

STATEMENTS

STATEMENT OF RALPH ALVAREZ

My name is Ralph Alvarez and I work for Hoist Handling. I've worked for Hoist for eight years. I'm a lead technician. Prior to Hoist Handling, I worked for my dad for 10 years. My dad and I worked in commercial and industrial electrical. I've never had any sort of formal training, just on the job training. I was convicted of a felony when I was 17 years old. It was for possession of drugs. I didn't go to jail, I was given probation. I've never been in trouble since.

I performed work on the jet hoist in question on two occasions. The first time I did work on the jet hoist was on February 9, 2004. As I recall, there was an electrical problem with the hoist. There was no power to the hoist. I found the problem was with the phase monitor and hooked it up. I didn't do an inspection as I was only there to troubleshoot but I did notice that the chain was twisted.

The second time I did work on the jet hoist was on February 12, 2004. I replaced the hook block assembly. I looked at the broken hook block and it looked like it had been jammed, like they had hit the block and cracked it. The hook block should hang vertical and it looked to me like it was kind of sideways. The customer came down from the office upstairs and told me that an employee had been using it and broke it. I didn't speak with anyone else.

STATEMENT OF SANDY FREEZE

My name is Sandy Freeze. I work for Absolute Dewatering. I was Gerry Cook's supervisor in 2004. I executed the lease on behalf of Absolute Dewatering with Chipper Properties. It was my understanding that Chipper Properties was responsible for repairs to the hoist. Absolute was of course responsible to maintain it in good working order. Absolute never paid for any repairs to the jet hoist until after Gerry's accident. Absolute Dewatering paid for the replacement of the hook block assembly. However, one-half of the total cost was deducted from the rent payment to Chipper Properties. We paid one-half because Chipper Properties claimed that pursuant to the lease agreement, Absolute Dewatering was responsible to pay for the hook block. We negotiated a resolution that provided that we'd pay half and they'd pay half. After the hook block was replaced, there weren't any other repairs that I'm aware of.

Gerry called me on the day of the accident. Gerry told me what happened and I suggested Gerry go to the hospital. I think Gerry went home instead and then went to the hospital the next day.