

SERVED: November 25, 1994

NTSB Order No. EA-4289

UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

Issued under delegated authority (49 C.F.R. 800.24)
on the 25th day of November, 1994

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| _____ |) | |
| DAVID R. HINSON, |) | |
| Administrator, |) | |
| Federal Aviation Administration, |) | |
| |) | |
| Complainant, |) | |
| |) | Docket SE-12051 |
| v. |) | |
| |) | |
| KENNETH H. BERNSTEIN, |) | |
| |) | |
| Respondent. |) | |
| _____ |) | |

ORDER GRANTING STAY

Respondent has requested a stay of NTSB Order EA-4246 (served September 2, 1994) pending disposition of a petition for review of that order in the United States Court of Appeals for the District of Columbia pursuant to Section 1006 of the Federal Aviation Act (49 U.S.C. 1486) and the NTSB Rules (49 C.F.R. 821.64).¹ No opposition to the request has been received. It appears that good cause exists for granting the stay.

¹Board Order EA-4246 was an Order Denying Reconsideration of Board Order EA-4120 which affirmed a 120-day suspension of respondent's private pilot certificate.

ACCORDINGLY, IT IS ORDERED THAT:

The effective date of NTSB Order EA-4246 is stayed until the Court of Appeals enters judgment on respondent's petition for review.²

Daniel D. Campbell
General Counsel

²Effective January 17, 1995 the Board will not entertain any stay requests filed after the Board's order becomes effective.