SERVED: June 17, 1999

NTSB Order No. EA-4773

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

Adopted by the NATIONAL TRANSPORTATION SAFETY BOARD
at its office in Washington, D.C.
on the 9th day of June, 1999

JANE F. GARVEY, Administrator, Federal Aviation Administration, Complainant, v. SIEGFRIED PITTET, Respondent.	Docket SE-15103

ORDER DENYING RECONSIDERATION

Respondent seeks reconsideration of NTSB Order No. EA-4749, served March 11, 1999, wherein the Board affirmed the Administrator's order alleging that respondent violated sections 91.7(a) and 91.13(a) of the Federal Aviation Regulations.[1]

Respondent's petition merely repeats arguments that were thoroughly considered by the Board in connection with its original decision. We discern no error in our original opinion and order.[2]

[1] The Administrator waived the 30-day suspension of respondent's airline transport pilot ("ATP") certificate because he filed a qualifying Aviation Safety Reporting System report.

[2] Respondent misconstrues the applicability of the *Lindstam* doctrine to his case. The *Lindstam* doctrine merely shifts the burden of persuasion; it does not affect the burden of proof. As

(continued …)

ACCORDINGLY, IT IS ORDERED THAT:

The petition for reconsideration is denied.

HALL, Chairman, FRANCIS, Vice Chairman, HAMMERSCHMIDT and BLACK, Members of the Board, concurred in the above order. GOGLIA, Member, did not participate.

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we indicated in our original opinion and order, the evidence supports the Administrator's allegations. In this regard, we note that respondent's contention that all 18 cowl screws must have fallen out after his preflight inspection is not persuasive in light of the evidence in this record.