

Jeffrey,

I spoke to Angella and John, the assistant chief pilot at Flight Options,.this is what flight options responded:

Mr. Visoski,

It was a pleasure speaking with you today and hope through our conversation we were able to address Mr. Epstein's concerns about his most recent flight.

As discussed going forward I have placed a notation on the account that ANY MEL'd items on the aircraft need to be addressed with either the Lead Passenger, Contact person for the flight, or yourself. Below Jon Kalic has provided the information as discussed this morning:

The TCAS was MEL'd under our FAA approved MEL on 6/12/2011. This MEL allows the TCAS to be inoperative for a maximum of 10 days. There are no operational restrictions under this MEL that would prohibit operation in the New York area. Our flight was on an IFR flight plan, which means that ATC also has responsibility for separation of Aircraft. Our crews do not conduct VFR operations in the New York Metro Area.

Our Crew did have the other aircraft in sight visually. At the time they were at 3000 ft receiving vectors (a left turn) from New York Approach, the autopilot was engaged and turns were made using the heading knob (resulting in standard rate turns). Our Beechjet did not leave it's assigned altitude nor did they make any abrupt maneuver to alter their course or altitude relative to the other aircraft. Our crew also reported that the other aircraft was at least 500 ft below them (most likely on a VFR flight plan and fairly common for small aircraft in that area. The altitudes for VFR traffic are intentionally separated from IFR traffic altitudes by 500 ft.) and did not alter it's altitude or course either. If ATC would have seen a conflict, they would have would have been obligated to provide separation for our aircraft.

Please let us know if we can be of further assistance.

**Jon Kalic**

Assistant Chief Pilot

Office: [REDACTED]

**Angela Molnar**

Owner Services Supervisor

flightOptions

cc: Dawna Newman

cc: Trace Talley