



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

Office of the Chief Counsel

800 Independence Ave., S.W.
Washington, D.C. 20591

April 27, 2010

Milton Antonio Casquel Monti
Jaime Martins Filho
Chamber of Deputies
Palacio Do Congresso Nacional – Praca Dos Tres Poderes
Brasilia, Brazil 70160-900

Dear Sirs:

In our meeting on April 13, 2010, I committed to reviewing the supplemental analysis prepared by Roberto Peterka for the September 29, 2006, Gol Boeing 737 and Embraer Legacy 600 mid-air collision and providing you with my official opinion on whether this material justifies the initiation of enforcement action by the Federal Aviation Administration (FAA) against the two Embraer Legacy 600 pilots.

After a thorough review of Mr. Peterka's report, the CENIPA Final Report issued in the aftermath of the crash, and the National Transportation Safety Board (NTSB) findings, I have concluded that none of the pilots' actions rise to the level of conduct that would justify the initiation of FAA enforcement action. The allegations contained in Mr. Peterka's report do not provide a basis for initiating FAA enforcement action against the pilots, and do not justify reconsideration of the United States Government's official position, as expressed by the NTSB, on the probable cause of this tragic accident.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Whitlow".

James W. Whitlow
Acting Chief Counsel