you. I didn't laugh. 3 Q. Who was the highest level employee in that 4 room, if you can remember? 5 A. Their first line manager. 6 Q. Do you know who that was? 7 A. I don't. It's -- like I say, there was about 8 30 people in there. It was a manufacturing group. And 9 this was years ago. 10 Q. Do you remember about what year that was? 11 A. It was back when we were -- they were really 12 pushing EI, so I'd have to say somewhere around '13 -- 13 2013ish, maybe '14. 14 Q. And what's the EI? 15 A. Employee involvement team. 16 Q. What's the purpose of that? 17 A. So the purpose of the EI team is to gather 18 people together. Typically, it's cross-functional. So 19 you'll have manufacturing in there. You'll have 20 quality in there. You'll have engineering in there. 21 You'll have planning. Typically, is -- that's what the 22 team is made of. But this particular team was made up 23 of all manufacturing. And I had one inspector that was 24 attending, trying to help them out and push them on the 25 right way. So, in this particular case, it was mostly</p>
<p style="text-align: right;">Page 40</p> <p>1 manufacturing. 2 And the problem -- the purpose of it is to 3 come together, figure out ways to improve the 4 processes, figure out ways to eliminate waste and -- 5 and continuous quality improvement. You know, that's 6 what it's all about, is continuous quality improvement. 7 And that's what they were focused on, was, How can we 8 still get the work done and still improve the process 9 to try to eliminate waste? And that's -- that's the 10 whole premise around the EI team, I guess. And, like I 11 say, they came up with ways to make it a shorter 12 process. 13 Q. Would that be by eliminating quality 14 inspections? 15 A. So, in that particular case, they were -- I 16 forget exactly what they were talking about. But they 17 were talking about doing different things. And -- and, 18 as they were talking, I knew they were violating 19 processes. And that's why I raised those. I was like, 20 you know, These sound good, as long as they can get 21 approved. Because, regardless of what idea you come up 22 with or -- or what improvements you make, until the 23 BPIs, the pros -- or the procedures are changed, it's 24 not approved. You know, until it's documented in 25 the -- in the QMS, it's not approved. I don't care --</p>	<p style="text-align: right;">Page 41</p> <p>1 Q. Because -- because the FAA has to ultimately 2 approve -- I'm sorry. The FAA ultimately approves the 3 BPIs, right? 4 A. That's correct. 5 Q. And Boeing's quality -- 6 A. That's correct. 7 Q. -- QMS system? 8 A. That's correct. And it goes back to the 9 initial obtaining the production certificate, right, 10 is -- is -- the requirement is, they develop a quality 11 management system. You know, like I say, Say as you 12 do; do as you say. They document this. And all that 13 goes to the FAA for their approval. So once it's 14 approved, it's locked in. So you can't deviate from 15 that unless you go get approval and it's actually put 16 in the BPIs that that process is changed and this is 17 the new way to do things, right. So, yeah, it's got to 18 be approved and it's got to be in the documents before 19 you can actually start working to it. 20 Q. And how widespread is this issue of folks not 21 following BPIs and procedures? 22 A. Well, like I say, I ran -- 23 [REDACTED] Object to the form. 24 THE WITNESS: I'm sorry. 25 [REDACTED]</p>



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<p>1 Q. How -- well, how often -- were you subjected 2 to folks telling you to violate process and procedures 3 in BPIs on a weekly basis? A monthly basis? 4 A. I'd -- well, I -- I can -- 5 Q. At what frequency? 6 A. I could say it was constant, you know. 7 Q. Well, what's "constant"? 8 A. I don't know if it's -- I could say 9 absolutely every day, but I'd say at least once or 10 twice at week, at the very minimum. It was always -- 11 like I say, I was arguing more with my own leadership 12 than I was dealing with manufacturing when it came to 13 processes. 14 And -- and I remember, when I was talking to 15 [REDACTED] one day, he was the operations manager over 16 the 787 there in -- in Charleston. And we had had a -- 17 we had iden- -- identified a defect on a supplier part 18 that looked like it was caused by the supplier. Well, 19 again, going back to the procedures, if -- if a -- if 20 you receive a defective part from a supplier, you're 21 required to write an NCR. And the pro- -- purpose of 22 that is not only to document the defect and be able to 23 rework it in-house, but that NCR is also sent off to 24 the supplier to make them aware, you know, that, hey, 25 you sent us a defective part. Look into your</p>	<p>1 processes. And that's true if it -- if it's isolated, 2 chronic or conditional or -- or systemic, right. And I 3 know I kind of jumped there. But -- but in Boeing and 4 with the FAA, you have three criteria for issues, 5 whether it's defects or process violations or anything 6 that works outside, is, if it happens once, it's 7 isolated. If it happens twice, it's chronic. And if 8 it's three or more time, it's systemic. And based on 9 the level, it requires a different corrective action 10 process. 11 So, in that particular case, it would have 12 been isolated because it was the first time we -- I 13 knew about it. And I told [REDACTED] I said, We're 14 going to need to write an NCR on that so -- and he's 15 like, Why? It takes too long. I said, Well, you know, 16 we've got to document it. But we also need to notify 17 the supplier. He said, Oh, we ain't worried about 18 that, just -- and they ended up -- I don't know -- 19 working on pickup or something. But.. 20 Q. Would that violate the BPIs? 21 A. It would. 22 Q. And you said they ended up working it as a 23 pickup? 24 A. Right. 25 Q. So they violated --</p>
<p>1 A. And that was the argument. 2 Q. -- BPIs -- 3 A. Right. Right. 4 Q. -- in that instance? And that was the 5 director of plant operations? 6 A. Yeah. That was [REDACTED] He was 7 operations manager at the time. 8 So it was constant, you know. And it -- and, 9 like I say, these are examples. And if -- if we really 10 think back, it -- you know, I could come up with more 11 and more and more. But it was just a constant 12 pressure. 13 Another time, I was working the travelers out 14 on flight line. And I was working with [REDACTED] 15 at the time. And she actually requested that she be 16 able to work with me because I was knowledgeable and 17 I'd give her the right direction and she'd know what to 18 go do. And we received an email from [REDACTED] my boss, 19 qual- -- senior quality manager, chewing [REDACTED] and I 20 out about how come we're not selling jobs faster? You 21 know, it's like, You're quality senior manager. That's 22 not even your responsibility. Why are you chewing me 23 out for not buying off jobs fast enough? 24 You know, and -- and like I say, [REDACTED] 25 [REDACTED] was right there. So...</p>	<p>1 Q. She was quality or production, [REDACTED] 2 A. No. She was the manufacturing manager that I 3 was working with. 4 Q. But you say at least once or twice a week? 5 A. Oh, at least, yeah. 6 Q. Did -- 7 A. It was constant. It was constant. And -- 8 and the -- 9 Q. And why -- 10 A. -- like I say, the biggest argument was, you 11 know, Show me where it says we can't do that, or -- or, 12 It takes too long to follow the processes. Or, they'd 13 set schedules that were just not achievable if you 14 follow the procedures. It's just one thing right after 15 another. 16 Q. And this was coming from your quality 17 leadership? 18 A. My leadership, yes. 19 Q. How high up the chain did it go? I mean, we 20 just talked about the director of operations, but -- 21 A. Right, we just talked about one. 22 Q. -- but what about -- how far up the quality 23 line did it go? 24 A. As far as -- how far up the quality line? 25 Q. Push- -- pushing people to not follow process</p>



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1 and procedures.
2 A. Well, I can tell you it at least came from
3 [REDACTED] Because I had a meeting with him. And,
4 again, this is all provided. But I had a meeting with
5 him one day. And we were talking. And I was -- I was
6 leaning on him because I was just getting hammered all
7 the time for things that were out of my control. I'm
8 like, [REDACTED] you know, what can I do? And he told me,
9 he said -- one of his quotes was, Anybody can write
10 a -- read a BPI. We, as quality, need to find a
11 work -- a way -- ways to work in the gray areas to help
12 manufacturing out.
13 So that tells me that at least came from [REDACTED]
14 [REDACTED] I'm not sure if it came from above him or if
15 he made that up, but at least that high.
16 Q. Who was above -- okay. So what position was
17 [REDACTED]?
18 A. [REDACTED] was my superintendent. So he'd
19 be, what, M -- M level.
20 Q. Who was above [REDACTED]?
21 A. [REDACTED]
22 Q. Did you ever have any conversations with [REDACTED]
23 about any of this?
24 A. I had some conversations with [REDACTED] In
25 fact, I sent him a couple of emails about the pressures

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1 from our leadership was pushing us to violate processes
2 and procedures. And I know, at the time, it was --
3 there was a bunch of us there, other quality managers
4 heard -- that heard the same thing.
5 Q. Like who?
6 A. You know, [REDACTED]
7 [REDACTED] probably a bunch of others,
8 [REDACTED] That's -- I'd have to go back and look.
9 That's the ones right off the top of my head.
10 Q. So this isn't something unique to John
11 Barnett being told and pressured to violate procedures,
12 is it?
13 A. That's correct. Yeah. From what I
14 understand, it -- the -- everybody was being pushed to
15 work in gray areas.
16 Q. Wouldn't this be a systemic issue at Boeing
17 South Carolina?
18 A. Yes, absolutely. Because, obviously, it
19 happened all the time, yeah.
20 Q. And you raised concerns about it to your
21 leadership?
22 A. Yes, I did --
23 Q. And your --
24 A. -- on multiple occasions.
25 Q. -- but your leadership is the same people

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1 and being pushed to work outside the procedures and
2 that type of thing. I sent him two of them, actually.
3 And, a little later, I ran into him in the hallway.
4 And I asked him, I said, Did you read those emails?
5 You know, I'd like to talk about it. He said, Yeah, I
6 read them. I don't believe you. Work it out with your
7 manager, and turned around and walked off.
8 Q. And he's the director of quality?
9 A. Right.
10 Q. The director of quality is telling you he
11 doesn't believe you?
12 A. Right.
13 Q. And you've -- you're complaining to him, as
14 the director of quality, about people not -- pushing
15 you guys to violate process?
16 A. Correct, and specifically my boss pushing me
17 to violate process. And he said he didn't believe me,
18 so...
19 Q. And when was that?
20 A. 2012, I believe.
21 Q. All right. Did you hear any other managers
22 talking about encountering the same issue, this issue
23 we're talking about of violating BPIs and processes and
24 procedures?
25 A. Well, I know a lot of the direction we got

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1 trying to get you guys to violate procedures?
2 A. Correct.
3 Q. Did you feel in -- intimidated --
4 A. Oh --
5 Q. -- in that circumstance?
6 A. Well, again, going back to -- I've been doing
7 this long enough to know that these issues are -- are a
8 problem, you know. And it's a violation of the
9 process. So for me to be being told that I don't know
10 what I'm talking about and, you know, Show me
11 specifically where it says you can't do that, you know,
12 I -- that's not how the procedures are written.
13 They're written to tell you what you can do. They're
14 not written tell you what you can't do.
15 Q. So, again, you weren't the only one being
16 pressured to violate BPIs?
17 A. Right. It was a constant pressure every day,
18 not only for the managers, but also for the inspectors.
19 And, again, you know, in Ever- -- in Puget
20 Sound, we had a ratio. So it was a nine-to-one ratio.
21 So for every nine mechanics, there was one inspector.
22 Well, the first thing they did in Charleston was did
23 away with that ratio and -- and said, We're not going
24 to work to a ratio. We're just going to handle it.
25 And I've seen times where one inspector was trying to



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1 cover 50 to 100 mechanics on two different airplanes,
2 you know, which is an impossible task for an inspector
3 to be able to do. It's -- they're putting them in a
4 position to where they either need to buy off stuff
5 that they're not inspecting or get fired for not being
6 able to keep up with manufacturing. You know, it puts
7 it -- it -- it puts the pressure on the wrong people to
8 have manufacturing meet schedule. You know, like I
9 said, quality is there. It's the last line of defense
10 before a defect -- defect makes it to the flying
11 public. And to just flat run over quality and -- and
12 allow manufacturing to do what they want to do is not
13 only a violation of the -- of the quality management
14 system and the FARs, but, you know, it could very well
15 put -- be putting the public at risk. And -- and I've
16 identified several issues that I believe do. But,
17 again, those were not addressed properly, as far as I'm
18 concerned.

19 Q. I'm just going to ask you to speculate on
20 this. But what -- what do you think would happen if
21 the FAA knew that Boeing South Carolina, on a systemic
22 basis, was asking quality managers and quality
23 inspectors to violate BPIs?
24 [REDACTED] Object to the form.
25 [REDACTED]

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1 But when -- here in Charleston, they put that push on
2 steroids, is what I call it. Because, back in 2012, I
3 noticed that a lot of the inspection points were
4 disappearing off the inspection plans. And the
5 inspection points included torques, verifying torques,
6 verifying, like, seals are applied properly and that
7 kind of thing. And we noticed that inspections were
8 being eliminated.

9 So I went to [REDACTED] at the time. She
10 was the MA senior manager. And I -- I questioned her.
11 I was like, you know, [REDACTED] these inspection points
12 are disappearing, but the BPIs still call them out. So
13 the BPI's calling out an inspection point, but it's not
14 on -- listed on the SOI. We're in violation of the
15 BPIs, you know. And -- and her comment was, We -- not
16 sure we -- who "we" was -- I guess leadership. But she
17 said, We decided we were just going to inspect the
18 parts that engineering called out. And I said, Well,
19 you can't do that because the B- -- the QMS has
20 hundreds of different inspection requirements that are,
21 you know, required, that the FAA's approved. I said,
22 You can't just eliminate them. And she said, Well,
23 we've decided we're just going to do the engineering
24 ones.
25 And I -- literally, thousands of inspection

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1 Q. You can still answer.
2 A. So based on my experience and time with
3 Boeing, what they would do is -- is pull or suspend
4 Boeing's production certificate. And what that means
5 is, Boeing would no longer be able to certify their own
6 planes as safe and airworthy. It would require the FAA
7 ODAs to come in and inspect Boeing planes to certify
8 them. So it's a major impact to the production and the
9 production schedule to Boeing, or it could be. And
10 over my time with Boeing, that's actually happened a
11 couple of times to where they pulled the PC700. And,
12 instead of Boeing being able to certify their own
13 planes, we'd have to wait for the FAA to come in, which
14 really slowed things down and jammed up the production
15 system.

16 Q. Did you believe that Boeing South Carolina
17 was eliminating quality or adding quality?
18 [REDACTED] Object to the form.
19 [REDACTED]

20 A. So --
21 Q. I'll -- I'll reask.
22 Was Boeing South Carolina eliminating quality
23 inspectors and quality inspections?
24 A. Yes. So the -- the push for probably the
25 last 15, 20 years at Boeing is to eliminate quality.

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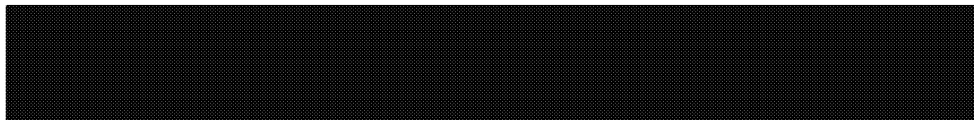
1 points were eliminated without changing the -- quality
2 management system.
3 Q. Well, that would be a violation of the law,
4 wouldn't it?
5 A. That's correct. Yes.
6 Q. There was an issue at Boeing South Carolina
7 related to shimming when they were joining the
8 fuselages together; do you recall that?
9 A. Yeah, I recall reading that in the news.
10 Yeah.
11 Q. Do you know if they eliminated quality
12 inspections related to joining of the fuselage?
13 [REDACTED] What time frame are we
14 talking about?
15 [REDACTED] Oh, I think Bo -- Boeing
16 didn't come out to the public until, like, 2020.
17 But it may have been an issue going back in time.
18 [REDACTED]

19 A. So I can tell you that 2012 -- let's see --
20 '12, '13, '14, in that time frame, I -- during my
21 rotation through the different positions, I had
22 Position I, at one time. And I can tell you that, in
23 all of our SOIs -- in -- in all the SOIs working on the
24 airplane, there were specific requirements to measure
25 gaps, measure -- measure your fillers, you know, the



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<p style="text-align: right;">Page 54</p> <p>1 shims, and document those in the SOIs prior to 2 installing them. And it was very -- a lot of 3 inspection requirements, inspection points to verify 4 that the gaps and the shims and all of that were -- 5 were recorded properly. And so I can tell you that 6 those were there then. And I noticed the response 7 was -- when this issue came up -- was that engineering 8 didn't call out the measurement of the shims and the 9 fillers. And I'm like, Well, exactly right. Because 10 that was a quality management system requirement. And 11 it was, more than likely, eliminated. But I can't 12 verify for sure. But based on other issues, you -- you 13 can only surmise that, yeah, those were eliminated, as 14 well.</p> <p>15 Q. What would be the point in eliminating 16 quality inspections?</p> <p>17 A. To speed up production, you know. Because, 18 like I say, for the last 15, 20 years, Boeing has 19 looked at quality as nonvalue added and -- and overhead 20 and basically a waste. So they've been working on 21 things.</p> <p>22 And that goes back to the process 23 improvements and the EI teams, which that was a good 24 approach, you know. Get your teams together and work 25 on ways to improve and -- and -- and help reduce waste.</p>	<p style="text-align: right;">Page 55</p> <p>1 But when you just start eliminating inspections and -- 2 and, you know, telling -- saying that we're -- don't 3 have time to follow procedures, we're just going to 4 build airplanes, you know, that -- that really swings 5 the needle in the wrong direction.</p> <p>6 Q. That, to me, sounds like that Boeing South 7 Carolina was putting profits and production over 8 quality and safety.</p> <p>9 [REDACTED] Object to form. 10 [REDACTED]</p> <p>11 Q. Does it to you?</p> <p>12 A. So I would totally agree with that, again, 13 based on the fact that they're eliminating inspections. 14 And if -- and if you look back at the MFPP process, you 15 know, that's basically the same thing they were wanting 16 to do with that is, have the mechanics buy off their 17 own work. And I know that that was getting drug out 18 and not getting approved as quick as they wanted. So, 19 in my mind, I'm thinking they just went and eliminated 20 the inspection points rather than waiting on MFPP 21 process to kick in, right. So -- so by eliminating 22 those inspection points, you're essentially leaving it 23 up to the mechanic to buy off their own work.</p> <p>24 Q. Would Boeing be misrepresenting itself if it 25 made statements such as, Safety and quality are our top</p>
<p style="text-align: right;">Page 56</p> <p>1 priority?</p> <p>2 A. Absolutely. Based on what I've seen in 3 Charleston, I'd say just the opposite. They're -- 4 they're trying to push quality out and have 5 manufacturing take it all over.</p> <p>6 Q. Right. I mean, how -- if quality and safety 7 are your top priority, how -- how could you be 8 eliminating quality and quality inspections?</p> <p>9 A. Right.</p> <p>10 Q. Correct?</p> <p>11 A. Yes, absolutely.</p> <p>12 [REDACTED] Take a break?</p> <p>13 [REDACTED] Not yet.</p> <p>14 [REDACTED] Actually, do you mind if we 15 do?</p> <p>16 [REDACTED] Okay. Well, we can, yeah.</p> <p>17 [REDACTED] I'm sorry. Thank you.</p> <p>18 [REDACTED] Off the record, 12:15.</p> <p>19 (A brief recess was taken.)</p> <p>20 [REDACTED] Back on the record, 12:25.</p> <p>21 [REDACTED]</p> <p>22 Q. Mr. Barnett, could you take a look at the 23 Amended Complaint and Footnote 2?</p> <p>24 A. Okay.</p> <p>25 Q. If you could read the last sentence on page 4</p>	<p style="text-align: right;">Page 57</p> <p>1 there.</p> <p>2 A. Furthermore, intentionally falsifying an 3 aircraft build record is a violation of 148 CFR 43.12, 4 maintenance records, falsification, reproduction or 5 alteration. In addition, falsifying or concealing 6 material fact or making material false writing is in 7 violation of 18 U.S.C. 38.</p> <p>8 Q. If you'd take a look at Footnote 2, which is 9 18 U.S.C. 38.</p> <p>10 A. Yes.</p> <p>11 Q. Just review it.</p> <p>12 A. Okay.</p> <p>13 Q. It goes on to the next page.</p> <p>14 A. Okay.</p> <p>15 Q. I'm not asking a legal opinion here. But 16 after reading 18 U.S.C. 38, what -- what's your 17 interpretation of that?</p> <p>18 A. So what I'm really zeroing in on is 19 falsifying and -- and fraudulent representation, false 20 writings, that type of thing. So, again, the quality 21 management system is set up to where everything that's 22 done is supposed to be documented and -- to the 23 airplane is supposed to be documented and part of the 24 build records. So, as an example, if you don't write 25 an NCR when you should, and you just go by other --</p>



<p style="text-align: right;">Page 58</p> <p>1 some other route that's not in the quality management 2 system, then, you know, you're -- you're violating some 3 of these because it's -- you're -- you're not providing 4 accurate information for the actual build of the 5 aircraft. 6 Q. Well -- 7 A. So... 8 Q. -- 18 U.S.C. 38 says that's a criminal 9 felony. 10 A. I see that. Yes. Yeah, that's pretty 11 serious. 12 Q. And how often would this be occurring, where 13 the paperwork is being falsified like you gave the 14 example with the NCR? 15 A. Oh, there's countless. Again, you know -- 16 Q. Countless, you said? 17 A. Countless, yeah. Because the spreadsheet 18 that we talked about earlier, you know, that's -- 19 that's -- I think there was 25 or 28 parts on there. 20 So if you look at the quality management system, each 21 end -- each incident is a violation. So in that -- in 22 just that one case, you know, say there was 25 parts on 23 there, that's 25 pickups that didn't get written. So 24 there's 25 violations just there. 25 Q. Well, that mirrors 18 U.S.C. 38, which says</p>	<p style="text-align: right;">Page 59</p> <p>1 each part? 2 A. Right. 3 Q. That would be 25 felonies? 4 A. Well, actually, it would be more than that 5 because just the pickup itself is a violation. But 6 then, each buyoff that would have been in that pickup 7 is a violation. So it just compounds exponentially. 8 Q. What -- what -- what's the seriousness of 9 having an accurate build record? Why is it so serious? 10 A. It's critical to the aircraft because it -- 11 it's all about -- and this goes back to the quality 12 management system. It's all about configuration 13 control, knowing what you're -- you're delivering, 14 knowing -- knowing what you're actually sending out to 15 the flying public, right. So any -- anything that's 16 not documented correctly or -- or even per procedure, 17 if you don't apply a stamp when you were supposed to, 18 that's a violation. If you apply a stamp and the work 19 wasn't done, that's a violation. If you buy off a 20 operation that, you know, didn't actually get 21 inspected, that's a violation. So it's just 22 exponential, you know, and -- 23 Q. It's a criminal offense and felony each time 24 that occurs? 25 A. That's -- that's correct. Yeah, according</p>
<p style="text-align: right;">Page 60</p> <p>1 to, I'm sorry. 2 Q. Well, I mean, working in aviation, you 3 probably want to know what the law is, right? 4 [REDACTED] Object to the form. 5 [REDACTED] 6 Q. People in -- let -- people -- you can answer. 7 A. Yeah. So from my little cubbyhole, right, I 8 know the quality management system forwards and 9 backwards. I've been there long enough to know it. 10 And that was my focus, is, quality management system. 11 You know, as far as the legalities of it, I know it was 12 a violation of that and FAA regulations. But I didn't 13 realize there was a -- a U.S.C. code. So I'm -- I was 14 focused on working within the processes and procedures. 15 Q. And stamping violations were systemic 16 throughout Boeing South Carolina? 17 [REDACTED] Object to the form. 18 [REDACTED] 19 A. Based on what I've seen with my own eyes, and 20 experienced, absolutely. Because, again, the example 21 of one inspector covering 50 mechanics -- I know, when 22 I was inspecting, and it was a nine-to-one ratio, it 23 was a busy day to keep up with nine mechanics. I don't 24 see how in the world anybody could keep up with 50, you 25 know. So just in that scenario, if an inspector's</p>	<p style="text-align: right;">Page 61</p> <p>1 sitting at a desk -- which we found over and over and 2 over again -- if they're sitting at a desk and buying 3 off paperwork without actually inspecting the plane, 4 that's a violation, a stamping violation. If a 5 mechanic stamps off a job saying they did it -- and 6 this is something else we found common, was the jobs -- 7 or the SOIs would be bought off on the airplane, but 8 we'd find the parts on the -- on the shelf. They 9 weren't installed. 10 Q. How is that possible? 11 A. Somebody stamping it that didn't do the work. 12 They're just stamping off the jobs to sell a bean, sell 13 a job. 14 Q. There's -- doesn't allow the plane to keep 15 moving down the line, though? 16 A. Right, yeah. Because, again, the way the 17 production is set up, is -- is it's -- it -- it tracks 18 by job. And internally we called them beans. You 19 know, you sell a job, you got a bean. But that -- 20 that's the focus in Charleston is, get your bean, you 21 know, regardless of what it takes. 22 And I remember one day, again, back when I 23 was working out on -- out in travelers on the flight 24 line, there was a manufacturing manager, [REDACTED] 25 [REDACTED] He was a manufacturing manager out there. And he</p>



<p style="text-align: right;">Page 62</p> <p>1 came to me at the end of the shift. And he's like, 2 John, man, I need you buy this job off and let me 3 finish it tomorrow. I'm like, Dude, you're -- you're 4 crazy. That ain't how this works. No, you finish the 5 work, and then we'll inspect it and buy off. Oh, come 6 on, man. I need this bean. I need you to buy it off, 7 and I'll finish it tomorrow. It was like, No, I ain't 8 going to do it. You know, and -- so it -- it -- it was 9 just constant. You know, manufacturing was so 10 pressured to get their bean count. And -- and it 11 didn't seem -- they didn't seem to care that it wasn't 12 done properly. They just wanted that bean count. They 13 wanted to move the -- move production along. And -- 14 Q. Sounds pretty dangerous. 15 A. It -- it could be. It could be, absolutely. 16 Q. Why would that be dangerous? 17 A. So, again, depending on what you're buying 18 off -- so, say a mechanic bought off a job and said 19 they installed a part, and it's actually sitting on the 20 shelf, well, if that part's a critical component of the 21 airplane or it holds a critical component of the 22 airplane, and it's not actually installed, then 23 anything could fail, you know. And something we were 24 taught very, very early in my career is, it only takes 25 one defect to -- to cause -- to bring down a plane.</p>	<p style="text-align: right;">Page 63</p> <p>1 You know, so we were very diligent in making sure that 2 the planes maintain configuration control and -- and, 3 again, were in a safe and airworthy condition. So the 4 focus was on the planes. But in Charleston, it was -- 5 the focus was on schedule and production speed. 6 Q. Were there any good managers at Boeing South 7 Carolina? 8 A. Oh, we had a lot of good managers, in my 9 opinion. But, again, I guess that's your definition of 10 "good." 11 Q. Well -- 12 A. It's -- sorry. 13 Q. What's your definition of "good"? 14 A. So, to me, a good quality manager understands 15 the processes and is not afraid to say something, 16 right. That -- that would be a good quality manager. 17 From what I've seen in Charleston, and based on who got 18 promoted and who got demoted or held back or whatever, 19 the people that seemed to rise to the top were the 20 people that wasn't afraid to work outside the 21 procedures or violate the procedures. And what they 22 would say was, Well, so-and-so really gets the job 23 done. It's like, yeah, but you've got to look at how 24 they're getting the job done. Are they following 25 procedures or are they just buying stuff off? You</p>
<p style="text-align: right;">Page 64</p> <p>1 know, so there was what I felt were some good quality 2 managers because I'm speaking strictly from quality. 3 And I know there was some real good manufacturing 4 managers, too. [REDACTED] was one example. She was 5 an excellent manufacturing manager. I loved working 6 with her. And, like I say, she requested working with 7 me because we both knew our business and we worked good 8 together. But I can tell you, there's -- I can't tell 9 you how many what I would consider bad manufacturing 10 managers and bad quality managers. They just didn't -- 11 they either didn't understand the procedures or they 12 didn't care to -- to read up on them. And they would 13 just, kind of, wing it as they went. And that's -- 14 that's not how you're supposed to build airplanes -- 15 Q. Or -- 16 A. -- you know. 17 Q. -- or, as you testified earlier, they were 18 telling you to violate procedure -- 19 A. Or violate procedures or -- 20 Q. -- to keep production -- 21 A. -- work outside or weasel word the BPIs. It 22 was just constant. Like I say, it was just constant. 23 It was constant pressure to keep the line moving. 24 Q. What issues, if any, did you have with [REDACTED] 25 [REDACTED]?</p>	<p style="text-align: right;">Page 65</p> <p>1 A. So, like I mentioned earlier, I did have a 2 sit-down meeting with him. And -- and -- and -- and he 3 told me flat out we needed to learn how to work in the 4 gray areas. So that was one big concern I had. 5 We had a superintendent that didn't seem to 6 want to follow the quality management system and was -- 7 is more worried about keeping the production line 8 moving than making sure that it was a good quality 9 product. 10 THE WITNESS: Oh, oops. 11 [REDACTED] Do you need me to fix that? 12 THE REPORTER: Yeah, it fell. 13 [REDACTED] Is that good? 14 [REDACTED] Did I knock it over? 15 [REDACTED] 16 A. Okay, sorry. You want to repeat that or was 17 that enough of an answer? 18 Q. Were there any other issues with [REDACTED] 19 [REDACTED] 20 A. [REDACTED] So I do recall, when [REDACTED] 21 [REDACTED] gave me my performance management review that I 22 strongly disagreed with, we had sat down. And -- and, 23 in order to do a performance management review with 24 somebody, whether it's me with one of my employees or 25 my boss with me, what the requirements are, is, you</p>



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1 schedule an hour meeting with them. You sit down. You
2 discuss the PM. You discuss the issues. And that's
3 what [REDACTED] did. We'd schedule an hour meeting. And
4 everything, pretty much, in my PM I disagreed with and
5 I pushed back on. And I said, No, this isn't right.
6 And I would keep calling out details of things that he
7 misspoke or wasn't correct. And finally, towards the
8 end of the meeting, he was -- he was pretty visibly
9 shaken up. And he told me, he said, I'm going to tell
10 you this. But if you say anything, I'm going to deny
11 it. I said, Okay. He said, [REDACTED]
12 [REDACTED] gave you your score. And they told me to
13 justify it. And he said, These are the only things I
14 could come up with to justify it. And I said, Well,
15 these are wrong. And I said, You need to change my
16 score. And he said, No, I can't. Because they're the
17 ones that -- that told him to do it.
18 Q. Well, is that following process and
19 procedure?
20 A. Absolutely not.
21 Q. That's --
22 A. The procedures state that your immediate
23 manager's responsible for -- for reviewing your
24 performance, reviewing your -- your data, reviewing
25 everything you're doing. Because you're reporting

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1 [REDACTED] engaged in?
2 A. I think it would be, yeah. Because --
3 because the reason it happened, you know, I was pushing
4 back to follow the requirements. And -- and here I'm
5 getting punished for doing it, you know. I'm punished
6 for following requirements and not working in gray
7 areas.
8 Q. And did you feel like it was retaliation?
9 A. I did. I felt like there was a lot of
10 retaliation going on in Charleston.
11 Q. And when would that have been? What time
12 period?
13 A. So he told me that, I believe, in my 2014 PM
14 review. And it led in -- yeah. I think it's -- so
15 when we finished up our review, that would have been
16 the first part of 2015. So right around there, the end
17 of 2014, first part of '15.
18 Q. You said there was a lot of retaliation going
19 on in Charleston?
20 A. From what I could tell, yes.
21 Q. Like what?
22 A. Well, I -- I'll give you my specific example
23 again, you know, the fact that I filed an ethics
24 complaint against [REDACTED] and he moved me to MRSA
25 shortly after I filed my HR complaint against [REDACTED]

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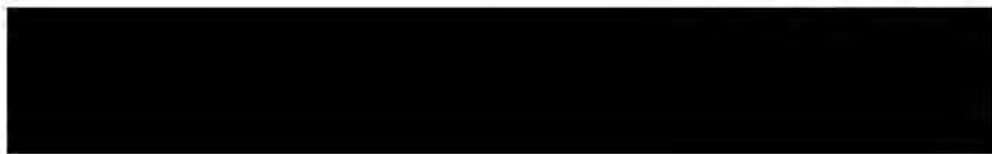
1 directly to them. I didn't report to -- you know,
2 directly to [REDACTED]. They didn't
3 have a clue what I was working on. But my boss did.
4 So the process is set up to where you -- you do your PM
5 reviews and you do your judgments with your immediate
6 direct reports. You know, so by skipping a level or
7 two levels, yeah, they're violating process.
8 THE WITNESS: Bless you.
9 [REDACTED] Thank you.
10 [REDACTED]
11 Q. Why do you believe they'd want your
12 performance lowered, [REDACTED]
13 [REDACTED]?
14 A. Yeah, that's correct. So I tie it back to
15 the fact that I made ethics complaints and that I was
16 pushing back and I wasn't just bending over and saying,
17 you know, let manufacturing do what you want. You
18 know, I -- I worked with manufacturing quite well
19 and -- and gave them clear direction. But I was
20 constantly overridden and -- and argued with by my own
21 leadership. And -- and I feel that was a lot of it,
22 was I was pushing back to follow the quality management
23 system. And they -- they didn't like that. They --
24 they pretty much wanted me out.
25 Q. Wouldn't it be retaliation, the conduct

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1 [REDACTED] for the -- pulling a tube out of the scrap bin.
2 You know, shortly after that, he removed me from the
3 ARLSNC and the squib investigation. So I felt like
4 they were doing that because of the complaints I made.
5 Q. And all the while this is going on, they're
6 telling you to violate the law and violate BPIs,
7 correct?
8 [REDACTED] Object to the form.
9 [REDACTED]
10 A. Yes. They were either telling me verbally,
11 like I say, Work in the gray areas, which, I don't care
12 how you spin it, to me, that means work outside the
13 process. There are no gray areas in quality management
14 system. Boeing's been building airplanes for over 120
15 years. They know how to do it. That's what the
16 quality management system is based on and set up on.
17 And it's evolved over the years to incorporate issues
18 and concerns that have been brought up in the past so
19 they don't happen again.
20 Q. Right. Do you think, if you had abided by
21 management's instructions to not follow procedures and
22 policies, your life and career would have been easier
23 at Boeing South Carolina?
24 A. I think, without a doubt. Because it -- the
25 pushback, retaliation, you know, harassment and all



<p style="text-align: right;">Page 70</p> <p>1 that was all directly tied to the fact that I was 2 pushing back and saying, you know, No, this violates 3 our procedures. You know, so -- 4 Q. This was a -- 5 A. -- yeah. 6 Q. -- continuous issue you were having at Boeing 7 South Carolina, from the time you got there until you 8 left? 9 A. Right. That's correct. Yes, all six years. 10 Q. It was pervasive, correct? 11 A. Pervasive. And, you know, like I say, it was 12 so common and so -- you know, I can't give you every 13 last detail. I can just tell you the different 14 examples as we went through, you know. But there's so 15 much more that happened, that I just -- I either don't 16 have objective evidence for or I don't recall. But it 17 was pervasive. It was constant. 18 Q. Let me see the complaint here. I'll give you 19 the amended complaint again. Could you read paragraph 20 76? 21 A. For example, there were week -- quality 22 meetings scheduled for [REDACTED] quality team. 23 During these meetings, [REDACTED] senior manager, [REDACTED] 24 [REDACTED] on numerous occasions announced in front of 25 the team that [REDACTED] was responsible for a certain</p>	<p style="text-align: right;">Page 71</p> <p>1 production delay or that [REDACTED] was responsible for 2 the entire team having to work overtime and being away 3 from their families. The com- -- these comments were 4 the result of [REDACTED] documentation of processes, 5 procedures, violations and defects in writing and 6 [REDACTED] refusal to work in the gray areas and conceal 7 problems. 8 Q. Was that just one meeting we're talking about 9 or is this a con- -- rou- -- routine issue? 10 A. So this was, again, something repetitive, 11 over and over again. 12 And a couple of examples, if I may. Several 13 times, [REDACTED] would have what he called a -- a QT, 14 meeting where all the QTs and -- and the quality 15 managers that reported to him would be in a meeting. 16 And it was -- it was commonplace for him to announce, 17 Well, you know, we've got to work this weekend because 18 [REDACTED] found an issue. And now we've got to work it. 19 So, instead of being here -- or, instead of being home 20 with your families, you're going to be here working, 21 you know. And it was constantly, you know, [REDACTED] 22 [REDACTED] You know, it was like every time I 23 turned around, something else was my fault, so... 24 Q. Did you take that as being retaliation? 25 A. I took it as degrading and -- and hurtful</p>
<p style="text-align: right;">Page 72</p> <p>1 and -- you know, I mean, call -- singling me out is 2 what he was doing, you know, singling me out in front 3 of the entire team that -- 4 Q. Well, that's harassment -- 5 A. -- you know -- 6 Q. -- isn't it? 7 A. -- because I'm following procedures, you 8 know, they've got to work overtime. It's like, Come 9 on. Really? 10 Q. That's harassment, isn't it? 11 A. That too, yeah. 12 [REDACTED] Object to form. 13 [REDACTED] 14 A. Sorry. 15 Q. Would you consider it harassment? 16 A. Yes, I would. 17 Q. Could you read par- -- paragraph 78? 18 A. These meetings were always very tense. And 19 the comments made about [REDACTED] were disrespectful, 20 denigrating, sarcastic, degrading, humiliating, mean, 21 and unprofessional. Yeah. Notably, this gaslighting 22 campaign against [REDACTED] was done in order to punish 23 [REDACTED] for identifying problems, insisting on the 24 rules being followed and documenting in writing all 25 processes and procedure violations and defects. Excuse</p>	<p style="text-align: right;">Page 73</p> <p>1 me. This gas -- gaslighting was also directed against 2 [REDACTED] publicly, in front of his team, to discharge 3 [REDACTED] and others from complying with the law. 4 Q. So there were instances, too, where you were 5 singled out in front of your team? 6 A. Yeah. That was -- that was one example. 7 Another example was -- and this happened 8 several times. Again, [REDACTED] would have a managers 9 meeting. And all of us managers would be in there. 10 And they'd all be discussing issues or concerns or what 11 have you, you know. And -- and everybody was cordial 12 and talking about things and just, kind of, airing 13 things out and trying to figure out how to handle 14 things. And -- and any time I'd speak up or raise my 15 hand, you know, I'd get the, [REDACTED] are you just going 16 to sit there and raise your hand or are you going to do 17 something, you know, that kind of thing. And I've 18 never -- 19 Q. Literally? 20 A. Oh, absolutely, lit- -- that was no 21 exaggeration, hands and everything. And -- and that 22 happened a couple of times. And I've never seen him do 23 that with anybody else. So, I mean, it -- like I say, 24 it's constant. We can talk all day and talk about 25 examples. But it was just constant.</p>



<p style="text-align: right;">Page 74</p> <p>1 Q. I mean, how were the people treated that 2 would bend rules and not follow procedure? 3 A. So the ones I've seen that -- internal term 4 was -- we call them yes -- yes men or yes women, you 5 know, yes people. They're just bobble heads shaking 6 their head. If you had a bobble head-type manager that 7 just did anything he was told to do, those are the ones 8 that excelled at Boeing. Those were the ones that were 9 promoted. And those -- those that actually raised 10 their hands or brought up concerns were held back. 11 And -- and they'd find ways to say that -- you know, to 12 keep you down. 13 Q. Let's see. Could you read paragraph 79. 14 A. The denigrating comments caused Barnett a 15 tremendous amount of stress and made it very difficult 16 for Barnett to concentrate and perform his job and 17 caused him emotional suffering to the point of taking 18 medical leave of absence and ultimately leaving -- 19 ultimately leaving Boeing at the advice of Barnett's 20 physician and mental health counselor. 21 Q. And paragraph 80. 22 A. These retaliatory attacks were continuing 23 throughout Barnett's time at BSC and occurred within 90 24 days of filing of Mr. Barnett's AIR21 complaint. 25 Q. All right. I -- I missed a question I was</p>	<p style="text-align: right;">Page 75</p> <p>1 going to ask you earlier. 2 Do you know what the corrective action is for 3 falsifying the build record? 4 A. As far as from the Boeing quality management 5 system Pro 1909 or -- 6 Q. Employee corrective action. 7 A. Employee corrective action? 8 Q. And if you don't, that's fine. 9 A. I'm not sure. I'm not sure. 10 Q. You testified yesterday that you attempted to 11 reach out to your former colleague, [REDACTED] 12 correct? 13 A. Correct. 14 Q. That was a couple of weeks ago -- 15 A. Correct. 16 Q. -- correct? 17 A. Yes. 18 Q. And you testified that she told you that she 19 was instructed not to talk to you, correct? 20 A. Correct. 21 Q. Would you consider that retaliation? 22 A. I mean, yeah, I would. I mean, I don't know 23 why it would affect somebody's friendship. I mean, 24 it -- it, kind of, goes back to -- you know, it seems 25 like I'm being isolated and treated different from</p>
<p style="text-align: right;">Page 76</p> <p>1 everybody else. So, yeah, I would -- I -- I would -- I 2 consider it. 3 Q. So even today, Boeing's still retaliating 4 against you, correct? 5 [REDACTED] Object to form. 6 [REDACTED] 7 A. Based on that example, absolutely. Yes. 8 Q. Okay. What's your opinion on why you think 9 Boeing would tell employees not to talk to you or that 10 they wouldn't be -- or that they're not allowed to talk 11 to you? 12 [REDACTED] Object to form. 13 [REDACTED] Well, he can have a belief. 14 [REDACTED] 15 A. So -- 16 Q. Go ahead and answer. 17 A. Yeah. So -- 18 [REDACTED] He can have an opinion. 19 [REDACTED] He's only testified that 20 one person -- 21 [REDACTED] Oh, I'm asking him about -- 22 [REDACTED] Okay. You said plural, but 23 go ahead. 24 [REDACTED] 25 A. Reask the question, please.</p>	<p style="text-align: right;">Page 77</p> <p>1 [REDACTED] Point taken. 2 [REDACTED] 3 Q. Why do you think [REDACTED] would 4 not -- would be instructed by Boeing not to talk to you 5 or allowed not to talk to you? 6 A. I'm guessing it's because -- I don't know -- 7 they're scared she might give me some information I 8 don't know. But -- but it also wasn't just [REDACTED] It 9 was [REDACTED] Because when I reached out to 10 [REDACTED] I asked her, you know, get in touch with [REDACTED] 11 and maybe we can just meet up. And she commented that 12 they wouldn't be able to, so -- because she -- she 13 received a phone call from the attorney. And she was 14 guessing he did, too. So.. 15 Q. Did she say which attorney that was? 16 A. No. She just said "attorney." 17 Q. So, in essence, Boeing's blocking you from 18 having a friendship with former colleagues, correct? 19 A. Yes, that's what I would say. Yes. 20 Q. Do you believe your colleagues considered you 21 an expert on quality issues? 22 A. I can tell you that several of them did. 23 They told me to my face. There was one QT, she was 24 constantly calling me, you know, which I didn't mind. 25 I helped. You know, but she'd call me and she'd laugh.</p>



<p style="text-align: right;">Page 78</p> <p>1 She said, Hey, Mr. Walking BPI, you know, I got a 2 process here. What do I do? 3 You know, I've -- manufacturing managers came 4 to me. You know, it was like, Hey, I know you really 5 know your stuff. This is the situation. What should 6 we do? And I'd run them through the process, you know. 7 My peers, you know, other quality managers, we were 8 constantly talking and working together. And -- and I 9 got the impression that they were all looking to me for 10 guidance and help and navigating through the processes 11 and the right way to handle it. So, yeah, I'd say it 12 was probably pretty widespread that I was -- I was 13 viewed as a subject matter expert in the -- in the 14 area. 15 Q. Let me take a look at the complaint here. 16 At the time you were there, did Boeing ever 17 give employees training on AIR21? 18 A. No. I'd never heard of AIR21 until after I 19 left there. No, I didn't know anything about it. 20 Q. Do you believe an aviation manufacturer 21 should train employees about AIR21? 22 A. I would say absolutely. Because I know other 23 issues have come up and -- and other people have tried 24 to raise issues. And -- and one of the things with 25 AIR21 is, you're limited to 90 days from the time an</p>	<p style="text-align: right;">Page 79</p> <p>1 adverse action is taken against you related to a safety 2 violation, which I think is very narrow. But -- but 3 you're only given 90 days from the time of that action 4 taking place. But the law also says that you have to 5 have -- allow your employer time to work it or address 6 it before you can go to AIR21. And at Boeing, I 7 know -- I don't know very many -- so at Boeing, the 8 only way to do that is to notify HR ethics. And I -- 9 and I can't say there are too many HR ethics complaints 10 that was closed out in less than six or eight months. 11 So, automatically, if you go to HR with an issue, and 12 they take eight months to investigate it and they come 13 back and tell, no, you're wrong, and then you want to 14 go file an AIR21 complaint, you missed your 90-day 15 window. It's too late. So I think the system is set 16 up and I -- and -- and within Boeing, I think there's 17 just a lot that falls through the cracks just because 18 the way the laws work. 19 Q. Did people at Boeing openly encourage 20 employees to speak up and raise safety or quality 21 concerns? 22 A. So they would tell you that verbally. Oh, 23 yeah, speak up. Raise your hand. We take it 24 seriously. But then, when you actually do it is when 25 you start getting actions that, you know, you're a</p>
<p style="text-align: right;">Page 80</p> <p>1 troublemaker or you're -- you know, you're -- you're 2 just trying to hold up production. You know, I was 3 told -- I can't tell you how many times -- Barnett's 4 just holding up production. You know, it's like -- 5 Q. Was it just you or other people, too? 6 A. Well, the ones I heard was me. But I'm sure 7 there was other people, too. I -- I don't know. I 8 can't be sure about that. But -- but it -- like I say, 9 it was wide -- it -- it's the environment. It's -- 10 it's -- the whole environment there is set up that way. 11 Q. I can represent to you now that Boeing has an 12 internal -- they call it Speak Up -- system for 13 employees to raise concerns internally. Did they -- 14 did Boeing South Carolina have a system like that in 15 place when were you there? 16 A. So we actually implemented what's called, 17 Raise Your Hand. You know, see an issue, raise your 18 hand. And, again, they pitched it and they talked it. 19 But they didn't practice it, you know. And that's the 20 breakdown, is, you know, they can tell you all day 21 long, Raise your hand. But then, when you do raise 22 your hand and you receive some type of retaliation or 23 some type of, you know, disciplinary action or lower PM 24 score -- or any of that adds into it, to where, okay, 25 so I'll never raise my hand again, you know. Because</p>	<p style="text-align: right;">Page 81</p> <p>1 that's -- it hurts. 2 Q. So employees -- so it creates an environment 3 where employees are fearful to speak up, right? 4 A. Absolutely. Yes. 5 Q. Were you fearful to speak up, at times? 6 A. No. I was not because of the -- the 7 experience and the knowledge I had. But I can tell 8 you, I've talked to a lot of QTs and a lot of other 9 quality managers. And they told me -- flat out told 10 me, you know, that, We're, kind of, watching you to see 11 what happens. Because we're afraid to speak up. 12 And also, during that time, I had countless 13 QTs from other -- quality technicians -- from other 14 areas approaching me and bringing issues. And I'd say, 15 How come you don't take it to your manager? Well, they 16 won't do anything about it. They don't know the 17 processes, you know. So it's just the whole picture, 18 you know. You can't -- you can't just pinpoint one 19 thing. It's the whole environment. It's just -- for 20 every action, there's a reaction. And the reactions 21 there were negative and... 22 Q. Well, you testified yesterday along the lines 23 that you were fearful to raise the issue in 2016 24 related to the job blacklisting complaint. Do you re- 25 -- recall that?</p>



<p style="text-align: right;">Page 82</p> <p>1 A. Say that again. 2 Q. I under- -- and it may be in the -- if we can 3 take a minute. 4 Well, I understood you yesterday to -- I'm 5 going to show you Exhibit -- Defense Exhibit 39, which 6 is the ethics complaint from 2016. 7 A. Yeah, okay. 8 Q. I understood you -- your testimony yesterday 9 was that you indicated that you withdrew that complaint 10 because you were fearful? 11 [REDACTED] Objection. 12 [REDACTED] 13 Q. Maybe -- I mean -- 14 [REDACTED] Mischaracterizes testimony. 15 [REDACTED] Should we have the court 16 reporter go back and see what he said? 17 [REDACTED] It's up to you. 18 [REDACTED] Just ask him. Ask him. 19 [REDACTED] 20 Q. Why did you withdraw the complaint in 2016? 21 A. So in 2016, that's the one -- yeah. That's 22 the one where I wrote [REDACTED] I believe. And 23 [REDACTED] had sent me an email. And in 24 my complaint, I asked that it be handled outside of 25 Boeing Charleston because, not only myself, but I don't</p>	<p style="text-align: right;">Page 83</p> <p>1 know very many people that did trust the HR and ethics 2 in Boeing Charleston. So I requested the corporate 3 investigations handle it, to not only keep it out of 4 the local group, so my name wouldn't be passed around, 5 but also that they would maybe take appropriate 6 corrective action. And [REDACTED] had initially 7 wrote to me and said he -- he -- he understood my 8 concern and he was going to take on the investigation. 9 And then he sent me another one that said they were 10 going to turn it over to the local HRG -- human 11 resources generalist. And so they were going to hand 12 it locally. And I -- you know, I was like, Oh, no, we 13 can't have that, you know. Because, hell, I'm already 14 in enough trouble. I don't need to be in any more. So 15 I said, No, I want to withdraw my complaint. I don't 16 feel it's appropriate. And I -- you know... 17 Q. You said just now you were -- you were 18 already in trouble; you didn't need any more trouble? 19 A. Right. 20 Q. What do you mean -- 21 A. I mean -- 22 Q. -- by that? 23 A. -- look at the -- look at the last three, 24 four years before that, you know. I mean, like I say, 25 every time I raised my hand, I'm criticized,</p>
<p style="text-align: right;">Page 84</p> <p>1 humiliated, denigrated. My PMs are -- are crap, you 2 know. I mean... 3 Q. So, again, your complaint's over the whole 4 period of time that this was a continuous environment 5 of retaliation and harassment, correct? 6 A. Absolutely. 7 [REDACTED] Excuse me. May we go off the 8 record for a second? 9 [REDACTED] Yeah. 10 [REDACTED] Off the record, 13:06. 11 (Discussion held off the record.) 12 (A lunch recess was taken.) 13 [REDACTED] Back on the record, 14:20. 14 [REDACTED] 15 Q. Mr. Barnett, are you aware of ever hearing 16 about any employees being physically assaulted for 17 raising safety complaints? 18 A. Actually, I have heard -- heard of one. 19 [REDACTED] was telling me about a time that she 20 was dealing with [REDACTED] And he was pushing her 21 to work outside the procedures. And she told me that 22 he actually put his arm against her and pushed her 23 against the wall and was pointing in her face and 24 telling her to get on board and this was a good ol' 25 boys' program, or something like that. But, yeah.</p>	<p style="text-align: right;">Page 85</p> <p>1 Q. Did that concern you, when you heard that? 2 A. Oh, absolutely. You know -- you know, 3 you're -- you're getting physically assaulted at work 4 for trying to do the right thing and follow the quality 5 management system, you know. And then that's the kind 6 of reaction you get from your own leadership. Again, 7 that goes back to the -- you know, various different 8 ways of trying to get you to violate processes. 9 Q. Was [REDACTED] also a quality manager? 10 A. She was, yes. 11 Q. Let me show you the amended complaint again. 12 Would you read Footnote 5? 13 A. BSC quality leadership has told three 14 different stories in response to Barnett's AR -- AIR21 15 complaint on why they have failed to perform the 16 failure analysis on the defective squibs. BSC first 17 stated that Barnett reported the bottles were already 18 empty, so there was no concern. BSC then claimed it 19 didn't perform a defect analysis because they were -- 20 there was damage from handling that caused the 21 failures. BSC later told the FAA there was a very 22 large investigation ongoing with squibs that included 23 the supplier. However, upon information and belief, no 24 large investigation has to date been conducted. 25 Q. So what are your concerns about Boeing's</p>



<p style="text-align: right;">Page 86</p> <p>1 alleged investigations into these issues? 2 [REDACTED] Object to form. 3 [REDACTED] 4 5 A. So in this particular case, you know, they 6 keep changing their story. And -- and the information 7 I've seen so far, even the ones produced from Boeing 8 shows that they didn't take any action. They didn't -- 9 they haven't identified root cause analysis. Like I 10 say, when [REDACTED] told me to turn it over to QAL, 11 and [REDACTED] was working it, she -- she wasn't -- 12 didn't seem to be worried about doing a failure 13 analysis on the 75 squibs that we had already 14 identified. And she was going off on the handling 15 issues. 16 So bottom line is, this particular issue that 17 I've seen has not been addressed, has not been 18 resolved. And from what I've seen, we still have 25 19 percent of the squibs out -- out in flight -- that 20 aren't going to work if needed in -- in the event of a 21 decompression event. 22 Q. Do you believe Boeing is concealing 23 information from the FAA? 24 A. Based on what I've seen and their story 25 changing, then, yes, I do believe they are. Q. It wouldn't be the first time that Boeing's</p>	<p style="text-align: right;">Page 87</p> <p>1 concealed information from the FAA, would it? 2 [REDACTED] Object to form. 3 [REDACTED] 4 5 A. Well, no, because, you know, lost 6 nonconforming parts. You know, I was told directly. 7 We're not going to notify the FAA. And so, no, it 8 wouldn't be the first time. 9 Q. Isn't it true that the House Transport 10 Committee found, in their final report investigating 11 the 737 MAX crashes, that Boeing had a culture of 12 concealment? 13 A. That's correct. That's the way I read the 14 report, as well. 15 Q. I'm going to show you Defense Exhibit 33, 16 which is the EHRI investigation report dated November 17 29, 2016. Remind -- 18 [REDACTED] I'm sorry, what document is 19 that? 20 [REDACTED] 33. It's the -- 21 [REDACTED] 22 Q. Can you identify that document? 23 A. Yes. This is the -- this is when I went to 24 HR about [REDACTED] pulling the tube out of the scrap 25 bin. Q. Can you look at page 7?</p>
<p style="text-align: right;">Page 88</p> <p>1 A. Yeah. 2 Q. That's an interview part with [REDACTED] 3 right? 4 A. Right. 5 Q. What does [REDACTED] state was the type of 6 part that was -- 7 [REDACTED] I'm sorry, can you hand me 8 that. 9 [REDACTED] 10 Q. -- removed? 11 A. Oh, it was an oxygen tube. And it contained 12 red painted and a scratch. 13 Q. You've worked with oxygen system components, 14 correct? 15 A. I have. I've been certified in them. I was 16 a quality manager over the oxygen lab and receiving 17 inspections. So, yeah, I'm very familiar with oxygen 18 requirements. 19 Q. What's the problem with using a -- well, with 20 pulling a defective oxygen tube out and using it on a 21 plane? 22 A. So this really exponentially increases the 23 concern for this part. When I was first made aware of 24 it, they were thinking it was a hydraulic tube. But 25 since he's stating it's an oxygen tube -- so oxygen</p>	<p style="text-align: right;">Page 89</p> <p>1 system components are required to be sterilized and 2 they're required to be packaged in sterilized 3 packaging. And the reason for that is, the slightest 4 little contamination inside the system will actually 5 cause it to react with the pure oxygen and -- and could 6 cause it to explode. So this is very concerning 7 because this shows, by objective evidence, that he took 8 an oxygen -- a contaminated oxygen tube out of the -- 9 out of the scrap bin and gave it to production to 10 install. So we could very well have a contaminated 11 oxygen tube out there on an airplane right now that, if 12 that part of the system is activated, it will bring the 13 whole plane down. 14 Q. How would it bring the whole plane down? 15 A. Well, because, like I said, it -- it -- based 16 on my knowledge and experience and what I've learned 17 dealing with the oxygen components and, again, going 18 back to Boeing's quality management system, they're 19 very particular -- very particular -- on how handle 20 oxygen parts because they're so sensitive to, again, 21 the chemical reaction. Say there's just a little drop 22 of hydraulic fluid or something, or a little piece -- 23 little bit of Coke in there, it -- the way I've learned 24 about oxygen is, it will actually cause it to react and 25 ignite. And if it ignites, it's going to pretty much</p>



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1 blow up the whole system. It'll -- it could be
2 catastrophic, based on what I know. This is very
3 concerning.
4 Q. Is there a line number associated with that
5 part?
6 A. I do not know the part number. I do not know
7 the associated SOI or line number.
8 Q. So you're saying that, when you're dealing
9 with oxygen part installation, these parts come in
10 sealed, sterilized packaging?
11 A. That's correct. The part's got to be
12 sterilized. The packaging they come in's got to be
13 sterilized. And if any time before it's actually
14 installed on the airplane there's any type of way it
15 can be contaminated -- as an example, I can't tell you
16 how many NCRs I've written because oxygen components --
17 somebody will come along and staple a tag to it. Just
18 those two puncture holes in the bag causes it to be
19 contaminated. And -- and you reject it. And it's got
20 to go back and be sterilized again, repackaged, the
21 whole nine yards. So -- so, yeah, this is -- that's
22 serious.
23 Q. Should Boeing self-report this to the FAA?
24 [REDACTED] Object to form.
25 [REDACTED]

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1 Q. Who is [REDACTED] again?
2 A. So he was the temporary senior manager over
3 propulsion -- the propulsion area -- that was trying to
4 backfill for [REDACTED] retirement.
5 Q. There is a Footnote 12 after that paragraph.
6 Could you read that?
7 A. This took place after Barnett filed his most
8 recent ethics complaint. Notably, one of the witnesses
9 in pro- -- propulsion was warned by their manager to
10 stay out of the Barnett thing, forget it ever happened.
11 Q. What do you take those two statements to
12 mean?
13 A. I mean, to me, if I'm told that, I'm done.
14 I'm being told to keep your mouth shut and forget it
15 ever happened and don't mention it. That's the -- what
16 I get out of it.
17 [REDACTED] I've got a document here I
18 didn't get copies of. Could I -- could y'all make
19 two copies of this.
20 [REDACTED] What is it?
21 [REDACTED] Yeah. Yeah. We can ask
22 [REDACTED] to do it. Would you mind to ask [REDACTED]
23 [REDACTED] Just take a minute.
24 [REDACTED] Off the record, 14:34.
25 (A brief recess was taken.)

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1 A. In my opinion, this definitely needs to be
2 reported. Because, based on this statement and based
3 on the fact that they said it was red -- the red paint
4 right there shows it was contaminated. So knowing that
5 this is out there, flying around, I would say they need
6 to get on this, like, yesterday.
7 Q. Should Boeing notify the customer about
8 this --
9 A. I believe --
10 Q. -- issue?
11 A. -- I believe so, absolutely. I think it's a
12 requirement within the quality management system to
13 notify them.
14 Q. Let's see.
15 [REDACTED] Oh, okay. Oh, thanks.
16 [REDACTED]:
17 Q. Talk a little bit about those last two job
18 applications you had put in for.
19 A. Yes.
20 Q. If you could read paragraph 74 of the amended
21 complaint.
22 A. A few hours later, [REDACTED] stated he
23 was told that we will not be getting John Barnett.
24 They didn't care how bad I wanted him. They said, John
25 Barnett is not going anywhere.

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1 (Plaintiff's Exhibit No. 1 marked for
2 identification.)
3 [REDACTED] Back on the record, 14:35.
4 [REDACTED]
5 Q. I'm going to hand you a document we just
6 marked Plaintiff's Exhibit 1.
7 A. All right.
8 Q. Have you had a chance to review that?
9 A. I have.
10 Q. At the -- what is this document; do you
11 know?
12 A. [REDACTED] be an email from [REDACTED]
13 [REDACTED] MAF quality manager
14 candidates.
15 Q. When -- when is it dated?
16 A. August 26, 2016.
17 Q. Can you read what [REDACTED] wrote in this email
18 onto the record.
19 A. I spoke with BSC Senior Quality Manager
20 [REDACTED] and he provided the following feedback
21 on our candidates.
22 [REDACTED] don't always fire on all
23 cylinders and lacks the drive to complete task. At
24 times, lacks in performance.
25 John Barnett, in a candid way, BSC quality



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<p style="text-align: right;">Page 94</p> <p>1 leadership would give hugs and high fives of his 2 departure. Technically, one of the best and has the 3 ability and knowledge. Lacks in people skills. It's 4 known most his QTs have signed cards. Not good under 5 stress, manipulative. Damn. 6 Not a good account for either candidate. And 7 I do value and trust [REDACTED] professionalism. 8 Sorry to be bearer of poor news. [REDACTED] 9 Q. Did you know [REDACTED] 10 A. For a short time, he was my senior manager, 11 probably -- maybe a couple -- three months, four 12 months, somewhere around in there. 13 Q. So he would have been in a position like 14 [REDACTED] Same level? 15 A. Yes. I believe he was, at that time. He 16 since moved up, I understand. But, at that time, he 17 was a senior manager. 18 Q. And he's -- was he your senior manager in 19 August of 2016? 20 A. No, he was not. 21 Q. How long had he been gone from being your 22 senior manager? 23 A. I'd have to say at least two or three years. 24 I'm not positive on that. But it's -- it had been 25 quite a while.</p>	<p style="text-align: right;">Page 95</p> <p>1 Q. So who was your direct manager at this time, 2 in August of 2016? 3 A. That would be [REDACTED] 4 Q. And above him was who? 5 A. [REDACTED] 6 Q. And above him was who? 7 A. [REDACTED] 8 Q. We've talked extensively about those fellows, 9 correct? 10 A. Correct. 11 Q. These were the same folks that were pushing 12 and pressuring you guys to violate procedures, 13 correct? 14 A. Right. 15 [REDACTED] Objection. 16 Mischaracterizes testimony. 17 [REDACTED] 18 A. That's correct, and -- and by pushing us to 19 work in gray areas and that type of thing, yes. 20 Q. Well, you took "working in the gray areas" to 21 mean violate BPIs, correct? 22 A. Absolutely. Yeah. 23 Q. I mean, what else does it mean? 24 A. Right. There are no gray areas. 25 Q. So why would -- and who's [REDACTED] do</p>
<p style="text-align: right;">Page 96</p> <p>1 you know? 2 A. I have no idea. Never heard of him. 3 Q. There's a -- above that, there's a "from" and 4 "to" line. Do you see that? 5 A. I do. 6 Q. Who is that? Who says that's from and to? 7 A. It says from [REDACTED] cc 8 [REDACTED] 9 Q. And what's the date of that? 10 A. March 2, 2017. 11 Q. Who's [REDACTED]? 12 A. So she was the hiring manager down at -- in 13 New Orleans. When I applied for that job, she was the 14 hiring manager that I interviewed with. 15 Q. Is she the one you testified to that called 16 you and said you didn't -- called you and then hung 17 up -- 18 A. Yes -- 19 Q. -- abruptly? 20 A. -- that's correct. That's the same -- same 21 person. 22 Q. Who -- who is [REDACTED]? 23 A. I have no idea. 24 Q. Do you know who [REDACTED] is? 25 A. Don't ring a bell.</p>	<p style="text-align: right;">Page 97</p> <p>1 Q. Any idea why this would be stamped 2 "privileged"? 3 A. Not a clue. 4 Q. So this was after your -- 5 A. Not a clue. 6 Q. -- you were constructively discharged, 7 correct? Or at least the top email -- 8 A. Yes. March 2, 2017, yes, that was after I 9 was out. 10 Q. So [REDACTED] says about you, in a candid way, 11 BSC quality leadership would give hugs and high five of 12 his departure. 13 Who would be BSC quality leadership? 14 A. Well, again, that's back to [REDACTED] And 15 he's not stating final assembly or whether -- so it'd 16 include [REDACTED] 17 Q. Had -- had you ever been told by your quality 18 leadership they'd give hugs and high fives to see you 19 gone? 20 A. No. 21 Q. But they certainly treated you that way, 22 didn't they? 23 A. Oh, absolutely, you know, six years' worth of 24 treating me this way. 25 Q. [REDACTED] told you he'd -- he'd ride you</p>

25 (Pages 94 to 97)



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1 until you broke?
2 A. He --
3 Q. -- or push you until you broke?
4 A. He said he'd push me until I broke. A couple
5 of times he told me that.
6 Q. And you complained to [REDACTED] the quality
7 director, about senior quality management pushing you
8 to -- and pressuring you to violate procedures and
9 processes, correct?
10 A. That's correct. That's when he told me he
11 didn't believe me and turned around and walked off.
12 Q. So that's the quality leadership -- these
13 guys that were pushing people to violate the law --
14 would give hugs and high fives of his departure?
15 [REDACTED] Object to form.
16 [REDACTED]
17 Q. Is that your interpretation?
18 A. That's what it says.
19 Q. But he does recognize that you're, quote, one
20 of the best and has the ability and knowledge,
21 correct?
22 A. He does.
23 Q. Why do you think he says you lack in people
24 skills?
25 A. Again, I think that goes back to my

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1 seemed like.
2 Q. Why would he say you were manipulative?
3 A. I have no idea where that came from.
4 Q. Do you think that could be because you pushed
5 people to follow process?
6 A. I -- I -- I can't even guess where that came
7 from.
8 Q. Well, that's --
9 A. It could be -- yeah, that's --
10 Q. We'll -- we'll ask [REDACTED] that.
11 A. Yeah.
12 Q. It's known -- he said, it's known most of his
13 QTs have signed cards.
14 What does that mean?
15 A. So there was a big push by the union to come
16 to Charleston and unionize -- unionize Boeing. And, of
17 course, all the leadership was strongly against it.
18 They even sent us to training to try to help discourage
19 from unionizing. And one of the things they were
20 talking about was, in order for the union to come in,
21 they have to get enough signatures on a card to
22 allow -- and I'm not sure the tech -- the
23 technicalities of how that works -- but I guess so many
24 people have to sign a card in order for them to bring
25 in a vote or something like that. But I don't know how

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1 leadership, you know, couldn't -- like [REDACTED] was
2 telling me, you know, he was trying to find ways to
3 justify the rating that [REDACTED] gave me. So
4 that's, kind of, what they tried to focus on, you know,
5 saying I don't get along with people and that kind of
6 thing, which was all untrue.
7 Q. You say -- why do you think they said not
8 good under -- why do you think [REDACTED] says you're not
9 good under stress?
10 A. So what I think he means there is -- I --
11 I -- I mentioned earlier about having to push back on
12 my leadership, my -- every time they wanted to violate
13 procedures or work outside the process. And I told you
14 about the several times they were standing over me in
15 an intimidating fashion.
16 Q. Well, they were create -- creating the
17 stressful environment, weren't they?
18 A. Well, exactly right. You know, I mean, them
19 standing over me and -- and, no, I didn't appreciate
20 that at all. You know, as far as the stress of the
21 job, it -- it's pretty simple. It -- it wasn't that
22 stressful. It was just the stress came in because they
23 were trying to work -- work outside the processes and
24 procedures. And -- and then, when I refused to do it,
25 you know, they were getting me in any way they could,

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1 they know that most of my QTs had signed cards. I
2 mean, I was moved around so much. How do they know? I
3 don't -- I don't -- and I don't know that that's a
4 right metrics to hold against me. I mean, geesh.
5 Q. You can't hold whether or not somebody's in
6 the union or not against somebody --
7 A. No.
8 Q. -- in order to evaluate him getting a job,
9 can you?
10 [REDACTED] Object to form.
11 [REDACTED]
12 A. So, as a manager, you know, whether somebody
13 on my crew signed a card or not, that's really none of
14 my business, you know. I mean, I --
15 Q. Right.
16 A. -- I --
17 Q. Were -- well, you weren't in the union, were
18 you?
19 A. Not at this time. I was previously.
20 Q. Right.
21 A. Yeah.
22 Q. What's this anti-union training you were
23 talking about?
24 [REDACTED] Object to form.
25 [REDACTED]

26 (Pages 98 to 101)



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1 Q. You mentioned an anti-union program.
2 A. Yeah. It was --
3 [REDACTED] Mischaracterizes
4 testimony.
5 [REDACTED] All right.
6 [REDACTED]
7 A. So they --
8 Q. Let me ask you this --
9 A. I'm sorry.
10 Q. -- for now.
11 A. Yes, sir.
12 Q. Did Boeing South Carolina ever send employees
13 to a training in North Charleston, at a hotel,
14 involving the union?
15 A. So, yes, we were -- I believe it was called
16 PLM leadership or something like that. And an outside
17 group had come in. And we were all told we were going
18 to go to this hotel, and we were going to take training
19 on -- on the union. And -- and we got to this hotel.
20 And they had a big skitch (ph) -- sketch set up. And
21 they assigned different people different job roles.
22 And -- and they had quality managers and manufacturing
23 managers, all the typical job roles, act it out by --
24 by these managers. And, at that time, they stuck me
25 over in the corner and had me, the MMO manager. So

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1 remember any details about the skits. But I do
2 remember the part about knocking the cards off the
3 desk.
4 Q. All right. So was -- were you led to
5 believe, when you were down in New -- excuse me -- New
6 Orleans, that you were going to get that job?
7 A. So the way the interview process went, and
8 everybody I met, and talking to [REDACTED] -- in fact, [REDACTED]
9 [REDACTED] told me flat out, you know, I had the skills
10 they were looking for. She took me around. She
11 introduced me to all the different groups that it --
12 I'd be working with, including the NASA director that
13 was down there at the time. And while we were down
14 there and we were going around meeting the different
15 people, I made it a habit to -- when I'd intro- --
16 introduce myself to, like, a head of a department or --
17 or that type of thing, I'd ask them, you know, What's
18 your biggest concern? What's your biggest issue that
19 you need help with? And -- and pretty much everybody I
20 met, including the NASA director, would tell me what
21 their concerns was. Like, the NASA -- the director
22 down there was saying his biggest concern was receiving
23 inspection and their supplier quality, and he needs
24 somebody in that position to help set up their
25 receiving inspection, because, at that time, it wasn't

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1 that was, kind of, removed from the process. But,
2 yeah, they did skits and how to react if a union -- or
3 an employee comes to you about the union. And it was
4 talking about cards. And I remember something said
5 about, you know, you're -- it's not legal to take
6 cards. Or if you accept the signed cards, and then
7 it's your responsibility. And -- and they said, So
8 whatever you do, don't take them. And just -- if they
9 approach you, have them put it on a desk. And if you
10 accidentally knock them off in the trash, oh, well, you
11 know, so be it, and that kind of training. And it was
12 just -- it was a whole several-hour-long training. And
13 it was all centered around, what I gathered, trying to
14 keep the union out.
15 Q. Can you describe one of these skits?
16 [REDACTED] I'm going --
17 [REDACTED]
18 A. No.
19 [REDACTED] -- to object --
20 [REDACTED]
21 A. It's been so long.
22 [REDACTED] -- as outside the scope of
23 the direct examination.
24 [REDACTED]
25 A. It's been so long. I really -- I -- I can't

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1 even set up. And he said, We need somebody to help set
2 up the receiving inspection, work with our suppliers,
3 push the defects back. And I said, Well, I -- you
4 know, I'm your man. I've worked receiving inspection
5 for ten years. I've worked with suppliers for years.
6 I've pushed back supplier defects for years. I said,
7 you know, I -- I can do that. I can set it up. I can
8 run it. I can get it running good. And -- and he
9 seemed to really like that. They didn't actually come
10 out and tell me I had the job. But, like I say,
11 everybody I met, they would bring up an issue, their
12 biggest concern, and it just so happened I had quite a
13 bit of experience in those areas. And -- and I don't
14 know of any of them I told that I've never had
15 experience. Every one of them, I said, I've had
16 experience in doing it and I could -- I could help them
17 with that. So...
18 Q. All right.
19 (Plaintiff's Exhibit No. 2 marked for
20 identification.)
21 [REDACTED]
22 Q. I'll mark this document as Plaintiff's
23 Exhibit 2. Can you take a look at that and identify
24 it, please?
25 [REDACTED] It's our answer.



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1 [REDACTED]
2 A. Plaintiff's Answers to Respondent The Boeing
3 Company's Second Interrogatories.
4 Q. All right. Take a look at page 7.
5 A. Okay.
6 Q. Read Interrogatory Number 3, please.
7 A. Identify and describe every event that you
8 allege support your hostile work environment claim.
9 Include a brief description of each event, including
10 date, location, persons involved and witnesses, an
11 explanation of how your alleged protected activity
12 related to each event and the names of every person you
13 told about each event.
14 Q. All right. And the answer was? Read that
15 top paragraph.
16 A. Answer: Due to the hostility lasting six
17 years and considering the number of events that took
18 place over that time, several of them occurring
19 multiple times, the below is a of major events, which
20 does not represent every single instance an event
21 occurred.
22 Q. All right. Read Number 1.
23 A. Employees were removed from complainant's
24 team without Mr. Barnett being informed. This left
25 Mr. Barnett's area of responsibility needed specialized

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1 Okay.
2 Q. What are these documents?
3 A. So these are documents over, looks like, a
4 couple of months where, basically, in a nutshell -- I
5 can't -- I was notified that [REDACTED] -- which, at that
6 time, was [REDACTED]. She was my metrics person.
7 And she was really the only one on my team that was
8 trained to -- to pull metrics and data. You had to
9 have special training and special accesses and all in
10 order to pull that data. And so [REDACTED] notified
11 me that he noticed that [REDACTED] had pulled [REDACTED]
12 again, without telling anybody. And then, when he sent
13 me that, I went to look in and -- and pulled up the org
14 chart. And I asked him, Who made that decision? Who
15 will cover New Breed? I hear I lost [REDACTED]
16 [REDACTED] Who else? We will not survive
17 this.
18 And then the top one, I called [REDACTED] yesterday
19 and asked him what was going on and why my team had
20 been broken up. He said he was told to stay out of it.
21 So -- so, basically, what I did was, I came
22 in and half my team was gone. They had been reassigned
23 without me knowing, and left my areas unsupported with
24 some of the critical skills that we needed. And, as a
25 result of that, manufacturing went to my leadership and

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1 skills and manpower [sic]. This left Mr. Barnett
2 understaffed and subjected him to criticism from
3 leadership and manufacturing.
4 Q. All right. And after that, you reference
5 certain documents we produced, correct?
6 A. Correct.
7 Q. And there are Bates stamp numbers, right?
8 A. That's correct.
9 Q. Can you read those numbers?
10 A. Barnett 406, 430, 1475, 2077, 2388, 3047
11 through 3050.
12 Q. All right. So I'm going to hand you those
13 grouped together and marked as Plaintiff's Exhibit 3.
14 (Plaintiff's Exhibit No. 3 marked for
15 identification.)
16 [REDACTED] Go off the record one second,
17 [REDACTED] Off the record, 14:54.
18 (A brief recess was taken.)
19 [REDACTED] Back on the record, 14:56.
20 [REDACTED]
21 Q. Have you had a chance -- well, we've seen
22 these documents --
23 A. I have --
24 Q. -- before?
25 A. -- yeah. I'm just refreshing my memory.

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1 complained that I wasn't supporting them. And -- you
2 know, and I told them, Y'all took my team. You know,
3 how -- how am I supposed to support them?
4 Q. Well, and there are other instances here --
5 A. There is.
6 Q. -- in 2016, even, where employees were being
7 removed from your team; is that right?
8 A. Yes, that's correct.
9 Q. And would you consider removing folks from
10 your team without you being informed, leaving you
11 understaffed while being demanded to do all this work,
12 was retaliation?
13 A. I believe it goes to retaliation and -- and,
14 really, hostility. I mean, how are you going to steal
15 somebody's crew without telling them and leaving their
16 areas uncovered, and then blaming them because they're
17 not covering the areas? I mean, it's just -- it's
18 ridiculous to -- to manage like that. It's just --
19 Q. Did you feel like --
20 A. -- you're -- you're setting them up for
21 failure.
22 Q. Did you feel like that was a hostile work
23 environment?
24 A. I did, yeah.
25 Q. All right. I'm going to give you a -- if you.



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1 could, read paragraph 2 of the Interrogatory Answer
2 Number 3.
3 A. [REDACTED] Complainant's immediate
4 supervisor, called Complaint 19 times in eight hours
5 during one day in late October and 21 times in eight
6 hours a few days later asking Complainant about random
7 parts that were acceptably controlled in MMO in order
8 to harass and mock Complainant. Complainant had
9 previously complained about parts being missing.
10 [REDACTED] heard several of the
11 phone calls and voiced their disapproval of
12 [REDACTED] actions.
13 Q. We covered this yesterday, where -- right?
14 A. That's correct. Yeah. I talked, I think,
15 quite a bit, about that, yes.
16 Q. And you would consider that harassment,
17 correct?
18 A. Without a doubt. I mean, you don't -- you
19 don't treat your management team like that. Come on.
20 No, that's definitely harassment. And what I -- and,
21 also, I think he was just, kind of, rubbing my face in
22 the fact that I was not willing to let the lost
23 nonconforming parts go.
24 Q. Did you -- did he complain to [REDACTED] about
25 his -- did -- stop.

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1 what can I do?
2 Q. Well, you'd been -- you'd been to ethics
3 before, right?
4 A. Right. Right.
5 Q. Do you have any idea if the ethics
6 investigators have any training in aviation?
7 A. I really have no idea. But I can tell you,
8 based on the investigators I've worked with and seeing
9 the ethics complaints that were filed, I noticed that
10 an awful lot of them were closed out based on
11 opinion and assumption and not actually the
12 requirements driven by Boeing policy. So, just by
13 looking at that, that, you know, they closed -- they
14 unsubstantiated an investigation because so-and-so said
15 they could do that, you know, obviously, they're not
16 familiar with the processes and procedures. Because
17 they know -- they would know that that's not allowed.
18 So, based on that, I would say they -- they seemed to
19 be pretty unqualified.
20 Q. Uh-huh. Could you read paragraph 4 of
21 Interrogatory 3?
22 A. Boeing assigned complainant's team members
23 other work without telling Mr. Barnett and then
24 chastised Complainant for his team not getting their
25 standing work done.

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1 Did you complain to [REDACTED] about that?
2 A. Actually, I talked to him both times. I was
3 like, Dude, what's going on? You know, I mean, you're
4 wasting yours and my time. You're harassing me.
5 What's going on? And that's when he, kind of, looked
6 at me and smirked and said, I'm going to push you till
7 you break.
8 Q. Have you ever had somebody call you 29 times
9 in one day? Anybody?
10 A. No. No, not even a girlfriend. It's just
11 unheard of, really. It's crazy.
12 Q. When you say -- you say [REDACTED] -- what's
13 her name? [REDACTED]
14 A. [REDACTED] yes.
15 Q. [REDACTED]
16 A. And [REDACTED]
17 Q. And [REDACTED] How did they hear some of the
18 phone calls?
19 A. So I was -- we shared a cubicle. And I was
20 in the cubicle with them a lot of times when I'd get
21 the phone calls. And a couple of them, I put him on
22 speaker phone and -- so they could hear. And -- and I
23 remember, after a couple of those, [REDACTED] got
24 mad. And she said, You need to take him to the ethics.
25 That's harassment. You know, I'm like, you know, Well,

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1 Q. And then there are some Bates stamps
2 referenced. Can you --
3 A. Right. See e.g. 3047 through 3050.
4 Q. And that was a part of the Plaintiff's
5 Exhibit 3, if you take a look.
6 A. I saw that in the back. Yeah, I remember
7 that email.
8 Q. And you talked about that a moment ago?
9 A. So the one I talked about a moment ago was --
10 I believe, was -- if I'm not mistaken, was [REDACTED]
11 where I said [REDACTED] had gone behind my back --
12 Q. Right.
13 A. -- and reassigned my employees. This is
14 actually [REDACTED] I believe. And let me verify
15 that. Yeah, [REDACTED] So [REDACTED] -- cc -- I
16 see he cc'd [REDACTED] But [REDACTED] was my senior
17 manager for, I think, maybe one or two months. [REDACTED]
18 [REDACTED] had been pulled out on special assignment. And
19 so he was basically doing the same thing [REDACTED]
20 did. He'd go by -- he'd wait until I leave at the end
21 of the day, go reassign my people on second shift, and
22 then chastise me because my team didn't -- didn't get
23 the work done, without letting me know that he had
24 taken them away from me. So, again, I felt like they
25 was setting me up for failure and looking for reasons



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<p style="text-align: right;">Page 114</p> <p>1 to make me look bad. 2 Q. You would consider that retaliation, correct? 3 A. I would, and hostile and -- 4 Q. Right. 5 A. -- inappropriate behavior of a manager. 6 Q. Would you read -- let's see. What do you 7 mean he -- you said he would try to make you look bad. 8 In what way? 9 A. Well, again, this is -- so, in this case, my 10 team didn't get their work done. And he blamed me for 11 it, even though he's the one that had reassigned them. 12 So I'm being blamed for his actions. And, you know, 13 that's -- that's making me look bad. 14 Q. Right. Right. If you could read paragraph 5 15 of Interrogatory Number 3. 16 A. Complainant was pushed to work in the gray 17 areas of processes, procedures and federal regulations. 18 Examples given, 267 684, 865, 13- -- 19 Q. That's -- 20 A. Oh, I'm -- 21 Q. -- that's all right. We'll -- 22 A. Okay. 23 Q. -- I'm going to give you an exhibit that has 24 every one of those Bates-stamped pages in it. 25 A. Okay.</p>	<p style="text-align: right;">Page 115</p> <p>1 Q. We're going to mark that as Plaintiff's 2 Exhibit 4. 3 (Plaintiff's Exhibit No. 4 marked for 4 identification.) 5 [REDACTED] 6 Q. Have you had a chance to look -- flip through 7 those? 8 A. Skim through it, yes. 9 Q. And you've seen all those documents before, 10 correct? 11 A. I have. They all look real familiar, yes. 12 Q. Those are documents we produced to Boeing, 13 right? 14 A. Yep, that's correct. 15 Q. And what are those documents, in -- in 16 general? 17 A. So, again, these are -- are documents where 18 we're either being told to vi- -- to work outside 19 procedures or leadership's making a decision to work 20 outside of procedures and -- and -- and violate FAA 21 requirements. I mean, they're -- they're all pretty 22 much the same, except for the PMs. 23 Q. So those are all evidence to support that you 24 were being pushed to work in the gray areas of process, 25 procedures and federal regulations?</p>
<p style="text-align: right;">Page 116</p> <p>1 A. That's correct, yes. 2 Q. All right. 3 A. Except for the PMs. Well, even some of the 4 PMs, but, yeah. Yeah, I'd say all of them do. 5 Q. Would you consider -- I think we've covered 6 this, but would you consider that to be retaliatory? 7 [REDACTED] Object to form. 8 [REDACTED] 9 A. Well, so -- 10 Q. Or -- 11 A. -- being pushed to work outside the 12 procedures, I think, is hostility and -- 13 Q. Right. 14 A. -- and not doing it, the retaliation comes 15 because -- because I refused to work outside of 16 procedures. 17 Q. Could you read number 6 of Interrogatory 3? 18 A. Complainant was directed not to document 19 quality concerns and other issues. Do you want me to 20 read off the numbers? 21 Q. No. There are some Bates stamp numbers after 22 it, right? 23 A. Right. Yeah. You want me to read those? 24 Q. No. I'm going to hand you a packet that has 25 each of those numbers.</p>	<p style="text-align: right;">Page 117</p> <p>1 (Plaintiff's Exhibit No. 5 marked for 2 identification.) 3 [REDACTED] 4 Q. And we'll mark that Plaintiff's Exhibit 5. 5 A. Okay. 6 Q. There's also some Bates stamps that were in 7 Plaintiff's Exhibit 4. 8 A. Okay. 9 Q. I think Number 2400 and 2401 and 3386. 10 A. Yes. 21 -- 11 Q. Number 2400, 2401 and 3386. 12 A. 401. 13 Q. Let me see if I can help you. I don't want 14 to get these mixed up here. 15 [REDACTED] What document are you on? 16 Has it been marked? 17 [REDACTED] Plaintiff's 5, which is -- 18 [REDACTED] This one? 19 [REDACTED] Yeah. 20 [REDACTED] Okay. 21 [REDACTED] 22 A. Okay. 23 Q. Could you generally -- well, you've seen 24 these documents, correct? 25 A. Yes.</p>



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<p style="text-align: right;">Page 118</p> <p>1 Q. And, again, these are documents we've 2 produced to Boeing, correct? 3 A. That's correct. 4 Q. And what -- generally, what are these 5 documents? 6 A. So these are various documents talking about 7 process violations and CAs, CAs not being worked, 8 talking about me using email to discuss issues, and 9 more missing parts from MRSA that disappeared, that I 10 was notifying them about. Several nonconforming parts 11 that disappeared, that -- oh, and then we've got one 12 talking about the repair station, I believe. Yes, 13 repair station. So several different pro- -- process 14 violations and issues that I was bringing up, parts 15 disappearing, process and procedures being violated, 16 repairs station issues. 17 Q. Would you consider being directed to not 18 document quality concerns a hostile work environment? 19 A. I would, because as -- as a job -- as a 20 quality manager, that's my job. That's one -- one of 21 the things I'm supposed to be doing. And be told not 22 to do it, I mean, it's basically telling me not to do 23 my job. 24 [REDACTED] This is 6 -- 25 [REDACTED] Okay.</p>	<p style="text-align: right;">Page 119</p> <p>1 [REDACTED] -- which is Exhibit 5 -- within 2 Exhibit 5. 3 [REDACTED] All right. 4 [REDACTED] 5 Q. If you'd take a look at Interrogatory Answer 6 Number -- or to Interrogatory Number 3, paragraph 7. 7 Can you read that? 8 A. Complainant was penalized on his PM for being 9 too knowledgeable on processes and procedures, 3064. 10 Q. That was in -- 11 [REDACTED] Exhibit 5. 12 [REDACTED] 13 A. Here it is, right here, Exhibit 5. 14 Q. Right. We've -- you testified about this 15 yesterday? 16 A. I did. 17 Q. Would you consider being penalized on your PM 18 for being too knowledgeable on processes and procedures 19 to be retaliatory? 20 A. I consider it retaliatory, hostile. Because, 21 again, that's my job, is to know what I'm doing. So to 22 tell me I'm too knowledgeable, I mean, that's 23 counterproductive and against my job. Yeah, 24 absolutely, hostile, retaliatory, trying to force me 25 not to do my job correctly, all of those, yeah.</p>
<p style="text-align: right;">Page 120</p> <p>1 Q. Could you read -- take a look at 2 Interrogatory Number 3 and read paragraph 8. 3 A. Complainant was penalized on his PM for not 4 working the gray areas of Boeing's processes and 5 procedures and federal regulations, 2400, 2401, 3064 6 and 3720. 7 Q. So all those prior Bates stamps have already 8 been entered except 3720. I'll mark that as 9 Plaintiff's Exhibit 6. 10 (Plaintiff's Exhibit No. 6 marked for 11 identification.) 12 [REDACTED] 13 Q. Just for the record, Bates stamp 2400 and 14 2401 are in Plaintiff's Exhibit 5. And 3064 was just 15 marked as 6. 16 A. That's 3720. 17 Q. Oh, 3064 -- sorry. 18 A. Is in 5. 19 Q. It's getting -- sorry. 20 [REDACTED] It's in Exhibit 4. 21 [REDACTED] Exhibit 4. 22 [REDACTED] What in -- what's Exhibit 23 4? 24 [REDACTED] So let's take a break. Take -- 25 take a minute off the record.</p>	<p style="text-align: right;">Page 121</p> <p>1 [REDACTED] Off the record, 15:19. 2 (A brief recess was taken.) 3 [REDACTED] Back on the record, 15:36. 4 [REDACTED] 5 Q. All right. Let's see. Mr. Barnett, could 6 you read paragraph 9 of Interrogatory 3. 7 A. Complainant was penalized on his PM for 8 putting quality concerns in writing, 2401, 2409. 9 Q. So I'm going to mark 2409 as Plaintiff's 10 Exhibit 7. 2401 has already been admitted. 11 A. Yep, under Exhibit 4. 12 [REDACTED] Okay. Can -- so this is ?? 13 [REDACTED] Yes. 14 (Plaintiff's Exhibit No. 7 marked for 15 identification.) 16 [REDACTED] 17 Q. Did you have a chance to read 2409? 18 A. There it is. Yes, okay. 19 Q. And, again, this is a document that you've 20 seen before and you've -- we've produced to Boeing, 21 correct? 22 A. Correct. Yes. 23 Q. And that document, along with Document 2401, 24 support your complaint that you were pen- -- penalized 25 on your PM for putting quality concerns in writing?</p>

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1 A. Yes.
2 Q. And, again, would you consider that
3 retaliatory?
4 A. Yes, and -- and harassment because they're
5 keeping me from doing my job the way I should be doing
6 it.
7 Q. All right. If you could read paragraph 10 of
8 Interrogatory Number 3.
9 A. Complainant was penalized on his PM for
10 adhering to processes and procedures, 2400, 3076, 3720.
11 Q. So 3706 I'm going to mark as Plaintiff's
12 Exhibit 8.
13 (Plaintiff's Exhibit No. 8 marked for
14 identification.)
15 [REDACTED]
16 Q. The other two are already in the record.
17 Sorry.
18 [REDACTED] Brian, can I make a
19 request?
20 [REDACTED] Uh-huh.
21 [REDACTED] When you're referencing
22 these Bates numbers, when you're asking him
23 questions, can you reference the exhibit number
24 that the Bates number is part of --
25 [REDACTED] Uh-huh.

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1 3255, 3274, and 3278.
2 (Plaintiff's Exhibit No. 9 marked for
3 identification.)
4 [REDACTED]
5 Q. Leaving 2414 and 3744, which was already
6 submitted in Exhibit --
7 [REDACTED] 4.
8 [REDACTED]
9 Q. -- 4.
10 [REDACTED] Did you -- did I get a copy
11 of that?
12 [REDACTED] Oh, I'm sorry.
13 [REDACTED] Thanks.
14 [REDACTED]
15 A. Okay.
16 Q. And, again, you've -- these are documents
17 you've produced --
18 A. Yes, that's correct.
19 Q. -- to Boeing in this litigation?
20 And these are documents you've reviewed and
21 seen before, correct?
22 A. Yes, that's correct.
23 Q. And could you just describe these documents,
24 generally?
25 A. So these are all part of my performance

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1 [REDACTED] -- since all of these are
2 in different exhibits now?
3 [REDACTED] Yeah, all right.
4 [REDACTED]
5 Q. All right. Bates 2400 is in Exhibit --
6 Exhibit --
7 [REDACTED] 4.
8 [REDACTED]
9 Q. -- 4 and 3720 is in Exhibit 6. And, again,
10 this is a document you produced to Boeing and that
11 you've seen before and reviewed, correct?
12 A. That's correct.
13 Q. And it supports that you were penalized on
14 your PM for adhering to processes and procedures,
15 correct?
16 A. Yes, correct.
17 Q. And you -- would you consider that
18 retaliatory?
19 A. Retaliatory and harassing, yes.
20 Q. Could you read paragraph 11 of Interrogatory
21 3.
22 A. Complainant was issued unwarranted low PM
23 scores. And there's a whole host of numbers.
24 Q. All right. So I'm going to mark as Exhibit 9
25 Bates numbers 3069, 3074, 3075, 3076, 3218, 3219, 3249,

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1 management review. We have some in here from the --
2 the -- the survey that we sent out. I forget. We
3 talked about it earlier. But I think there's a 360
4 assessment or something like that. These are the
5 results, comments from those assessments, and then
6 another PM, and then a documentation I produced talking
7 to [REDACTED] about my PM that he had just given me at that
8 time, and then the emails to -- showing where he
9 held -- withheld information. So that's a high
10 summary.
11 Q. Explain the -- about him withholding
12 information.
13 A. So I think we talked about this yesterday
14 on -- on one of my PMs. And this is probably in here.
15 But he -- he marked me down for not getting my PMs --
16 my crew's PMs completed on time. But he had not given
17 me the data I needed. And he had -- didn't -- had not
18 notified me that the deadline had been moved up a month
19 and a half from the company deadline. So it was an
20 unknown deadline to me that I was trying to meet. And,
21 yeah, I got -- I got dinged for that because I didn't
22 get it done because I didn't have the data. So that
23 explains it.
24 Q. And all these Bates-stamped documents related
25 to paragraph 11 support that you were issued

32 (Pages 122 to 125)



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1 unwarranted low PM scores?
2 A. Yes, I agree, especially when you compare it
3 to the assessments and the comments that were made
4 about my leadership from, not only my team, but my
5 peers, my customers. So, yeah, I would say these are
6 pretty strong evidence they were unwarranted low PM
7 ratings.
8 Q. Again, was this -- would you consider this
9 retaliatory conduct by management?
10 [REDACTED] Object to form.
11 [REDACTED]
12 A. I'd consider it retaliatory and harassing,
13 again, because the PMs don't meet the requirements of
14 the processes. And they're -- they're -- they're
15 unjustly low based on the information that we have.
16 Q. And you testified yesterday, too, that the
17 PMs violated Boeing policy, as well, correct?
18 A. That's correct. Yeah, they don't -- don't --
19 they don't meet the SMART goal requirements.
20 Q. Just a little more about that. What are
21 SMART goal requirements?
22 A. So SMART's an acronym. And it stands for
23 specific, measurable, achievable, relative and
24 time-bound. And in order to fairly assess somebody's
25 performance, those are key -- key qualities that must

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1 Q. Is there, like, a template in the policies
2 that have this -- have these metrics, or is there a
3 go-by?
4 A. A metrics? I'm not --
5 Q. I'm sorry. Tell me -- I'm -- it -- it's
6 Friday, I'm sorry. Tell me the name of this acronym
7 again.
8 [REDACTED] SMART.
9 [REDACTED]
10 A. SMART.
11 Q. SMART.
12 A. S-M-A-R-T.
13 Q. So is SMART a guide to use as go-by to base
14 PMs on?
15 [REDACTED] Object to form.
16 [REDACTED]
17 A. So, again, when I was going through the
18 training, I was taught that those are requirements per
19 the Boeing processes and procedures. Because, again,
20 they don't want -- they don't want opinions crowding in
21 somebody's performance review. So, yeah, the way I was
22 trained is, those are required.
23 Q. All right.
24 A. Required. They're a requirement.
25 Q. Okay. If you could read paragraph 12 of

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1 be part of their review. And without those, it really
2 turns it into a personality review instead of a
3 performance review because you're not measuring their
4 performance. You're really measuring their
5 personality. So...
6 Q. Where is that in Boeing policy, that you have
7 to have -- what do you call it again?
8 A. SMART.
9 Q. SMART. Where -- where is SMART in Boeing
10 policy?
11 A. So if you go into the policy -- and I can't
12 tell you the number right off the top of my head -- but
13 if you go into the Boeing intranet, which I was able to
14 do when I was working there -- you can go into the
15 search field and put, like, performance management.
16 And it'll list all the documents associated with
17 putting together a performance management.
18 And also, as I was going through the training
19 in management to learn how to do PMs for my people and
20 what's required, they cover that very heavily, that --
21 that, you know, you can't just base a PM review on
22 opinions and -- and -- and rumors. You have to have
23 strong objective evidence showing why you're rating
24 them low. Because if they want to push back and argue,
25 you're not going to have anything to justify it. So...

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1 Interrogatory 3.
2 A. Complainant was pressured to violate and was
3 penalized for following Boeing's processes, procedures,
4 code of conduct, Boeing's job expectations for a
5 quality manager, and Policy 2, ethical business
6 conduct. And there is a whole bunch of numbers.
7 Q. All right. So what I'm -- I need --
8 [REDACTED] I need some more stickers.
9 Thanks.
10 (Plaintiff's Exhibit No. 10 marked for
11 identification.)
12 [REDACTED] I'm going to mark Plaintiff's
13 Exhibit 10, which has all the Bates stamps numbers
14 referenced in paragraph 12, except for 2409, which
15 is in Exhibit 7; 3280, 3320, 2400, 3741, 3744,
16 that's in Exhibit 4.
17 [REDACTED] This is 10?
18 [REDACTED] Yes.
19 [REDACTED] are you okay with [REDACTED]
20 starting at nine o'clock on Monday?
21 [REDACTED] I'll have to check with
22 him. We told him ten.
23 [REDACTED]
24 Q. These are documents, Mr. Barnett, that you
25 produced to Boeing in this litigation?



<p style="text-align: right;">Page 130</p> <p>1 A. Yes, that's correct. Appears to be all of 2 them, yes. 3 Q. And you've previously reviewed all of these 4 documents, correct? 5 A. Yes, that's correct. 6 Q. All right. Take a look at Bates stamp 267, 7 which is in Exhibit 10. 8 A. Yep. 9 [REDACTED] Which number? 10 [REDACTED] 11 A. Got it. 12 [REDACTED] 267. 13 [REDACTED] 14 A. Okay. 15 [REDACTED] It's at the -- 16 [REDACTED] I'm -- 17 [REDACTED] It's at the front, [REDACTED] It's 18 like page -- 19 [REDACTED] 267? 20 [REDACTED] Yeah. It's, like, the fifth 21 page. 22 [REDACTED] Oh. Oh, I'm sorry. I'm 23 looking at -- okay, got it. 24 [REDACTED] 25 Q. This is an email from [REDACTED] to you,</p>	<p style="text-align: right;">Page 131</p> <p>1 dated October 20, 2014? 2 A. Yes, that's correct. 3 Q. Who's [REDACTED]? 4 A. So [REDACTED] was a quality assurance investigator, 5 QAI, that -- [REDACTED] had the QAI team. I'm not 6 sure if he had it at this time. But he was in the QAI 7 group. 8 Q. What is this email telling you? 9 A. So what that is dealing with is the employee 10 corrective action and -- and what -- what needs to 11 happen. And -- and, basically, what it is, is this 12 email is -- is telling the site that QAI is no longer 13 going to investigate CAs for employee behavior and that 14 type of thing unless it absolutely created a defect on 15 the airplane. So any other CAs that were written for 16 process violations, for stealing parts off the 17 airplane, anything that was undesirable behavior that 18 was required to be written up on the CA, they were 19 canceling, is what this -- this is wrapped up to be. 20 That was -- that -- this is a direction they were 21 given. And as a result, the CAs that were written were 22 canceled unless they created a specific defect. 23 Q. Look at Number 643. 24 A. Okay. 25 Q. It says, Page 2 of 9 at the bottom. What --</p>
<p style="text-align: right;">Page 132</p> <p>1 what is this -- 2 A. Yes. 3 Q. -- part of, what document? 4 A. So this is pol- -- part of Policy 2, which is 5 a high-level requirement. All of our -- the high level 6 is policies. And then it drops down to procedures. 7 And BPIs is, kind of, the hierarchy. So this would be 8 the highest -- one of the highest levels. 9 Q. What does IDI say under Requirements? 10 A. So the D is Boeing ethics and business 11 conduct program, at a minimum will -- and which one? 12 I? 13 Q. One. 14 A. Promote an organizational culture -- culture 15 that encourages ethical conduct and commitment to 16 compliance. 17 Q. Based on what you experienced for a majority 18 of your time at Boeing South Carolina, do you believe 19 that provision was being adhered to? 20 A. I can assure you it was not being adhered to 21 because compliance, meaning you're in compliance with 22 processes and procedures and the quality management 23 system. So, again, every time they step outside of 24 those requirements, they're violating this policy, as 25 well.</p>	<p style="text-align: right;">Page 133</p> <p>1 Q. How about Number D2? 2 A. Provide procedures and processes to assist 3 employees in obtaining guidance, resolving questions, 4 expressing concerns, and reporting suspected violations 5 of the Boeing code of conduct and applicable laws. 6 Q. Do you believe that was being adhered to? 7 A. Based on the issues I raised, no, I do not. 8 I believe they were -- were violating this, as well, 9 especially the code of conduct part. 10 Q. Let's take a look at that. That's marked 11 184? 12 A. Yes, front page. 13 Q. What -- what part of the code of conduct do 14 you believe was being violated, based on your 15 experiences? 16 A. So I'd say the one, two, three, four -- no, 17 three. Three up from the bottom, Without exception I 18 will comply with all applicable laws, rules and 19 regulations. 20 Q. Who does the Boeing code of conduct apply to? 21 A. This applies to every single Boeing employee 22 there, all the way up to the CEO. All of us are 23 required to sign this as a condition of continued 24 employment yearly. So every year, we're expected to 25 sign it. And they keep track to make sure everybody's</p>



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<p style="text-align: right;">Page 134</p> <p>1 read it and signed it and they're following it. 2 Q. All right. So all the folks you mentioned, 3 like [REDACTED] 4 [REDACTED] and others, would have had to sign this? 5 A. Absolutely, yes. 6 Q. What's the last sentence say? 7 A. The dotted or below that? Every employee, 8 or, I will? 9 Q. After "every employee," the last sentence 10 after that. 11 A. Every employee has a responsibility to ask 12 questions, seek guidance and report suspected 13 violations of this code of conduct. Retaliation 14 against employees who come forward to raise -- sorry, I 15 skipped over -- 16 Q. No -- 17 A. -- a period. 18 Q. That's okay. 19 A. Retaliation against employees who come 20 forward to raise genuine concerns will not be 21 tolerated. 22 Q. Was that your experience at Boeing -- 23 A. No. I -- 24 Q. -- South Carolina? 25 A. I'm sorry. It -- no. Boeing South Carolina,</p>	<p style="text-align: right;">Page 135</p> <p>1 it was just the opposite. You -- if you raised a 2 concern or especially a genuine concern, you were 3 retaliated against. 4 Q. Do you know if Boeing has a written 5 definition for retaliation in their policies and 6 procedures? 7 A. Actually, I don't believe they do. Any type 8 of training or any kind of discussions about 9 retaliation from Boeing is -- their def- -- definition 10 is given by examples. 11 Like I mentioned yesterday, one of the 12 examples we were given is, if one of your employees 13 files an ethics complaint against you and you turn 14 around and move them, then that would be considered 15 retaliation in the eyes of The Boeing Company. 16 Q. How about ID4 on 643? 17 A. D4? 18 Q. Right. 19 A. Establish enterprise-wide criteria for a 20 development -- for and deployment [sic] of effective 21 ethics and compliance education and awareness programs 22 to -- designed to ensure that all employees have an 23 understanding of the Boeing code of conduct and the 24 ram- -- ramifications of unethical behavior, including 25 providing new hires with a clear understanding of the</p>
<p style="text-align: right;">Page 136</p> <p>1 ethical expectations for all Boeing employees. 2 Q. Do you believe that Boeing was adhering to 3 that at Boeing South Carolina, based on your 4 experiences? 5 A. So I believe they were providing this 6 information to the employees with clear understanding 7 of the ethical expectations for all Boeing employees. 8 So I believe they told them. And -- and -- and so 9 this -- this includes management. But, again, by not 10 adhering to this, they're violating or not following 11 the policies. They're violating it. 12 Q. And what about ID5? 13 A. Maintain and publicize the internal reporting 14 mechanisms, including the ethics line and ethics 15 advisors through which employees may confidently or 16 anonymously report or seek guidance regarding suspected 17 or actual instances of improper conduct without fear of 18 reprisal. Web-based portals are also provided for 19 reporting. 20 Q. Based on your experiences, do you believe 21 Boeing South Carolina was adhering to that paragraph? 22 A. No, I do not believe they were adhering to 23 this. 24 Q. Why not? 25 A. Because I know several times anonymous</p>	<p style="text-align: right;">Page 137</p> <p>1 employees were actually route -- rooted out, I guess, 2 or identified. And when I went to ethics advisors 3 and -- and, again, looking at some of their close-outs, 4 it seems like they're closing them out unsubstantiated, 5 very quickly, without actually following procedures. 6 Q. Do you think Boeing South Carolina employees, 7 in general, had a -- had the feeling that they could 8 report suspected instances of improper conduct without 9 fear of reprisal? 10 [REDACTED] Object to form. 11 [REDACTED] 12 A. So I know I had fear of reprisal. And I 13 can't tell you how many other employees have talked to 14 me. And, like I mentioned yesterday, you know, I -- 15 people'd come up to me. And I'd ask them, Why don't 16 you report it? And they're like, I'm not -- you know, 17 I'm -- there's going to be retaliation, you know. So 18 it was -- it's pretty much common knowledge in 19 Charleston that, if you raise an issue, you was going 20 to -- you was going to be retaliated against. 21 Q. Can you give any examples of that with names 22 of folks that chose -- 23 A. That -- 24 Q. -- not to report, if you can recall? 25 A. I can't recall right now. But I could, I'm</p>

35 (Pages 134 to 137)



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1 sure. I just know it was -- I had dozens of
2 conversations about that with people.
3 Q. There's a ton of emails attached here, too.
4 Are all these examples in support that you were
5 pressured to violate and was penalized for following
6 Boeing's processes, procedures, code of conduct,
7 Boeing's job expectations for a quality manager, and
8 policy -- Pol 2 -- ethical business conduct?
9 A. Yeah. I believe this is all supporting
10 evidence that they weren't following them.
11 [REDACTED] I'd like the record to
12 reflect that the witness has not read those emails
13 and --
14 [REDACTED] Well, he tes-- he --
15 [REDACTED] -- has not read the emails
16 or provided any explanation as to how they are
17 evidence of what Mr. Knowles just said. But --
18 [REDACTED] Well, just --
19 [REDACTED] -- just would like the
20 record to reflect that. Because the record
21 doesn't reflect the time span. So you asked the
22 question. There are multiple emails. He
23 immediately says yes --
24 [REDACTED] He -- he --
25 [REDACTED] -- without reviewing them.

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1 this answer together?
2 A. That was me.
3 Q. So were you the one that pulled each of these
4 documents and tied it to each of these complaints?
5 A. Absolutely. And, you know, these are all
6 written by me. I -- I can look at it. I -- I -- I
7 know you may not believe it, but I can look at it and
8 just read one or two words. But, yeah, all these were
9 put together by me. They were -- we sat through them.
10 I've reviewed them numerous times working through this.
11 So, yeah, I don't have to read them to understand what
12 they're talking about.
13 [REDACTED] Do you want him to go through
14 every -- we can go through every one of them.
15 [REDACTED] No, I just --
16 [REDACTED] It's no big deal.
17 [REDACTED] -- I was just letting
18 the -- I just wanted the record to reflect what
19 transpired. And it does now. So --
20 [REDACTED] All right.
21 [REDACTED] -- your deposition.
22 [REDACTED] Let's take a break for a
23 minute.
24 [REDACTED] Off the record, 16:07,
25 (A brief recess was taken.)

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1 [REDACTED] He looked through them. I
2 asked him if he's reviewed all these before and
3 have -- have these been produced to Boeing.
4 [REDACTED] Okay. So he immediately --
5 [REDACTED] I mean, we --
6 [REDACTED] -- identified them, just
7 without --
8 [REDACTED] -- we can sit here and go
9 through each one of them, if you want.
10 [REDACTED] I -- I just wanted the
11 record to reflect that. Because it -- the
12 transcript doesn't reflect that, I just wanted
13 the record to reflect that there was not even
14 seconds between the question and the answer.
15 That's all.
16 [REDACTED] Brian.
17 [REDACTED] Yeah, right, right.
18 [REDACTED]
19 Q. Interrogatory Number 3, the answer here,
20 all --
21 A. Yes.
22 Q. -- all of these, numbers 1 through 40 -- you
23 had thousands of pages of documents, correct?
24 A. That's correct. Yes.
25 Q. Who was it that helped myself and [REDACTED] put

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1 [REDACTED] Back on the record, 16:10.
2 [REDACTED]
3 Q. All right. Would you read paragraph 13 of
4 Interrogatory 3?
5 A. Complainant was assigned half the number of
6 inspectors than other quality managers, then criticized
7 for his team not keeping up -- keeping up with
8 manufacturing. For example, [REDACTED] assigned
9 [REDACTED] twelve QTs to work travelers. When
10 [REDACTED] moved [REDACTED] he assigned Complainant
11 to travelers and only assigned him six QTs. When
12 Complainant objected and asked why just six QTs,
13 [REDACTED] said Complainant did not need that many.
14 After eight months, Complainant was moved back inside.
15 [REDACTED] took over travelers and was assigned
16 twelve inspectors within two weeks of taking over.
17 Numbers 2955 and 2956.
18 Q. I'm going to mark those two pages as Exhibit
19 11.
20 A. All right.
21 (Plaintiff's Exhibit No. 11 marked for
22 identification.)
23 [REDACTED]
24 Q. Can you take a look at those?
25 [REDACTED] I'm sorry, 11?



<p style="text-align: right;">Page 142</p> <p>1 [REDACTED] Uh-huh. 2 [REDACTED] Thanks. 3 [REDACTED] 4 A. Okay. 5 Q. And what are those two documents? 6 A. So these are -- every day, we were required 7 to send an email in showing how many team members we 8 are assigned, how many we have, who's out on sick 9 leave, who's working what, that type of thing. So 10 these are -- these are examples of some of the daily 11 reports I had to send in. 12 Q. All right. And, again, you -- you've 13 reviewed these documents in the past, correct? 14 A. Yes, that's correct. 15 Q. And these are documents we produced to 16 Boeing? 17 A. Yes, that's correct. 18 Q. And you assisted us, as counsel, in preparing 19 this answer to this Interrogatory Number 13? 20 A. Yes, that's correct. 21 Q. And providing us with examples in support of 22 what's stated in Number 13 with these two Bates-stamped 23 documents? 24 A. Yes, that's correct. 25 Q. All right. So could you read Interrogatory</p>	<p style="text-align: right;">Page 143</p> <p>1 Number 3, paragraph 14? 2 A. Complainant was placed on a 60-day corrective 3 action plan without being informed. 2420, 2421, 3268, 4 3273, 3317. Complainant was placed on a corrective 5 action plan for putting quality concerns in writing, 6 2423. In addition, the facts justifying the 60-day 7 corrective action plan were false. 8 Q. So I'm going to mark each of those 9 Bates-stamped pages as Exhibit 12. 10 (Plaintiff's Exhibit No. 12 marked for 11 identification.) 12 [REDACTED] 13 A. Sorry, got to straighten them up. Okay. 14 Q. All right. And are these all documents that 15 you provided to us, as counsel, to help you answer 16 Number 14? I'm sorry. Are these -- are these 17 documents that you provided in this litigation to 18 Boeing? 19 A. Yes, that's correct. 20 Q. And are these documents you re- -- reviewed 21 before? 22 A. Yes, that's correct. 23 Q. And are these documents the documents you 24 pulled to help assist us, as counsel, in answering this 25 interrogatory?</p>
<p style="text-align: right;">Page 144</p> <p>1 A. Yes, that's correct. 2 Q. All right. And do these documents support 3 paragraph -- what's stated in paragraph 14? 4 A. Yes. 5 Q. All right. So let's move on to Interrogatory 6 3, paragraph 15. 7 A. Complainant's team and Complainant were split 8 up after his team made a substantiated complaint to 9 ethics, 444, 581. 10 Q. So I'm going to mark those two pages as 11 Exhibit 12. 12 (Plaintiff's Exhibit No. 13 marked for 13 identification.) 14 [REDACTED] Exhibit 13? 15 [REDACTED] 13? 16 [REDACTED] Yeah. 17 THE WITNESS: Yeah, 13. 18 [REDACTED] 13? 19 [REDACTED] Yeah. This is 12. 20 [REDACTED] I'm sorry. I -- I -- I picked 21 this up and somebody -- 22 [REDACTED] I did -- 23 [REDACTED] Oh, okay. I read the wrong 24 one. 25 [REDACTED] -- to make your life easier.</p>	<p style="text-align: right;">Page 145</p> <p>1 [REDACTED] So it -- 2 [REDACTED] This is 13. 3 [REDACTED] Can I just place this over? 4 [REDACTED] 5 Q. 13. 6 A. Okay. 7 Q. What -- what is this -- are these two 8 documents? 9 A. So this is the -- the email that -- I think I 10 testified yesterday that my team had turned [REDACTED] 11 in to ethics while I was out. And they had written a 12 letter. This is the letter that they wrote, a copy of 13 the letter that they wrote. 14 Q. All right. And you -- you've seen these -- 15 this document before? 16 A. I have. 17 Q. And you've provided -- we've provided it to 18 Boeing in this litigation, correct? 19 A. That's correct. 20 Q. And this is the document you provided to us, 21 as counsel, to support what's stated in paragraph 15? 22 A. Yes, that's correct. 23 Q. All right. Read paragraph 16 of 24 Interrogatory 30. 25 A. Boeing held Complainant responsible and</p>



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1 accountable for issues he had no control or authority
2 over.
3 Q. There are a bunch of Bates stamp numbers,
4 correct?
5 A. Yes, quite a few.
6 Q. All right. I'm going to mark all of those
7 Bates stamp number there as Exhibit I4.
8 (Plaintiff's Exhibit No. 14 marked for
9 identification.)
10 [REDACTED]
11 A. Bear with me. I don't want to mess them up.
12 Q. You had a chance to flip through these
13 documents, correct?
14 A. Yes.
15 Q. And these are documents provided to Boeing
16 during the litigation?
17 A. Yes, that's correct.
18 Q. And these are all documents you've previously
19 reviewed, correct?
20 A. Yes, that's correct.
21 Q. And these are all documents you assisted us,
22 as counsel, to answer this interrogatory and that
23 support what's stated in paragraph 16 of Interrogatory
24 3?
25 A. Yes, that's correct.

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1 So I reached out to [REDACTED] and I said, Hey, you
2 know, you got a QT that bought this off. Do you want
3 to take care of it? And it was probably a month later
4 or so, I went back in and looked. And it hadn't been
5 done yet. So I -- I asked him again. It's like, you
6 know, You going to -- you going to take care of this?
7 And I ended up having to elevate it to [REDACTED]. And
8 then, finally, [REDACTED] had come back -- and I don't know if
9 we have it all -- but [REDACTED] had come back and said that
10 he found a bunch of -- that it was common throughout a
11 lot of the airplanes there, and that it was going to be
12 a lot of work to go do. And then [REDACTED] told me to go
13 fix it all, basically. Because he said a lot of the
14 people identified were on my team. And I'd just
15 assumed another team. But, anyway, he told me to -- to
16 go fix all these.
17 So I reached out to [REDACTED] because
18 I'd talked to [REDACTED] earlier that day. And
19 he said he had four or five inspectors not doing much.
20 So I said, Hey, do you mind if I borrow a couple to
21 help me out with this project? And he's like, Sure, no
22 problem. Just send an email request, you know, so
23 [REDACTED] knows. So I did that. And you can see that at
24 the bottom. I -- you know, Per our earlier discussion,
25 I need some help on flightline.

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1 Q. Is there an example in there that you can
2 bring out from those documents that show that you were
3 responsible and accountable for issues you had no
4 control or authority over?
5 A. So, yeah, there's a couple.
6 [REDACTED] Okay.
7 [REDACTED]
8 A. Yeah. Let me look at this one. So 3394.
9 Q. Right.
10 A. So this is the end email. And this -- this
11 issue, install AME spoiler number 4 actuator and link
12 arm outboard left-hand wing -- so this issue was
13 brought up. One of my peers in Everett contacted me
14 and said that one of his QTs looked into Charleston's
15 paperwork and found that they had bought off --
16 recorded a -- a value in the -- in the job that
17 exceeded engineering requirements, and they bought it
18 off as acceptable. So they were, basically, buying
19 off, showing that it was defective or not meeting
20 requirements. But they bought it off anyway. So he
21 contacted me. And I pulled up the SOI and looked it up
22 and saw that it was [REDACTED] team, I believe,
23 had -- had performed that buyoff and that function.
24 And it, you know, like I said, didn't meet
25 requirements.

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1 And then [REDACTED] jumped in and responded and
2 said, This is your project from start to finish. No
3 delegating or asking for help. If something needs
4 reopened or coordinated with shop managers, you need to
5 do it so you can stay on top of this all the way
6 through, driving for results. When a QT is needed, we
7 will help with that. And he goes on to question how
8 I'm doing the work.
9 But right before that, I explained to him --
10 I said, After reviewing the NC for Line 125 below that
11 was written to cover the failed unit, it was not
12 written to cover all 14 actuators. We will need to
13 reopen the SOIs on Line 125 and most all the other
14 field units, write ERs, remove wing panels, reinspect,
15 write pickups where required, reinstall, et cetera, et
16 cetera.
17 Since it is scheduled for C1 fight on Friday,
18 we'll need to coordinate and get it knocked out so we
19 do not interfere with that schedule. Any help you can
20 provide is greatly appreciated.
21 And that's when [REDACTED] responded and told me I
22 couldn't delegate. I couldn't ask for help. I had to
23 do it all.
24 And then, above that, it's a snapshot of an
25 instant message that [REDACTED] and I exchanged. And he

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1 said, I was told not to respond to Barnett's email.
2 Wow. I feel sick.
3 And I said, That's okay. I'll handle it.
4 Thanks.
5 So another example. I was reaching out for
6 help, to try to find -- you know, get something done
7 that needed to be done. And I was shot down by my
8 leadership and told to go fix it all without any help
9 or delegation.
10 Q. How about --
11 A. And that's just one. Sorry.
12 Q. Where's the amended complaint?
13 A. Right here.
14 Q. No, this --
15 A. Oh.
16 Q. Did you ever have that instance in MRSA, in
17 2016, where you were being held accountable for things
18 you had no control over?
19 A. Yes, quite frequently.
20 Q. Explain that.
21 A. Well, here's another example that feeds right
22 into it. And this is when [REDACTED] was -- was my
23 boss temporarily, 3005. So, again, if you look at the
24 charts and stuff, they -- they're -- were holding me
25 accountable for different queues that we weren't able

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1 different leadership structure. So they just --
2 Q. So --
3 A. -- ignored them and beat me up for it.
4 Q. So that's another example of them trying to
5 get you to violate Boeing processes and procedures,
6 right?
7 A. It's that and it's a very good instance of
8 them forcing me to do something that's outside of my
9 control. You know, I just -- I had no control over it.
10 Matter of fact, one day I was -- I remember standing
11 there. We had a large parts area. And that's where
12 the fan cowls go and, like I was talking about earlier,
13 the -- the landing gear and that type of thing. And
14 they had sectioned out a place out on the factory
15 floor. And we were told [REDACTED] came down and said,
16 I want this cleaned out, you know, within a couple of
17 days. It's like, Well, [REDACTED] you know, I need help
18 from MMO. So he takes off.
19 And [REDACTED] comes out and -- [REDACTED]
20 I think, was his name -- so [REDACTED] a senior
21 manager, MMO. [REDACTED] was my manager. And we all
22 three were sitting there looking at the large parts
23 area. And [REDACTED] on this side and [REDACTED] on this side.
24 And [REDACTED] just chewing me out, Get this cleaned out.
25 And I was like, [REDACTED] get this cleaned out. I need your

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1 to control. Like the validation queue was not our --
2 our statement of work. So if -- if the validation
3 queue started growing, they were -- in this case, [REDACTED]
4 [REDACTED] done the same
5 thing -- told me to go knock it down. I was like,
6 Well, that's -- that's not our statement of work.
7 We're not authorized to do that.
8 And then, also, with the -- when a
9 nonunitized NC goes through the process, it gets its
10 disposition and type -- that type of thing. Well, one
11 of the end routings of that goes to MMO for their
12 concurrence. And I think we saw some of those charts
13 yesterday, the -- with the yellow bar charts and stuff
14 on it.
15 But -- so it's up to MMO to complete the --
16 their function and send it back so we can process it.
17 And, again, I was getting hammered constantly because
18 the MMO would -- queue was full. And they were
19 expecting me to get it knocked down. And it was out of
20 my responsibility and authority. I couldn't. I'd have
21 been violating processes to go in there and do that.
22 Q. Why were they singling you out to do that?
23 A. Because I was the manager of MRSA. And all
24 that's -- that's what they had control over. Because
25 MMO was an entirely different organization, entirely

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1 stuff put in my queue. And he, kind of, laughed. He
2 said, I'll let them sit there all month. I don't care.
3 I looked back at [REDACTED] I said, This is what I'm
4 dealing with. I said, I need your support. And [REDACTED]
5 just said, Find a way.
6 So they were pushing me to -- and holding me
7 accountable for things I had no control over.
8 Q. Did you find that to be retaliation?
9 A. Harassing, retaliation, trying to force me to
10 work outside the procedures. Because the only way to
11 work MMO's queue was for me to go in there and override
12 his -- his stuff and try to get it pulled back, you
13 know, Yeah. Yeah.
14 Q. So this [REDACTED] email you're referencing
15 on 30 -- 30005, what is the date of that?
16 A. April 8, 2016.
17 Q. Okay. I mean, would it be accurate that you
18 perceived [REDACTED] to be pressuring you and
19 retaliating against you, as well?
20 A. Absolutely. You know, and this is just one
21 example. But, yeah, he was -- he was right there with
22 [REDACTED] and driving the same -- same expectations
23 that I had no control over. And -- and he knew it.
24 Q. All right. Let's move on to paragraph 17 of
25 Interrogatory 3, if you could read that, please.



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<p style="text-align: right;">Page 154</p> <p>1 A. Complainant was banished from the second 2 shift for 18 months in retaliation for putting quality 3 concerns in writing, 828, 845, 2916, 2917, 2918, 2920 4 and 3313. 5 Q. I'm going to mark each of those as Exhibit 6 15. 7 (Plaintiff's Exhibit No. 15 marked for 8 identification.) 9 [REDACTED] 10 A. Okay. 11 Q. Again, you've provided these documents to 12 Boeing, correct? 13 A. That's correct. 14 Q. And you've reviewed these previously, 15 correct? 16 A. That's correct. 17 Q. And you provided these to counsel to support 18 the statement in paragraph 17 of Interrogatory 3, 19 correct? 20 A. Yes, that's correct. 21 Q. All right. Is there a specific example out 22 of these that you could point out? 23 A. So, really, all of them feed in. So the -- 24 the 828, that's when I -- shortly after I had been 25 banished to second shift by [REDACTED]. And he's</p>	<p style="text-align: right;">Page 155</p> <p>1 listing all the things that he wants me to transition 2 over to [REDACTED] who -- he actually -- he was 3 my lead on first. But then, when [REDACTED] sent me to 4 second, he made [REDACTED] a temporary supervisor over where 5 I just left. So he kick- -- kicked me out and made 6 [REDACTED] a temporary manager. And the rest of them were 7 all various emails I've sent requesting to come back to 8 first, come back to first. And there was always an 9 excuse or, No, I didn't know or -- you know, and this 10 went on for 18 months. So, yeah, that's it in a 11 nutshell. 12 Q. All right. Take a look at paragraph -- 13 excuse me -- 18 of Interrogatory 3. 14 A. Complainant was blacklisted, blackballed, 15 3257, 3261. 16 Q. We'll mark those two documents as 16. 17 (Plaintiff's Exhibit No. 16 marked for 18 identification.) 19 [REDACTED] 20 Q. What are these two documents? 21 A. So what these are, when you go through the 22 careers at Boeing -- so when -- when you go to hire a 23 manager or hire anybody you, post it in a -- in a jobs 24 portal for employees to go in and apply for. And these 25 are just two examples of -- of positions I'd applied</p>
<p style="text-align: right;">Page 156</p> <p>1 for. And these were the responses. I got them as a 2 result of me sending my applications in. 3 Q. Was this the propulsion job and the New 4 Orleans job? 5 A. I don't see a date here. 6 Q. At the top. 7 A. I believe -- level K. 8 Q. When did you apply for the New Orleans job, 9 around what time? 10 A. In 2016, probably first part, mid part of 11 2016. So, yeah, yeah, these -- yeah, these could very 12 well be them. I mean, I don't see anything on here to 13 say for sure. But this is about the right time frame 14 for those. 15 Q. Well, I mean, did you apply for any other 16 jobs you were declined? 17 A. Oh, I applied for about 35 jobs. I was 18 trying to get out of the organization. I was applying 19 for just about anything I could apply for. Some of 20 them, I'd actually performed before, in the past. And 21 out of those 35 jobs, I didn't even get an interview. 22 You know, and it was like I had years of experience. I 23 met all the requirements. But I couldn't even manage 24 an interview. You know, I applied for second level 25 positions. I never got an interview for a second</p>	<p style="text-align: right;">Page 157</p> <p>1 level. So, yeah. 2 Q. What's the skill team? 3 A. So the skill team is a group of managers. 4 And it's led by, typically, a superintendent. But -- 5 and it's got an HR representative in it. So that -- so 6 any jobs that are going to -- strike that. 7 Any employee that's going to be offered a job 8 must be approved by the skill team. So if -- anytime I 9 applied for a job -- and say they wanted to send me a 10 job offer, they had to go to the skill team and approve 11 it. And the same with the no-post jobs. They select 12 who they want as a candidate. And then they have to go 13 back to the skill team to get it approved before they 14 can actually send out a job offer and work with HR and 15 all that. So they're, kind of, heading up -- they're, 16 kind of, deciding who gets to go where, when. 17 Q. So [REDACTED] was on the skill team for both 18 the NASA job and the propulsion job, correct? 19 BY [REDACTED] Object to form. 20 [REDACTED] 21 A. So [REDACTED] was the leader of our BSC 22 skill team. So as the leader of that skill team, yeah, 23 any -- any requisites or job offers that were going to 24 be sent out would have had to go through his team. And 25 [REDACTED] was also in there. Basically, everybody</p>

40 (Pages 154 to 157)



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1 considered her as his right hand, so...

2 Q. So [REDACTED] the same guy that kept a

3 file on you previously?

4 A. Yes, that's correct.

5 Q. [REDACTED] had control over whether or not

6 you could get a position --

7 [REDACTED] Object to --

8 [REDACTED]

9 Q. -- outside of Boeing South Carolina?

10 A. So [REDACTED] was the leader of the skill

11 team that had to either allow or -- or dismiss a job,

12 yeah. So he had control over who -- who went where.

13 Q. Over anybody at Boeing South Carolina?

14 [REDACTED] Object to the lack of

15 foundation, this whole line of questioning.

16 But --

17 [REDACTED]

18 Q. Who is -- how do you know [REDACTED] was the

19 leader of the skill team at Boeing South Carolina?

20 A. Well --

21 Q. Or do you know?

22 A. Yes, I do know because --

23 Q. And how -- what do you -- how -- what do you

24 base that knowledge on?

25 A. So we received information in post, who's the

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1 A. Yes, that's correct.

2 Q. And these are documents that's been produced

3 to Boeing, correct?

4 A. Yes, that's correct.

5 Q. And these are documents you pointed out to --

6 to us, as counsel, that support paragraph 19 of

7 Interrogatory 3, correct?

8 A. Yes, that's correct.

9 Q. And what -- what's an example out of these

10 documents that support that you suffered retaliation?

11 A. So one of them in here is one we already

12 discussed, about -- with [REDACTED] the conversation I had

13 with [REDACTED] and telling him I couldn't ask

14 for help or delegate or anything like that.

15 Further back is a continuation of that

16 initial email where [REDACTED] is pulling up line

17 numbers and NCs, and they're all being fed to me. And

18 they're telling me to go work them.

19 Yeah, there's [REDACTED] his email telling

20 what the problems are and -- and the fact that they're

21 not per the -- per the engineering requirements. But I

22 think the -- oh, I'm sorry.

23 Q. Go ahead.

24 A. I think the biggest telltale sign is this

25 results leadership attribute and rater type. I mean,

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1 leader of the skill team. It was common knowledge.

2 Everybody knew who was leading the skill team, who was

3 working in it. [REDACTED] at that time, had

4 responsibility for it. But he had put [REDACTED] in

5 charge of it. And so that's how I know, you know. It

6 was common knowledge. Everybody knew [REDACTED] was

7 the head of the skill team.

8 Q. And what years was [REDACTED] he head of

9 the skill team; do you know?

10 A. I'm not positive when he left. But I know --

11 I know it was at least through 2016. And then, after

12 that, he went to New Orleans and he became the leader

13 of them hiring down there. And he handled New Orleans

14 and Florida.

15 Q. All right. Paragraph 19 of Interrogatory 3.

16 A. Complainant suffered retaliation, 703, 036,

17 3200, 3204, 3205, 3394 through 3396, 3614.

18 (Plaintiff's Exhibit No. 17 marked for

19 identification.)

20 [REDACTED]

21 Q. I'm going to mark all of those Bates numbers

22 as Exhibit 17.

23 A. Okay.

24 Q. Again, these are documents you've reviewed

25 before, correct?

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1 I'm -- I mean, to me, this is -- just screams -- and --

2 and what I mean by that is -- so each one of these --

3 let me explain it. So each one of these bar -- bar

4 charts are elements of the leadership attribute survey

5 that I'd sent out, the 360 review. And if you just

6 look down the list at the bar chart, you know, I mean,

7 all my -- so it's all broke out. It's all -- it's

8 self, manager, other managers, direct reports, peers

9 and leads, customers and suppliers. So this was sent

10 out to all of those people to rate how I'm doing as a

11 Boeing manager. And if you look -- I mean, I'm getting

12 threes and fours from everybody, pretty much, except

13 for my manager. And my manager's the only one that's

14 knocking me down to ones and twos. Everybody else --

15 you know, so, to me, this is a -- a picture proving

16 that, you know, the retaliation and the hostility is

17 real. Because everybody else thinks I'm doing pretty

18 dang good. But my manager's saying, no, I'm not.

19 So...

20 Q. This is dated October 30, 2014. Who was

21 your -- who would have been your manager at that

22 time?

23 A. That was [REDACTED]

24 Like this one back here, Implement strategies

25 to improve the organization's or team's focus on



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1 customer.
2 Q. Where are you reading from?
3 A. Oh, I'm sorry. 3205.
4 Q. Okay.
5 A. And everybody that rated me was three through
6 four, except my manager. He gave me a one. I was
7 like -- like -- like I said, I think that's pretty
8 blatant, but...
9 Q. All right. And these aren't all the examples
10 of retaliation; these are just some examples, correct?
11 A. That's correct, yes, that is.
12 Q. I mean, we've talked about --
13 A. These are examples, yeah.
14 Q. -- numerous other actions that constitute
15 retaliation, correct?
16 A. Yes, absolutely. And, like I say, you know,
17 not only by pushing me to violate procedures, but then,
18 you know, giving me low PM ratings. Now they're
19 undermining my -- my survey scores. It's just across
20 the board. It's like everywhere I turned, I was
21 getting dinged by my own management. And everybody
22 else thought I was doing a great job, or a pretty good
23 job, anyway. So -- so, yeah.
24 Q. It was not just [REDACTED] either; was
25 it?

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1 [REDACTED]?
2 A. Well, no, because there's -- they should be
3 done every year. I don't know if it's actually a
4 requirement. But BSC didn't have -- didn't push it
5 every year. It's just --
6 Q. Okay.
7 A. -- this particular year, they were telling us
8 to do it. We had to do it.
9 Q. Okay. Look at paragraph 20 of Interrogatory
10 3 and read that, please.
11 A. Complainant was reassigned to MRSA by [REDACTED]
12 [REDACTED] and [REDACTED] after filing an ethics
13 complaint against [REDACTED] 1472.
14 (Plaintiff's Exhibit No. 18 marked for
15 identification.)
16 [REDACTED] Thanks.
17 [REDACTED] Uh-huh.
18 [REDACTED]
19 Q. So what is this document?
20 A. So this is the one we talked about where [REDACTED]
21 [REDACTED] was proud to announce that I was going to
22 MRSA. And this was during the ethics investigation, I
23 sent it to [REDACTED] -- or [REDACTED] was working. So you
24 can see that, when [REDACTED] sent that out, I
25 forwarded it to [REDACTED] and -- to let her know that,

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1 A. No. This is -- this is the -- this is when
2 he was my manager. But, like I say, it was -- it was
3 constant the whole six years I was there.
4 Q. How -- how often were these -- what do you
5 call this on page 3200 we were talking about? An
6 employee survey?
7 A. Yeah. These are a results survey for -- I
8 think it's called a 360 assess- -- assessment. But,
9 yeah. What you do, as a manager, is you go through.
10 And -- and it lists your direct reports. It lists your
11 manager. And then you -- you go through and assign it
12 to peers and different other people that you want to
13 send it to. And then, once I go through and -- and
14 fill out who all it needs to go to, I send that to my
15 senior manager, in this case [REDACTED] so he could approve
16 or change anything he wanted. And then, once he
17 approves it, it automatically goes out. And the people
18 fill out the serve way -- survey. And this was
19 actually another item I think he had on my action plan
20 or one -- in my PM that -- I had filled this all out to
21 who it was going to be sent out to. And I'd sent it to
22 him for approval. And he didn't do anything with it.
23 He didn't approve it or send it out. And then he dings
24 me because I didn't send out a survey.
25 Q. Well, you had one of these under [REDACTED]

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1 you know, I'd filed -- she knew I filed an ethics
2 complaint. She was working it. But it was like, Look,
3 I'm being assigned. And so this was the email [REDACTED]
4 sent out showing that I forwarded it to [REDACTED]
5 Q. And what was the date of that?
6 A. February 11, 2015.
7 Q. And did you consider being transferred to
8 MRSA as a -- as retaliation?
9 A. I felt it was retal- -- well, absolutely, it
10 was retaliation. Because, like I say, we've talked
11 about several times here, you know, I filed an ethics
12 against -- or ethics complaint against my boss, and
13 then he moves me. I mean, that's -- that's -- yeah,
14 that's definitely retaliation.
15 Q. What -- is it considered like a demotion to
16 have to be in MRSA?
17 A. It's not a demotion like pay. But,
18 absolutely, a -- it's considered a demotion because,
19 like I was explaining yesterday or earlier today -- I
20 don't know, it's Friday -- but I was actually hands on
21 the airplane. And that's -- as a quality manager or
22 quality inspector, that's really where you want to be.
23 You want to be working on the airplane, touching the
24 airplane. That's -- that's the great job. So, by
25 removing me from working production to basically



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1 manager of the parts store was -- yeah, it was a pretty
2 hard slap in the face. I mean, with 30 years'
3 experience, they're putting me in a parts store. I
4 mean, that's -- a parts segregation area -- that was
5 pretty, pretty humiliating.
6 Q. I mean, if -- strike that.
7 A. The -- read paragraph 21 of Interrogatory 3.
8 A. Complainant had his career growth sabotaged.
9 Q. All right. Was part of that being
10 transferred to MRSA?
11 A. That was part of it. Part of it was being
12 blacklisted from the other jobs. Because, like I say,
13 it had been a different responsibility, different --
14 different statement of work. So it added to my value
15 as a Boeing employee, right. So -- and that's another
16 thing that's, kind of, got lost in the transition, is
17 in Puget Sound, they valued their employees. And
18 they -- the way it was put to us was, they've got so
19 much invested in us that they really want us all to
20 succeed because they've spent a lot of money on us.
21 They want us to -- to do good. Whereas, down here, it
22 seems like they didn't really care about that as much
23 as -- I lost my train of thought on that. But,
24 anyway...
25 Q. Well, you had learned that [REDACTED]

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1 A. Can we take a few minutes?
2 Q. Yeah
3 [REDACTED] Off the record, 16:53.
4 (A brief recess was taken.)
5 [REDACTED] Back on the record, 17:51.
6 This will conclude Volume 2 and the video portion
7 of the video deposition of John M. Barnett. Off
8 the record at 17:51 on March 8, 2024.
9 (The deposition adjourned at 5:51 p.m.)
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1 said that John Barnett's not going anywhere.
2 [REDACTED] Object to form.
3 [REDACTED]
4 Q. Did you learn that [REDACTED] had said
5 that you weren't going anywhere?
6 A. Yes, I -- yes. And he said I must have
7 really pissed somebody off.
8 Q. Wonder who that was.
9 [REDACTED] Object to form.
10 [REDACTED]
11 Q. Do you have any idea of who you could have
12 pissed off?
13 A. Well, based on the evidence and based on the
14 process, how the -- how the skill team works, yeah,
15 absolutely. It -- I mean, it falls right in [REDACTED]
16 [REDACTED] lap. I mean, he said he started a folder
17 on me. He was targeting me. And [REDACTED] had to
18 go to the skill team to get approval. And, apparently,
19 that's where he went in the three hours or so that he
20 had left and came back and said, We're not getting John
21 Barnett.
22 So, I mean, where -- that's the only thing I
23 can see -- that's the only place I could have seen him
24 going was to the skill team.
25 Q. All right.

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1 CERTIFICATE
2 STATE OF SOUTH CAROLINA:
3 COUNTY OF CHARLESTON:
4
5 I, [REDACTED], Registered Professional
6 Reporter and Notary Public, State of South Carolina at
7 Large, certify that I was authorized to and did
8 stenographically report the foregoing deposition of
9 John M. Barnett - Volume 2; and that the transcript is
10 a true record of the testimony given by the witness,
11 and was sworn as such.
12 I further certify that I am not a relative,
13 employee, attorney or counsel of any of the parties,
14 nor am I a relative or employee of any of the parties'
15 attorney or counsel connected with the action, nor am I
16 financially interested in the action.
17 WITNESS MY HAND AND OFFICIAL SEAL, this 24th day of
18 March, 2024, in the City of Charleston, County of
19 Charleston, State of South Carolina.
20
21 [REDACTED]
22 [REDACTED] RPR, CLR
23 and Notary Public
24 My commission expires:
25 January 13, 2031



Attachment 5



JAN 18 2018

Mr. Robert Turkewitz
Law Offices of Robert M. Turkewitz
768 St Andrews Blvd
Charleston, SC 29407

Freedom of Information Act (FOIA) request 2018-002240

Dear Mr. Turkewitz:

This letter is in response to your December 15, 2017 request under FOIA, 5 U.S.C. 552. You are requesting a copy of the following documents (or documents containing the following information) be provided to you:

"All documents related to the FAA's investigation and its findings with respect to the Whistleblower Complaint EWBI7544, including reports, photographs, notes, correspondence, memoranda, emails, faxes, statements, interview transcriptions and notes, and audio and video recordings."

A search was conducted of the Office of Audit and Evaluation's Whistleblower Protection Program (WBPP) files. The search revealed twenty-four (24) pages that pertained to your specific request and twenty (20) pages will be released to you. Four (4) pages belong to the Department of Labor and will be returned to them to respond separately. Your FOIA request is considered a request for first-party information since it seeks information related to a report filed by your client through the Whistleblower Protection Program (WBPP). Therefore, the information pertaining to you and your client in the enclosed documents are not redacted to protect information that would otherwise be withheld under Exemption 6 of the FOIA, 5 U.S.C. 552 (B)(6). When applying Exemption 6, the FAA weighs the privacy interest of an individual against any public interest in the records.

However, a portion of the records you requested contains privacy-related information about parties other than your client. For that reason, your request has been partially denied and portions of the enclosed documents containing names, phone numbers, and addresses of others have been redacted and are being withheld from disclosure. Two (2) of the 20 pages have been redacted under Exemption 7c of the FOIA. Exemption 7c provides protection for law enforcement information the disclosure of which "could reasonably be expected to constitute an unwarranted invasion of personal privacy."

Five (5) of the 20 pages are being redacted under Exemption 5 of the FOIA. Exemption 5 protects inter-agency or intra-agency memorandum or letters which would not be available

by law to a party in litigation with the agency. The three most frequently invoked privileges are the deliberative process, the attorney work-product, and the attorney client-product. Exemption 5 allows agencies to withhold recommendations, opinions, and analysis under the deliberative process privilege.

If you owe fees for the processing of this request, an invoice containing the amount due and payment instructions will be enclosed.

The undersigned is responsible for this partial denial. You may request reconsideration of this determination by writing the Assistant Administrator for Finance and Management (AFN-400), Federal Aviation Administration, 800 Independence Avenue., SW, Washington, DC 20591 or through electronic mail at: FOIA-Appeals@faa.gov. Your request for reconsideration must be made in writing within 45 days from the date that the initial determination was made, and must include all information and arguments relied upon. Your appeal must also state that it is an "appeal" from the above-described denial of a request made under the FOIA and include your assigned FOIA control number. The envelope containing the appeal should be marked "FOIA."

You also have the right to seek dispute resolution services from the FAA FOIA Public Liaison via phone (202-267-7799) or email (7-AWA-ARC-FOIA@faa.gov) noting FOIA Public Liaison in the Subject or the Office of Government Information Services (<https://ogis.archives.gov>) via phone (202-741-5770 / toll-free--1-877-684-6448; fax--202-741-5769); or email (ogis@nara.gov).

Sincerely,

A large black rectangular redaction box covers the signature of the Director.

Director

Enclosures



Federal Aviation Administration

Memorandum

Date: MAR 21 2017

To: [REDACTED], Manager, Audit and Analysis Branch, AAE-100

From: [REDACTED], Director, Aircraft Certification Service, AIR-1 (b)(7)(D)

Prepared by: [REDACTED], Manager, Transport Airplane Directorate, ANM-100

Subject: Whistleblower Complaint EWB17544, The Boeing Company - Boeing South Carolina

The Federal Aviation Administration (FAA) Aircraft Certification Service completed the investigation of whistleblower complaint EWB17544, alleging The Boeing Company - Boeing South Carolina failed to:

1. Follow their quality system for nonconformance records.
2. Properly track nonconforming parts.
3. Properly investigate oxygen bottle squib failures.
4. Notify customers of deficiencies of delivered aircraft.

The investigation substantiated a violation of a regulation or standard of the FAA. Accordingly, the FAA is taking the appropriate action and will monitor followup corrective actions until they are complete.

**DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WHISTLEBLOWER PROTECTION PROGRAM**

**CASE EWBI7544
REPORT OF INVESTIGATION**

Investigation Team: Federal Aviation Administration (FAA) Aviation Safety Inspectors, FAA Certificate Management Office-Boeing (CMO) located in Charleston, South Carolina

Person(s) Interviewed: John Barnett Complainant
██████████ Boeing South Carolina (BSC) Material Review and Segregation Area (MRSA) ██████████
██████████ BSC MRSA ██████████
██████████ BSC MRSA ██████████
██████████ Boeing Research and Technology (BR&T) ██████████
██████████ BR&T ██████████
██████████ BR&T ██████████
██████████ BSC Aircraft Readiness Log (ARL) ██████████

The FAA CMO received Whistleblower complaint EWBI7544 on January 19, 2017. The complainant alleged BSC, located in Charleston, SC failed to:

1. Follow their quality system for nonconformance records.
2. Properly track nonconforming parts.
3. Properly investigate oxygen bottle squib failures.
4. Notify customers of deficiencies of delivered aircraft.

OTHER INVESTIGATION ACTIVITIES:

The FAA contacted the complainant on January 30, 2017. The allegations were discussed and no additional information was provided.

The complainant submitted several allegations relating to the BSC facility, which is responsible for Boeing Model 787 manufacturing and delivery.

The initial investigation determined the first two allegations pertained to the same quality system concerns. Therefore, the investigation and response was combined below.

FINDINGS & FOLLOWUP ACTIONS:

Allegations 1 & 2: BSC failed to follow their quality system for nonconformance records and properly track nonconforming parts.

Investigation: The complainant alleged that there are a total of 220 Boeing Model 787 nonconforming parts lacking traceability documentation. The complainant also claimed Boeing does not have objective evidence showing the current manufacturing status of these parts.

The FAA conducted interviews with BSC MRSA personnel ██████████. The FAA also reviewed Boeing Commercial Airplanes (BCA) approved quality system documentation, associated procedures and nonconforming part records. The BCA quality system requires a nonconforming part to be identified and segregated. BCA procedures also address control of nonconforming parts records.

During the FAA interviews, BSC MRSA disclosed there is an ongoing internal BSC investigation relating to open nonconformance records. The BSC investigation determined nonconforming parts lacked sufficient documentation to determine if they were scrapped or reworked to meet design requirements. The FAA determined the location of these parts is unknown and they are considered lost. An FAA review of the BSC investigation showed 45 nonconforming part records have been researched so far and BSC has identified 53 nonconforming parts that are considered lost. The BSC investigation is still in progress and 176 nonconforming part records need to be researched.

The FAA concluded, after review of the BSC investigation documentation/records and BCA nonconforming part processes, that BSC personnel did not follow approved quality system processes to track and disposition nonconforming parts. As a result, 53 nonconforming parts are known to have been lost.

Finding: A violation of a regulation or standard of the FAA was substantiated.

Corrective Action: The FAA issued a Formal Compliance Action to Boeing in accordance with FAA Order 2150.3B, FAA Compliance and Enforcement Program. The corrective action plan from Boeing is due on or prior to March 21, 2017. After review of the corrective action plan, the FAA can provide AAE-100 an update of when the Formal Compliance Action is expected to be closed and verified.

Allegation 3: BSC failed to investigate oxygen bottle squib failures.

Investigation: The FAA conducted interviews of BSC MRSA and BR&T personnel on February 8, 2017. The FAA reviewed BCA's approved quality system, including the associated oxygen system test procedures. BCA approved quality system processes require corrective action investigations to contain the effect of nonconformances on other processes or products.

The FAA investigation discovered each Boeing Model 787 Passenger Service Unit (PSU) contains one emergency oxygen bottle and a squib. The purpose of the squib is to initiate the flow of oxygen when commanded. The PSU electrical circuits are tested twice during the airplane production assembly phase and in the event of a failure, the PSU is removed from the airplane. After removal, BSC personnel discharge the emergency oxygen bottles and there have been some cases where the squibs failed.

Based on interviews and documentation reviews, the FAA confirmed BSC is aware of the squib failures and is actively investigating the issue. A Boeing supplier of the PSU, BE Aerospace, is also engaged in the investigation and corrective action process. Preliminary BSC investigation findings have attributed squib failure to wire harness damage occurring during storage, handling, and installation. BSC and BE Aerospace root cause analysis and corrective action activities are ongoing at this time.

Finding: A violation of a regulation or standard of the FAA was not substantiated.

Corrective Action: None

Allegation 4: BSC failed to notify customers of deficiencies of delivered airplanes.

Investigation: The whistleblower hotline report further clarified this allegation. The complainant alleged BSC failed to notify customers of incomplete/incorrect/missing data relating to serial number control of installed components.

The FAA conducted an interview with the BSC ARL [REDACTED]. The FAA reviewed BCA's approved quality system, associated procedures and ARI records. The FAA also reviewed post-delivery customer notifications. BCA utilizes the ARL to capture and document the serialized parts installed in a Boeing 787 airplane prior to delivery. The FAA investigation determined the ARL must be complete prior to issuance of an airworthiness certificate. If an error or missing information is identified in the ARL after airplane delivery, the BCA quality system requires notification to the customer. The FAA confirmed when an error in the ARL (e.g., incomplete, incorrect, and missing information related to serial numbers) is found that impacts a delivered airplane the customer is notified as required by the approved quality system procedures.

Finding: A violation of a regulation or standard of the FAA was not substantiated.

Corrective Action: None

Attachment 6



U.S. Department
of Transportation
**Federal Aviation
Administration**

Aviation Safety

2200 South 216th Street
Des Moines, WA 98198-6547

May 18, 2021

File Number: EIR2021NM420001

The Boeing Company

Attn: [REDACTED]

Vice President of Commercial Airplanes Quality

P.O. Box 3707, MC 687-05

Seattle, WA 98124-2207

Dear [REDACTED]

The Federal Aviation Administration (FAA) is investigating Verification Optimization, Process Surveillance, Manufacturing Assurance and Process Surveillance (MAPS), and Functional Test Surveillance to ensure compliance with Title 14 of the Code of Federal Regulations (14 CFR) and your FAA approved quality system.

REQUIREMENTS:

Title 14 CFR § 21.146 Responsibility of holder, states in part, “The holder of a production certificate must...

(b) Maintain the quality system in compliance with the data and procedures approved for the production certificate;

(c) Ensure that each completed product or article for which a production certificate has been issued, presented for airworthiness certification or approval conforms to its approved design and is in a condition for safe operation.”

(Supports all allegations)

Boeing Quality Manual (BQM), Revision H, dated April 21, 2020, General, states in part, “[Boeing Commercial Aircraft] BCA’s primary business is the design, production, maintenance, and support of Commercial Transport Category Aircraft certified to the FAA requirement 14 CFR part 21.”

(Supports all allegations)

BQM Clause 3, Definitions, states in part, "Product: Any items (e.g., raw materials, consumables, detail parts, assemblies) used in, or a result of, processes intended for or required by a customer. A product may include a service, hardware, processed material, software, or any combination thereof."

(Supports all allegations)

BQM Clause 8.5.1, Control of Production and Service Provision Inspection and Testing Status, states in part, "14 CFR § 21.137(e) requirements are met through [Boeing Procedure] PRO-█████, [Boeing Business Process Instruction] BPI-█████, and BPI-█████ or [Boeing Canada Winnipeg] PR-PR-█████ (BCW) and other documentation identified on the BCA CFR/QMS [Quality Management System] Matrix for inspections and tests used to ensure that each product and article conforms to its approved design. Appropriate inspection and test activities are conducted in accordance with PRO-█████ and BPI-█████ to assure the process, products, or service conforms to established requirements, including in-process inspection when adequate objective evidence to show conformance cannot be obtained at later stages."

(Supports allegation 1, 2, 3, 4, 10)

BQM Clause 8.5.1, Control of Production and Service Provision Inspection and Testing Status, states in part, "14 CFR § 21.137 (g) requirements are met through PRO-█████, PRO-█████, PRO-█████, and BPI-█████ or PR-PR-█████ (BCW) and other documentation identified on the BCA CFR/QMS Matrix which document the inspection and test status of products and articles supplied or manufactured to the approved design."

(Supports allegation 1, 2, 3, 4, 6, 10)

BQM Clause 8.5.2, Identification and Traceability, states in part, "The inspection and test status of BCA products is recorded by authorized personnel to purchasing documents, work instructions, nonconformance records, log books, or identification that is applied directly to the product in accordance with clause 8.5.1. Appropriate security controls are established to ensure only authorized personnel (refer to PRO-█████) are issued controlled stamps and permitted to make either electronic or manual entries.

(Supports allegation 1, 2, 3, 4, 6, 10)

PRO-█████, Verification Systems, Issue Date: December 5, 2019, Section 1, Requirements, states in part, "Verification planning will ensure that each product and article conforms to its approved design (reference Code of Federal Regulations [CFRs] 14 CFR 21.137 and 14 CFR 21.146)."

(Supports allegation 1, 2, 3, 4, 10)

PRO-█████ Section 3, Terms, states in part, “Acceptance – A decision resulting from comparing OE [objective evidence] to specified requirements that has determined a product or article conforms to approved design.”

“Conformance Decision – The determination of acceptance or rejection based on the comparison of OE to the approved design.”

“Inspection Status – Recording a conformance decision; results from a verification system.”

(Supports allegation 1, 2, 3, 4, 6, 10)

PRO-█████ Authority Media for Product Acceptance and Manufacturing Process Operations, Issue Date: April 15, 2020, states in part, “This procedure details the requirements and responsibilities for authority media users, managers, endorsers, and stamp custodians. Authority media applied to product or product records represents a legal signature and the individual affirming acceptability of the deliverables in compliance with governing requirements.”

(Supports allegation 1, 2, 3, 4, 10)

PRO-█████ Section 1. Requirements states in part, “A. Establish a process for authority media that addresses validation of user need, traceability of ownership, and proper usage. The supporting enterprise processes are defined in BPI-█████ BPI-█████ and BPI-█████ ..

...B. Ensure authority media is legible, reproducible, and traceable to:

1. An authorized person performing the work, also known as an authority media user, who is authorized by their management to perform specified activities requiring the use of authority media.

2. An authorized process (e.g., nondestructive testing, acceptance, manufacturing, configuration documentation)...

...C. Ensure employees requiring authority media possess and maintain all skills, certifications, and authorizations required by the process being performed...

...F. Conduct authority media audits for physical stamps, at a minimum, once a year. Conduct audits on electronic stamps in accordance with D██████████ ..

(Supports allegation 1, 2, 3, 4, 6, 10)

PRO-█████ Section 2. Responsibilities B. Quality Management states in part, “1. Ensure authority media requirements are defined, communicated, and deployed for authority media reserved for use by Quality personnel or approved delegates [e.g., Product Acceptance, Supervisor (Product Acceptance), Designated Customer Representative, Nondestructive Inspection/Nondestructive Test].

2. Endorse authority media reserved for use by Quality personnel or approved delegates to indicate approval of authority media issuance and delegate approval.”

(Supports allegation 1, 2, 3, 4, 10)

BPI-█████ Perform Product Verification, Issue Date: July 25, 2019, section F. Definitions, states in part, “Authorized Product Verification Personnel – Personnel authorized by job role, job code, skill code, or process to perform product, article, and process verification activities.”
(Supports allegation 1, 2, 3, 4, 6)

D-document D██████████, “Computing Security Standards Manual,” dated 9/22/2020, Section 5.2.2, states in part, “Segregation of duties criteria for roles and responsibilities that describe segregation of duty to prevent individuals from subverting control processes must be documented in the Access Control Policy. (ACP)”
(Supports allegation 1, 2, 3, 4, 6)

Document Number, ██████████, dated May 29, 2020, states in part, “Job Role Description: Mechanic: The MFG [manufacturing] is able to accomplish the following manual tasks: complete the task on the process plan, stamp the required paperwork that will become the as-built documentation for parts, tools, and airplanes.” “Job Role Description: Inspector: The Shop Floor inspector assures that operations of the Production Order are complete and accept or reject per engineering drawing and Purchase Order planning requirements.”
(Supports allegation 1, 2, 3, 4, 6)

Boeing Specification Support Standard, BSS█████ Employee Certification General Requirements, Rev. W, dated July 18, 2016, states in part, “Specifications are used to define employee certification requirements. Certification of employees has been established as a means of formal control for designated operations or activities.” “Activities that require employee certification are documented in the BSS█████ series of specifications. These specifications provide information necessary to grant and maintain certification, including a description of the activity requiring certification, employees who require certification, the source of the certification requirement, and processes for certification/recertification.” “Managers shall ensure employees hold the necessary certifications for work to be performed.”
(Supports allegation 1, 2, 3, 4, 6, 9, 10)

BSS█████ Employee Certification General Requirements, departure 6-16, states in part, “They are not authorized to inspect and accept work performed by themselves.”
(Supports allegation 1, 2, 3, 4, 6, 9, 10)

BPI-█████ Use and Control of Authority Media, Issue Date: August 13, 2020, Purpose, states in part, “This BPI defines the process for requesting, approving, using, applying for, owning, and controlling authority media. Authority media applied to processes, products, or product records provide objective evidence of the status of products during the development, manufacturing, modification, and repair process. The application of authority media, a physical or electronic stamp, on company documentation/records represents the signature of the individual performing the work and reflects all work performed conforms to specified requirements.
(Supports allegation 1, 2, 3, 4, 10)

BPI- [REDACTED] Section 1.5 “Endorse Authority Media Request” states in part, “When endorsement of authority media is required by a process, the endorsement will be performed by a Quality manager or an authorized endorser prior to issuance. Stamp types requiring endorsement are reserved for Quality personnel and approved delegates.” These stamp types are Quality Product Acceptance and Self-Acceptance (SI&A)

PRO- [REDACTED]

(Supports allegation 1, 2, 3, 4, 6, 10)

BPI- [REDACTED] (Inspection Requirements - Request for Planning Changes), dated August 1, 2018, states in part, “Quality engineering approval is required if the change request adds, revises or removes an inspection.”

(Supports allegation 7, 8)

ENCOUNTERED CONDITION 1:

Boeing Process Surveillance as implemented on the Model 777X program, does not meet FAA regulatory requirements for inspection or recording inspection status to ensure that each completed product or article conforms to its approved design and is in a condition for safe operation. Process Surveillance is a process audit using a sampling approach (not statistically based) to establish audit frequencies, and is not intended for product verification. Process Surveillance does not meet Boeing quality system requirements or FAA regulatory requirements related to inspection or recording inspection status.

Therefore, the FAA found Boeing procedures are not adequate for determining the required inspections and tests used to ensure the product conforms to its approved design and for documenting the inspection and test status of products manufactured to show the product conforms to its approved design.

ENCOUNTERED CONDITION 2:

Boeing implemented Process Surveillance (i.e., Manufacturing Assurance and Process Surveillance (MAPS)) on the Model 787 program by removing required in-process Quality inspections.

The FAA found that Process Surveillance (i.e., MAPS) is a process audit not intended for product verification and acceptance to ensure conformance to FAA-approved design data, and concluded Process Surveillance does not meet Boeing quality system requirements or FAA regulatory requirements related to product verification and acceptance in support of ensuring conformance to the FAA-approved design data.

BPI- [REDACTED] (Process a 787 Shop Order Instance Revision Request) dated

September 11, 2019 circumvents BPI-████ by enabling the removal of in-process and end-item inspections performed by Quality Inspectors and assigns in-process inspections to manufacturing personnel for acceptance. BPI-████ only references BPI-████ when an Installation Plan (IP) or Shop Order Instance (SOI) has been split and bundled to support work duration preferences, but does not reference BPI-████ requirements when determining risk, other business decisions or engineering requirements for changes to IPs or SOIs. BPI-████ also does not reference PRO-████, BPI-████ or BPI-████ for determining appropriate assignment of product acceptance (i.e., inspection status) to the appropriate personnel.

ENCOUNTERED CONDITION 3:

Boeing product “inspection authority” was given to manufacturing personnel without qualification or authorization.

The FAA found evidence that Boeing inappropriately delegated inspection authority to Manufacturing personnel who did not have the appropriate training or certification, inappropriately delegated Quality inspections associated with certain engineering requirements to Manufacturing personnel, and allowed the indication of product verification and acceptance with a Manufacturing stamp, in violation of the Boeing quality system requirements. BPI-████ circumvents PRO-████ and BPI-████ by enabling Quality Engineering to delegate product acceptance to Manufacturing personnel by disregarding training, certification, and engineering requirements. PRO-████ defines a “Conformance Decision” as the determination of acceptance or rejection, which is an “Inspection Status. Per PRO-████ and BPI-████, “Inspection Status” can only be recorded using an Endorsed Authority Media (i.e., Quality stamp) held by Quality personnel or Self Inspection and Acceptance (SI&A) per PRO-████. BPI-████ circumvents PRO-████ and BPI-████ by allowing Authority Media (i.e., Manufacturing stamp) to be used for product acceptance (i.e., Inspection Status).

ENCOUNTERED CONDITION 4:

Boeing assigned inspection “conformance decision” to manufacturing personnel without the training or controls necessary to perform product acceptance.

The FAA determined Manufacturing personnel do not have the required qualification or certification and training necessary to perform the product verification and acceptance tasks assigned to them and make the associated conformity decisions.

The FAA also determined Manufacturing personnel use Manufacturing stamps to indicate product verification and acceptance, which is in violation of the Boeing quality system procedures. BPI-█████ section 4.3 circumvents PRO-█████, PRO-█████ BPI-█████ and BPI-█████ by assigning the conformance decision (i.e. Inspection Status) to the process operator not the quality departments. A process operator is not a defined role assigned to compare objective evidence to the requirements and make conformance decisions. A process operator is not granted product acceptance as defined in BPI-█████ and BPI-█████. A process operator is not an authorized person in an authorized process as defined by job code or skill code per PRO-█████. Manufacturing is not granted product acceptance as defined in PRO-█████ and BPI-█████.

The FAA found these Manufacturing personnel did not have the appropriate inspection certification and training necessary to conduct Quality inspection steps and make conformity decisions (i.e., product verification and acceptance) as required by the Boeing product definition data, BAC specifications and BSS training requirements, and Boeing quality system requirements.

ENCOUNTERED CONDITION 5:

Boeing assigned product inspection to Manufacturing personnel that are not authorized to perform product acceptance. BPI-█████ allows the replacement of inspections without defined requirements.

The FAA determined there are no process or procedures in the quality system that defines mandatory inspection requirements to support Boeing's position that required inspections are only defined by an engineering requirement that specifically states, "inspection required," for an Endorsed Authority Media held by the Quality department or delegate to be used for product acceptance.

The FAA found no process that describes how Boeing determines potential risk of removing an inspection. Without a defined process to determine potential risk or issues beyond those specified by engineering requirements, the FAA found these points were not adequately considered when business decisions were made to remove inspections from work orders and inspection plans (IP). The FAA found no process that describes how Boeing determines appropriate business decisions to justify the removal of mandatory Quality inspections

ENCOUNTERED CONDITION 6:

Boeing assigned product inspection and acceptance to Manufacturing personnel that are not authorized to perform inspections or product acceptance.

The FAA found numerous examples where Boeing assigned Manufacturing personnel to perform product acceptance without an endorsed authority media and without authorization by job role, job code or skill code to perform product, article or process verification activities as required per BPI-█████, PRO-█████ and BPI-█████.

The Manufacturing Job Role description does not include product acceptance or conformance decision as an assigned responsibility. Manufacturing personnel are not authorized to perform the process of acceptance or conformance decisions per PRO-██████████ and PRO-██████████.

ENCOUNTERED CONDITION 7:

Boeing removed in-process and end-item inspections performed by Quality Inspectors, and assigned in-process inspections to Manufacturing personnel.

The FAA investigation found the use of Process Surveillance performed by manufacturing personnel as part of Boeing verification systems and in place of Quality inspections performed by Quality inspectors does not comply with Boeing quality system requirements and FAA regulations.

The FAA determined that the assignment of in-process Quality inspections to Manufacturing personnel and use of an authority media (i.e., Manufacturing stamp) to indicate acceptance does not comply with Boeing quality system requirements.

The FAA found evidence where IPs were inappropriately changed using the Inspection Record Change Requests (IRCRs), allowing product acceptance authority to be given to manufacturing personnel without an endorsed authority media (i.e., Quality stamp). BPI-██████████ (Inspection Requirements - Request for Planning Changes) dated August 1, 2018 circumvents PRO-██████████ by enabling the removal of in-process and end-item inspections performed by Quality Inspectors and assign in-process inspections of acceptance to Manufacturing personnel. BPI-██████████ does not reference BPI-██████████ when determining risk, business decisions or engineering requirements when making changes to Installation plans (IP). BPI-██████████ also does not reference PRO-██████████, BPI-██████████ or BPI-██████████ for determining appropriate assignment of product acceptance (i.e. Inspection Status) to the appropriate personnel.

The FAA found in-process and end-item inspections performed by Quality Inspectors using IRCRs were removed from the approved process, and that in-process inspections and acceptance are assigned to manufacturing personnel who are not qualified to make conformance decisions.

ENCOUNTERED CONDITION 8:

Boeing inappropriately changed IPs by using IRCRs to remove Quality inspections without the acceptance and required signature of Quality Engineering, in violation of BPI-██████████, section C.3, thus allowing product acceptance authority to be given to manufacturing personnel without an endorsed authority media and without the qualifications to make conformance decisions or perform product acceptance.

The FAA found the IRCR process has adequate controls in place to ensure proposed planning changes meet FAA regulatory requirements and Boeing quality system requirements.

ENCOUNTERED CONDITION 9:

Boeing document BSS [REDACTED] departure 6-16 references Aviation Maintenance Technician Inspector (AMTI), but not manufacturing personnel.

This is contradictory and ambiguous. Manufacturing personnel should not be authorized to inspect and accept work performed by themselves, as AMTIs are not authorized to do so as stated in BSS [REDACTED] departure 6-16.

ENCOUNTERED CONDITION 10:

Boeing implemented Process Surveillance on Functional Test manufacturing planning in a supplemental writing that removed Quality Inspection and assigned Product Acceptance to Manufacturing personnel for Boeing Legacy programs, which does not meet the requirements of the Boeing Quality Manual (BQM).

The FAA found Boeing implemented functional test surveillance to replace certain Quality inspections in the manufacturing planning documents for product acceptance and recording of inspection status.

The FAA found numerous examples where Manufacturing personnel were assigned to perform functional test acceptance without an endorsed authority media and without authorization by job role, job code or skill code to perform product, article or process verification activities as required per BPI-[REDACTED], PRO-[REDACTED] and BPI-[REDACTED]. The Functional Test manufacturing planning supplemental writing also circumvents the BQM and Verification System procedure by enabling the removal of a Quality inspection/witnessing of the from functional tests.

The FAA determined Quality cannot accept a completed functional tests by relying on document review alone. If the Quality organization does not witness the functional test, then it cannot verify the accuracy of the information collected during the functional test to confirm product verification and acceptance. Acceptance through verification by analysis applies to Boeing Defense and Space (BDS) only.

The FAA determined the misapplication of BPI-[REDACTED] Section 1.3, circumvents PRO-[REDACTED] and BPI-[REDACTED]. A process operator is an undefined role assigned to compare objective evidence to the requirements and make conformance decisions. A process operator is not a defined role assigned to compare objective evidence to the requirements and make conformance decisions. A process operator is not granted product acceptance as defined in BPI-[REDACTED] and BPI-[REDACTED]. A process operator is not an authorized person in an authorized process as defined by job code or skill code per PRO-[REDACTED]. Manufacturing is not granted product acceptance as defined in PRO-[REDACTED] and BPI-[REDACTED].

The FAA determined that Boeing's implementation of functional test Surveillance for the manufacturing processes in place of Quality inspections (acceptance) does not meet Boeing's quality system requirements for ensuring product conformance or recording the test status of a functional test to the FAA-approved design or the associated FAA regulatory requirements.

This letter is to inform you that the FAA is investigating this matter. We would appreciate receiving any evidence or statements you might care to make concerning this matter within ten (10) working days of receipt of this letter. Any discussions or written statements will be given consideration in the final conclusion of our investigation. However, if we do not hear from you within the specified time, our report will be processed without the benefit of your statement.

Your response should contain all elements of the Boeing Problem Solving Model. This includes a proper root cause of the encountered conditions, products/articles affected, service impacts, the extent of any immediate/long-term action taken to correct and prevent similar noncompliance and recurrence, and any mitigating circumstances which you believe may be relevant to this case.

Sincerely,



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for



Aviation Safety
Acting Manager, Boeing
Certificate Management Office Section

cc: 