

PCN Services – High Life Newsletter, News, Events, Deaths, Illness Notices & PCN Ads & Calendar. Note: Notices from major sections are distributed by separate email address to allow our subscribers the ability to customize and filter notices not desired.

*Large web community for one of world's largest airlines*

# High Life



For all Delta people who have truly touched the *High Life*

Dear PCN,

## Group Section.....

Mark's Remarks:

*Merry Christmas!*

From our family to yours we wish you the **very best** for this Christmas.

[Mark & Barb's personal Christmas greeting.](#)

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### HCTC and VEBA not in Tax Compromise:

Well, it happened. They (the Senate) passed the bill and what some confidently promised us would happen (that the HCTC at 85% and the VEBA regulations) would be attached, did not happen. No one is telling you this, but I looked and it is not in there and the outlook is not so bright. There are 8 references in the SA 4753 summary to *American Recovery and Reinvestment Act* and none of them refer to the HCTC or VEBA provisions. In fact the summary's link is below and you can look as well. Earlier this necessary language was rumored to be attached to the S Korean trade act but it wasn't. As additional proof that it is not in the compromise bill that the president signed, see Sen. Dick [Lugar's letter](#) appealing (too late) for them to include it. Now, plan B. And what is plan B? Should we appeal to the House where a new bill could originate? The House did not modify the WH-Senate

compromise bill (as they were threatening to do with estate tax issues) because that would have caused an “all bets are off” situation and it would likely not have passed in the Senate after modification. So the House did pass the unchanged Senate bill as HR 4853 and sent it on to Obama to be signed.

But what about the HCTC and the VEBA language? A new bill introduced by Rep. Levin, MI H.R. 6517: Omnibus Trade Act of 2010

does contain our desired language, and did pass the House on Dec 15<sup>th</sup> and is now on to the Senate for consideration. So what is the likely outcome? I don’t know, but my strong guess is with Senate S.T.A.R.T. treaty debate occupying all their pre-recess time, that no consideration for this House bill will be given before the new congress convenes. This sorry excuse for a congress is extraordinarily unpredictable and incredibly last-minute. If the VEBA deadline is not revised how will that effect the planned trust and health insurance offerings? Obviously, we who are on HCTC can expect a health premium subsidy but it will be rolled back to the lower 65% rate. That knowledge alone may help you in finalizing your health insurance plans for 2011. More info on the failure of this legislation in 2010 will be soon forthcoming from the VEBA board.

*Original Tax bills without VEBA language (its not in there!):*

Take a look at the summary of “S.A.4753: The Reid-McConnell Tax Relief, Unemployment Insurance Reauthorization and Job Creation Act of 2010” and try to find something about VEBA or HCTC mentioned: <http://finance.senate.gov/legislation/download/?id=5598822b-8892-4445-b43a-4da7f0b991a0> or HR 4853: <http://thomas.loc.gov/cgi-bin/bdquery/z?d111:H.R.4853>:

*Follow up bill by Rep. Levin with VEBA language (its in there.....but its likely prospect?):*  
H.R. 6517: Omnibus Trade Act of 2010

<http://www.govtrack.us/congress/bill.xpd?bill=h111-6517>

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**Christmas is approaching fast! Get your stuff before out group in PCN Ads!**

*For all of you who have an item, service or offer to promote:*

**3 categories are completely FREE!**

## **PCN Ads – up and running!**

**Every one submitting an Ad gets a private login and complete control over their ads. URL's and images are allowed and you will see it is a very nice format for entering online ads.**

**Check it out and get your item, thing wanted, service or house, posted!**

**PCN Ads**

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### **Calling the PBGC for BSW:**

I wish I had a direct number for the Atlanta office (which you need to ask for when calling the PBGC) but I do not. Simply call the national PBGC number at the Atlanta office.

PBGC in DC- 1-800-400-7242 Any questions regarding your benefits or obtaining your **benefit statement worksheet**, *talk to the Atlanta office.*

Following is not good anymore: (~~extension 2000 or PBGC in ATL at 404-607-8836~~)

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### **Tools for our members:**

PCN Main Website: <http://pcn.homestead.com/home01.html>

PCN Ads – <http://pilotcommunication.net/Ads/>

PCN Tool Bar (for IE browser) - <http://pcntools.ourtoolbar.com/>

PCN Calendar - <http://pcn.homestead.com/Calendar.html>

### News Section.....

Delta News (Recent stories of interest): [Yahoo](#), [AJC](#)

*(OK, that is a lot of money! (see 2<sup>nd</sup> article) But what if Delta didn't make that profit on passenger fares? What if Delta wasn't in the traditional airline business after all? What if flying passengers was just a front from other profit centers? What if Delta made money on extra fees they charge passengers, contracting for maintenance, hauling cargo, painting aircraft and off their employees health insurance premiums, among other none airline ops activities? Interesting. Read baggage fees and the IATA report)*

## **4 Airlines With the Highest Fee Revenue**

*(Guess who is the highest? Also guess where their projected profit was generated? \$1.3B in fees, \$1.4B in projected profit?)*

Ted Reed

12/17/10 - 07:30 AM EST

CHICAGO ([TheStreet](#)) -- Do airlines make too much money from fee revenue? Or might it be too little?

Some say the move to fees, which essentially [originated in 2008](#) when United instituted a \$25 second-bag charge, has been the *industry's salvation*.

Others view it as another curse inflicted on airline passengers. The debate reignited recently as the Bureau of Transportation Statistics released figures showing that U.S. airlines collected about \$4.3 billion in fee revenue in the first three quarters of 2010. The amount is roughly equivalent to the industry's [anticipated total profits](#) for the current year.

Factor in the fourth quarter at the same rate as the first quarter -- another slow period -- and the total could fee income could be about \$5.6 billion.

Read More (Delta at end): <http://www.thestreet.com/story/10949328/1/4-airlines-with-the-highest-fee-revenue.html>

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## Delta projects \$1.4 billion 2010 profit

Business Courier

Date: Wednesday, December 15, 2010, 12:49pm EST

[Delta Air Lines Inc.](#) projected a \$2.6 billion improvement in profitability for the year, helped by better cost performance and higher revenue.

In an investor presentation Wednesday, the Atlanta-based airline predicted its revenue would rise 13 percent to \$31.8 billion and it would improve from a \$1.2 billion loss in 2009 to a \$1.4 billion profit for 2010.

The carrier also said it cut its adjusted net debt from \$17 billion to \$15 billion in 2010. That debt is projected to be down to \$10.2 billion in 2010

Read more: [Delta projects \\$1.4 billion 2010 profit | Business Courier](#)

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## Delta tops in Q3 baggage fees

The Business Journal

Date: Tuesday, December 14, 2010, 12:36pm EST - Last Modified: Tuesday, December 14, 2010, 12:44pm EST

Airline baggage charges rose in the third quarter, with Atlanta-based Delta collecting more baggage fee revenue than any U.S. carrier. According to data Monday from the Bureau of Transportation

Statistics, [Delta Air Lines Inc.](#) (NYSE: DAL) collected \$259.5 million in baggage fees in the third quarter, more than second-place [American Airlines](#) and its \$151.2 million in fees. Delta took in \$129.5 million in baggage fees in the third quarter of 2009.

Delta also has collected \$733.2 million in year-to-date baggage fees, besting American Airlines' \$431.8 million.

Delta is the second busiest carrier operating at Piedmont Triad International Airport, behind only US Airways.

As an industry, carrier baggage fee charges totaled \$906.4 million in the third quarter, up from \$891.8 million in the second quarter. [Click here to see the full third-quarter baggage fee report.](#)

Read more: [Delta tops in Q3 baggage fees | The Business Journal](#)

#### Other Airline News (Recent stories of interest):

## Airline Profits to Drop 40% on Taxes, Oil, Group Says

By Cornelius Rahn - Dec 14, 2010 10:23 AM ET

A recovery in demand for air traffic after the deepest economic downturn since World War II has been uneven, with European carriers such as Deutsche Lufthansa AG struggling to boost ticket prices.

Photographer: Simon Dawson/Bloomberg

[Airlines](#) may post a 40 percent decline in combined profits next year on slower economic growth, higher fuel costs and austerity measures in Europe, a leading industry group said today.

Net income will drop to \$9.1 billion in 2011 from \$15.1 billion this year, [International Air Transport Association](#) Chief Executive Officer [Giovanni Bisignani](#) told reporters in Geneva. With revenue set to grow 5.8 percent to \$598 billion, the profit margin will fall by almost half to 1.5 percent, he said.

"Margins remain pathetic," Bisignani said. "The recovery cycle will pause in 2011. Although the \$9.1 billion profit projection for 2011 is better than we had previously forecast, next year the industry will face tougher conditions than what we are experiencing today."

Airlines face an uneven rebound in air-travel demand after the deepest economic slump since World War II. European carriers such as [Deutsche Lufthansa AG](#) are struggling to increase fares, while economic growth in Asia and capacity cuts in North America are helping boost profits there.

Read more: <http://www.bloomberg.com/news/2010-12-14/airlines-profits-to-drop-40-in-2011-on-slower-growth-higher-fuel-costs.html?cmpid=yhoo>

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## Airline Fees Account for Most Airline Profits

By [Ted Reed](#)    12/14/10 - 09:59 AM EST

ATLANTA ([TheStreet](#)) -- U.S. airlines collected about \$4.3 billion in fee revenue in the first three quarters of 2010, an amount roughly equivalent to the industry's anticipated total profits for the year.

With the fourth quarter historically one in which airlines loses money, it is possible to include that nearly every penny of the industry's profits will result from fee income. U.S. airlines are expected to earn about \$4 billion in 2010 after losing \$23.7 billion the previous year.

Speaking at an [investor](#) conference last month, **US Airways(LCC)** CFO Derek Kerr said the airline would have about \$500 million in [2010 fee revenue](#), including \$475 million from baggage fees. That is roughly equivalent to US Airways' expected 2010 profit.

Read more: [http://www.thestreet.com/\\_yahoo/story/10945724/1/airline-fees-account-for-most-airline-profits.html?cm\\_ven=YAHOO&cm\\_cat=FREE&cm\\_ite=NA](http://www.thestreet.com/_yahoo/story/10945724/1/airline-fees-account-for-most-airline-profits.html?cm_ven=YAHOO&cm_cat=FREE&cm_ite=NA)

**Finance Section** ((Claims, PBGC, HCTC, Insurance, Planning, Tax, Estate) - section containing items with financial consequence to our group):

**From:** jim munton [jwmunton@hotmail.com](mailto:jwmunton@hotmail.com)  
**Reply-To:**[jwmunton@hotmail.com](mailto:jwmunton@hotmail.com)

15 December 2010

Fellow DAL Retired Pilots:

Attached is a copy of a letter I received today from Bill Whalen (my accountant) concerning the 2007 stock distribution to those who lost their retirement.

The letter is self explanatory, but basically saying after doing extensive research, **he now feels that he cannot win the IRS case involving the “retirement” stock distribution** (to differentiate from the “medical” stock distribution), which is a blow to many hopes.

Filing a 2007 Amended Tax Return to change the tax status from “Wages” to “Long Term Capital Gains” for medical plan loss is still quite viable.

**HISTORICAL REFRESHER NOTE:**

When we retirees lost our medical program during DAL's bankruptcy in 2007, we were issued DAL stock in the new company in lieu of the loss of our Medical Plan. DAL treated the stock issuance to us on the 2007 W-2 as “Wages”.

My accountant (Bill Whalen) and I filed an Amended 2007 tax return and after a 2 ½ year battle was awarded a favorable decision by the IRS. The stock issuance income was

changed from "Wages" to "Long Term Capital Gains" (Capital Gains was taxed at 15% for most in 2007).

My favorable IRS decision from the IRS should help all other DAL retired pilots who lost their medical plan recover monies that DAL incorrectly classified (the stock issuance) as "Wages". I have previously enclosed 2 letters from the IRS verifying my favorable IRS ruling for you to use in filing a 2007 Amended Tax Return.

I have already received an IRS refund check for \$5,799 and am expecting another IRS check for \$2,665 for the FICA and Medicare that was taken from me in DAL's 2007 W-2. Please be advised that there are many variables in each individuals status; so your results could vary from mine.

Jim Munton  
DAL Retired Pilot  
1132 Shady Run Terrace  
Henderson, NV 89011  
702-496-6622  
[jwmunton@hotmail.com](mailto:jwmunton@hotmail.com)

Attachment 1: Letter from [Bill Whalen dated 15 Dec 2010](#)

All Munton docs: [http://pcn.homestead.com/Archive\\_Pens\\_Munton.html](http://pcn.homestead.com/Archive_Pens_Munton.html)

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Remaining financial items for retirees to watch:

After Aug 2007 these are retirement items remaining with financial consequence.

1. ~~PBGC 2nd look re-calc at qualified annuity benefits~~ - completed 8/24/07
2. ~~PBGC make up lump payment for underpayments since termination~~: most reported received 1/31/08
3. Final claim distribution by DAL through BSI - pending (now likely Mar '11 according to Kight)
4. ~~Class Action suit against DAL concerning 5 yr look back worth in excess of \$100 million - withdrawn~~
5. Final Benefit Determination Letters (BDL's) PBGC re-calc "determination" of qualified annuity (likely after claim stock sale) – *in process until end of year (only 45 days to appeal)*  
*Appeal extensions generally granted in Nov 2010 now extended by our law firm for all to: revised to Feb 18, 2011.*
6. Pension reinstatement/contribution request by DP3 representing the retired pilots. *very long shot....pending*

- ~~7. Roth IRA creation as per Worker, Retiree, and Employer Recovery Act of 2008 - deadline June 22nd, 2009~~
8. Expiration of HCTC 80% premium subsidy will expire on December 31, 2010. Back to 65% ***unless legislative action.***
9. Financial condition of the D&S Plan--a plan that pays benefits to eligible survivors of deceased pilots as well as to disabled pilots. A form 5500 for the D&S Plan is filed annually.
10. Formation of a VEBA Health Insurance plan by DP3. *Enrollment period commences.*

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## Insurance (issues about health, life or disability that are of interest):

## Pension:

Last week the DP3 trustees held our last scheduled board meeting for 2010 ([meeting minutes are posted here](#).) The majority of the meeting was devoted to preparing for the PBGC appeals and reaching a final decision on the DP3 dues rate for 2011.

### 2011 DP3 Dues

After careful consideration, the nine trustees unanimously decided to set the 2011 dues at \$300. This is the first dues increase in three years, and it was not a decision we made lightly. However, having adequate funding will be essential to preparing the best possible case to present to the PBGC's Appeal Board to restore our lost pension benefits.

It's important to look at the return on investment for being a DP3 member. If just one of our appeals is successful, it could increase your monthly pension by far more than \$300 every month for the rest of your life. Please remember that the DP3 trustees pay the same dues as every other member in addition to working countless hours without compensation. We do it because we believe strongly in our mission and want to see Delta pilots receive every penny we've earned and deserve.

You must be an Honor Roll member in order to initiate the PBGC appeal, but you have until March 31 to pay the 2011 dues. Therefore, current Honor Roll members who have paid the past \$1,200 in total

dues and assessments can initiate the appeal as long as they have paid their 2011 dues by the March 31 deadline.

## Expanding DP3 Membership

Another important point is that the easiest way to decrease the expenses shared by each DP3 member is to increase our total membership. Our recent membership email has generated scores of new members, but **there are still at least 1,500 retired pilots who could benefit from a successful appeal but are not DP3 members.** We urge you to check the latest [Honor Roll](#) at [DP3.org](#) and encourage any of your retired Delta friends who are not listed to join. Many are simply unaware of our efforts. We want to make sure everyone has an opportunity to participate in the appeal.

## VEBA, NRLN, and Congress

Changing subjects, thanks to all of you who participated in our recent CAPWIZ efforts (automated email messages to Congress) to generate political support for extending the improvements to the HCTC program, including the authority of our VEBA to offer an HCTC eligible insurance program. DP3 has become more active politically, and you can expect to see more of this in the future. An important part of our strategy to increase your pension benefits is to force the PBGC to answer to Congress and the secretaries of Treasury, Labor and Commerce. Our relatively small group of retired Delta pilots is augmented by the two million retirees represented by the National Retiree Legislative Network ([NRLN](#)), and we urge you to participate each time we generate a legislative appeal. After all, we can't expect other retirees to support our efforts if we don't support the initiatives ourselves.

## Tax Treatment of Bankruptcy Settlements

Finally, I want to briefly mention that a retired pilot successfully challenged part of the tax treatment of his bankruptcy court settlement paid in Delta stock in 2007. Many of you have written us about this subject, but I need to reiterate that DP3 does not give tax advice. We have posted more information on this subject on our [BLOG](#).

As we approach the Christmas holidays, we want to take this opportunity to thank you for your continued support and wish you and your families a joyous Christmas and a peaceful, happy and healthy New Year.

Thank you for your continued support.

Will Buergey  
Chairman, DP3

Late Breaking News about the HCTC credit - ACTION REQUIRED!

From our Legislative Committee Chairman:

It looks like the vote on the Trade bill including the HCTC was delayed today. Sen Sessions of AL objected to passage based on a trade provision. They are trying to resolve within the next 24 hrs. and will come back with the bill including the HCTC provisions.

It would help for all retirees interested (or not) in the HCTC remaining at 80% and covering family

members under 65 to contact their Senators. Request that Senators support Senator Sherrod Brown's proposals to extend the HCTC to eligible recipients. The proposal is attached to the Trade Omnibus Act (HR6517).

Contact information below. **A phone call or a fax is better due to the short time frame. Just do it.**

Isakson, Johnny - (R - GA)  
120 RUSSELL SENATE OFFICE BUILDING WASHINGTON DC 20510  
(202) 224-3643  
Web Form: [isakson.senate.gov/contact.cfm](http://isakson.senate.gov/contact.cfm)

Chambliss, Saxby - (R - GA)  
416 RUSSELL SENATE OFFICE BUILDING WASHINGTON DC 20510  
(202) 224-3521  
Web Form: [chambliss.senate.gov/public/index.cfm?p=Email](http://chambliss.senate.gov/public/index.cfm?p=Email)

**I would add that everyone contact their Senators regardless of State.**

For contact information go to: [http://www.senate.gov/general/contact\\_information/senators\\_cfm.cfm](http://www.senate.gov/general/contact_information/senators_cfm.cfm)

Thanks,  
Wendell Lewis  
Legislative Committee Chairman

#### Important Message for Anyone who retired before 7/1/2002

From our Retirement Committee Chairman:

We know that DAL did not provide full retirement documentation to the PBGC for the pre 7/1/2002 retirees, or for the QDROs. We have had difficulty duplicating some of the retirement calculations DAL did prior to 7/1/2002. Until we can clarify the way DAL did the calculations and the procedures the PBGC is using to calculate the benefit for these retirees, we strongly recommend all retirees who retired prior to 7/1/2002 or are subject to QDROs act to preserve their right to appeal.

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**As the PBGC appeals progresses the sensitivity of the information does as well. While the PCN has re-published many of DP3 general postings, we will refrain from re-publishing "private emails" in view of the nature of the process. So when there is a general update we will re-publish and when there is a private email we will help announce its existence.**

**To PCN subscribers these links are "hot" and will take you directly to the DP3 resource page or checklist for filing an appeal concerning your PBGC benefits.**

*Click for [PBGC Appeals Resource Page](#)*

*Or*

## Appeal Checklist

*DP3 (login required)*

Click to appeal your PBGC benefit

Call PBGC in DC- 1-800-400-7242

Link of explanation for BSW ([Benefit Statement Worksheet](#))

(Note: Must know your DP3 assigned passwords which cannot be shared in our newsletter!)

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## Commercial Section.....

Investment (Legitimate firms that have helped our groupare encouraged to contact PCN to add articles here):

Travel & Non-Revving (share a quick reco):

## Life Section...

### **Health:**

**From:** [Marc](#)

**Date:** 12/13/2010 9:47:03 AM

**To:** [misc@pilotcommunication.net](mailto:misc@pilotcommunication.net)

**Subject:** Prostate Cancer

Mark, thanks again for all that you do. If this is appropriate to post, please do so---  
Thanks, Marc Sharp, retired 1996-L1011

On occasion of my completion of a protocol for my prostate cancer I thought some may have interest in my learning curve and personal decisions, ongoing, as I go threw this.

Jan-10

I knew I had the same problem most men over 70 have. I had not had a PSA in years. We usually die from something else:

1. Passing urine was becoming a big problem.
2. I talked to a urologist and asked for a TURP to correct the emptying of the bladder problem. He recommended a PSA. I said OK but I wanted the TURP to correct the flow problem.  
(TURP=roto-ruter job.)
3. PSA came back 23 and he wanted a biopsy. I said OK but I still want the TURP.
4. Biopsy came back Gleason 10 in all 12 tissue samples. Inoperable! T2B+ andenocarsonoma. We began Hormone therapy immediately as I had looked at the data and found it to be very necessary. I take a 6 Mo. shot of Elegard, a Luperide and bicalutomide, the generic for cassodex, a antiandigen. Bone and CAT scans were inconclusive. (Within 6 mo's PSA, with hormone therapy alone, my PSA went to 0.5. Since my radiation ended last week my PSA is at 0.2, activity of the andenocarsonoma much less).
5. After much discussion about quality of life he did the TURP. **Very successful!!!!** Bloody but I would do it again in a hart beat, I then had the tissue samples from the TURP, confirming the andenocarsonoma very widely spread within the prostate. Clock ticking as the cancer is quite aggressive and I have now probably spread the seed with the TURP. I still wanted to have the TURP done for quality of life issues and still think it a good decision. My decision, not the Dr's!
6. After looking at the many treatments available, and talking to each, I chose IMRT radiation, as the prostate was inoperable and Proton therapy, my first choice, providers would not take me with a Gleason over 7 and my TURP decision. Another reason for the radiation is that longevity is 18% greater with it **and the other protocols**, than without it. A 5K people study.
7. The IMRT radiation was for 9 weeks, 21st Century Oncology, I chose to go only 4 days a week as I felt burned with 5 days in a row. The total Gray was 79.9, a much higher dosage than possible only a few years ago because of the focusing capability, and I am now recovering with few symptoms. The TURP has helped the elimination of urine even after the radiation cooked the prostate and urethra. The muscle is controlling the flow valve very well and no incontinence. Our hydraulic system is very interesting.
8. I will remain on hormone therapy for at least a year then we will talk about it more while watching the PSA for further andenocarsonoma activity which would be probably in the adjacent bones, bladder or lymph.

If any of you guys would like more information as to what I did, I'm happy to talk. Would I do anything different after finding the biopsy Gleason 10 results, NO!

Marc Sharp----828-371-0972  
[hoosharp@gmail.com](mailto:hoosharp@gmail.com)

"To Love the truth is a far greater thing than to know it, as it is itself truth, in its inner parts. **Act Truth as distinguished from Fact Truth.**" G. MacDonald

Misc Posts:

From: John Fitzpatrick [jifitz167@gmail.com](mailto:jifitz167@gmail.com)

Sent: Fri, Dec 10, 2010 1:22 pm

Subject: Delta Airlines Story

Wonder if something similar to this would work in a suit about our lost retirement.

Law360, New York (December 9, 2010) -- A former Delta Air Lines Inc. employee has dropped his appeal of a bankruptcy judge's decision to subordinate a \$100 million class claim against the airline, opting instead to pursue a separate action related to the alleged mismanagement of Delta's retirement savings plan.

In an order filed Wednesday in the U.S. District Court for the Southern District of New York, Judge Robert W. Sweet dismissed the appeal filed by Dennis Smith, a participant in the Delta family savings plan and would-be representative of a class of Delta employees.

Under the terms of the settlement, Smith is free to continue his action against Delta in a separate case in the U.S. District Court for the Northern District of Georgia.

In his appeal, filed in January, Smith argued that the bankruptcy court erred when it treated the breach of fiduciary duty claim as a securities claim under Delta's confirmed reorganization plan, subordinating the claim to all those submitted by creditors of the airline and leaving hard-hit plan participants no chance of recovery, according to the appeal.

Smith contended his class claim was not subject to subordination under § 510(b) of the Bankruptcy Code because it arose from violations of the Employee Retirement Income Security Act and couldn't be lumped in with claims from investors who purposefully accepted the risks of buying ill-fated Delta stock.

"The risk of a savings plan participant vis-a-vis the conduct of plan fiduciaries is different from the risk faced by an equity investor or shareholder," the appeal said. "The Smith claim is not based upon the purchase of a security and risk of investment, but rather the risk that plan fiduciaries, like Delta and other savings plan fiduciaries, would not properly manage the savings plan and would not properly advise the participants."

The crux of the claim was that Delta and other retirement plan fiduciaries breached their duties by larding the retirement plan with Delta stock, despite knowing that the airline was spiraling towards bankruptcy. Delta's imprudent actions ultimately cost plan participants hundreds of millions of dollars, Smith said.

But rather than let the claim for at least \$100 million stand against the Delta estate, the bankruptcy court sided with the airline and

subordinated the ERISA claim, pushing it aside with other shareholder claims.

Smith originally filed a class action complaint in September 2004, alleging Delta and certain officers and directors breached their duties in managing the retirement savings plan, which mandated that employee contributions be matched with airline stock.

In September 2005, Delta filed for Chapter 11 bankruptcy protection, leading to the closing of the ERISA case. Smith instead filed a proof of claim against Delta on behalf of the class of plan participants for damages based on ERISA violations.

Attorneys for Smith and Delta did not immediately respond to requests for comment Thursday.

Smith is represented by Lowenstein Sandler PC and Barroway Topaz Kessler Meltzer & Check LLP.

Delta is represented in the bankruptcy proceedings by Davis Polk & Wardwell LLP, Alston & Bird LLP and Debevoise & Plimpton LLP.

The appeal is Smith et al. v. Delta Air Lines Inc., case number 1:09-cv-09951, in the U.S. District Court for the Southern District of New York.

The Georgia case is Smith v. Delta Air Lines Inc. et al., case number 1:04-cv-02592, in the U.S. District Court for the Northern District of Georgia.

## Human Interest:

**From:** [Carole Neubrand](#)

**Date:** 12/17/2010 5:33:25 PM

**To:** [Mark Sztanyo](#)

**Subject:** A true fighter pilot's story during WWII...



Mark, I received this email from retired Delta Captain Greg Nichols. I thought you'd like to share it with the PCN guys. Carole Neubrand

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**20 year old Bruce Carr, a fighter pilot**



The dead chicken was starting to smell. After carrying it for several days, 20-year-old Bruce Carr still hadn't decided how to cook it without the Germans catching him. But as hungry as he was, he couldn't bring himself to eat it. In his mind, no meat was better than raw chicken meat, so he threw it away.

Resigning himself to what appeared to be his unavoidable fate, he turned in the direction of the nearest German airfield. Even POW's get to eat sometimes. And aren't they constantly dodging from tree to tree . . . ditch to culvert? He was exhausted!

He was tired of trying to find cover where there was none. Carr hadn't realized that Czechoslovakian forests had no underbrush until, at the edge of the farm field, he struggled out of his parachute and dragged it into the woods.

During the times he had been screaming along at treetop level in his P-51 Angels Playmate' the forests and fields had been nothing more than a green blur behind the Messerschmitts, Focke-Wulfs, trains and trucks he had in his sights. He never expected to find himself a pedestrian far behind enemy lines.

The instant antiaircraft shrapnel ripped into the engine, he knew he was in trouble. Serious trouble. Clouds of coolant steam hissing through jagged holes in the cowling told Carr he was about to ride the silk elevator down to a long walk back to his squadron. A very long walk.

This had not been part of the mission plan. Several years before, when 18-year-old Bruce Carr enlisted in the Army, in no way could he have imagined himself taking a walking tour of rural Czechoslovakia with Germans everywhere around him. When he enlisted, all he could think about was flying fighters.

By the time he had joined the military, Carr already knew how to fly. He had been flying as a private pilot since 1939, soloing in a \$25 Piper Cub his father had bought from a disgusted pilot who had left it lodged securely in the top of a tree. His instructor had been an Auburn, New York, native by the name of 'Johnny' Bruns.

"In 1942, after I enlisted," as Bruce Carr remembers it, "we went to meet our instructors. I was the last cadet left in the assignment room and was nervous. Then the door opened and out stepped the man who was to be my military flight instructor. It was Johnny Bruns!"

"We took a Stearman to an outlying field, doing aerobatics all the way; then he got out and soloed me. That was my first flight in the military."

"The guy I had in advanced training in the AT-6 had just graduated himself and didn't know a damned bit more than I did." Carr can't help but smile, as he remembers: "which meant neither one of us knew anything. Zilch!"

"After three or four hours in the AT-6, they took me and a few others aside, told us we were going to fly P-40s and we left for Tipton, Georgia. We got to Tipton, and a lieutenant just back from North Africa kneeled on the P-40s wing, showed me where all the levers were, made sure I knew how everything worked, then said, 'If you can get it started . . . go flying,' just like that!"

"I was 19 years old and thought I knew everything. I didn't know enough to be scared. They didn't tell us what to do. They just said: 'Go fly!' so I buzzed every cow in that part of the state. Nineteen years old and 1,100 horsepower, what did they expect? Then we went overseas."

By today's standards, Carr and that first contingent of pilots shipped to England were painfully short of experience. They had so little flight time that today, they would barely have their civilian pilot's license. Flight training eventually became more formal, but in those early days, it had a hint of fatalistic Darwinism: if they learned fast enough to survive, they were ready to move on to the next step.

Including his 40 hours in the P-40 terrorizing Georgia, Carr had less than 160 hours flight time when he arrived in England.

His group in England was to be the pioneering group that would take the Mustang into combat, and he clearly remembers his introduction to the airplane.



"I thought I was an old P-40 pilot and the P-51B would be no big deal. But I was wrong. I was truly impressed with the airplane. I mean REALLY impressed! It flew like an airplane. I just flew the P-40, but in the P-51, I was part of the airplane. And it was part of me! There was a world of difference."

When he first arrived in England, the instructions were, 'This is a P-51. Go fly it. Soon, we'll have to form a unit, so go fly.' A lot of English cows were buzzed.

"On my first long-range mission, we just kept climbing, and I'd never had an airplane above about 10,000 feet before. Then we were at 30,000 feet with 'Angels Playmate' and I couldn't believe it! I'd gone to church as a kid, and I knew that's where the angels were and that's when I named my airplane 'Angels Playmate'.

"Then a bunch of Germans roared down through us, and my leader immediately dropped tanks and turned hard for home. But I'm not that smart. I'm 19 years old and this SOB shoots at me. And I'm not going to let him get away with it.

"We went round and round. And I'm really mad because he shot at me. Childish emotions, in retrospect. He couldn't shake me, but I couldn't get on his tail to get any hits either.

"Before long, we're right down in the trees. I'm shooting, but I'm not hitting. I am, however, scaring the hell out of him. But I'm at least as excited as he is. Then I tell myself to calm down.

"We're roaring around within a few feet of the ground, and he pulls up to go over some trees, so I just pull the trigger and keep it down. The gun barrels burned out and one bullet, a tracer, came tumbling out and made a great huge arc. It came down and hit him on the left wing about where the aileron is. He pulled up, off came the canopy, and he jumped out, but too low for the chute to open and the airplane crashed. I didn't shoot him down, I scared him to death with one bullet hole in his left wing. My first victory wasn't a kill; it was more of a suicide."

The rest of his 14 victories were much more conclusive. Being a red-hot fighter pilot, however, was absolutely no use to him as he lay shivering in the Czechoslovakian forest. He knew he would die if he

didn't get some food and shelter soon.

"I knew where the German field was because I'd flown over it, so I headed in that direction to surrender. I intended to walk in the main gate, but it was late afternoon and, for some reason, I had second thoughts and decided to wait in the woods until morning.

"While I was lying there, I saw a crew working on an FW 190 right at the edge of the woods. When they were done, I assumed, just like you assume in America, that the thing was all finished. The cowling's on. The engine has been run. The fuel truck has been there. It's ready to go. Maybe a dumb assumption for a young fellow, but I assumed so. So, I got in the airplane and spent the night all hunkered down in the cockpit.

"Before dawn, it got light and I started studying the cockpit. I can't read German, so I couldn't decipher dials and I couldn't find the normal switches like there were in American airplanes. I kept looking, and on the right side was a smooth panel. Under this was a compartment with something I would classify as circuit breakers. They didn't look like ours, but they weren't regular switches either.

"I began to think that the Germans were probably no different from the Americans in that they would turn off all the switches when finished with the airplane. I had no earthly idea what those circuit breakers or switches did, but I reversed every one of them. If they were off, that would turn them on. When I did that, the gauges showed there was electricity on the airplane.

"I'd seen this metal T-handle on the right side of the cockpit that had a word on it that looked enough like 'starter' for me to think that's what it was. But when I pulled it, nothing happened. Nothing.

"But if pulling doesn't work . . . you push. And when I did, an inertia starter started winding up. I let it go for a while, then pulled on the handle and the engine started!"

The sun had yet to make it over the far trees and the air base was just waking up, getting ready to go to war. The FW 190 was one of many dispersed through-out the woods, and at that time of the morning, the sound of the engine must have been heard by many Germans not far away on the main base.

But even if they heard it, there was no reason for alarm. The last thing they expected was one of their fighters taxiing out with a weary Mustang pilot at the controls. Carr, however, wanted to take no chances.

"The taxiway came out of the woods and turned right towards where I knew the airfield was because I'd watched them land and take off while I was in the trees.

"On the left side of the taxiway, there was a shallow ditch and a space where there had been two hangars. The slabs were there, but the hangars were gone, and the area around them had been cleaned of all debris.

"I didn't want to go to the airfield, so I plowed down through the ditch and then the airplane started up the other side.

"When the airplane started up . . . I shoved the throttle forward and took off right between where the two hangars had been."

At that point, Bruce Carr had no time to look around to see what effect the sight of a Focke-Wulf erupting from the trees had on the Germans. Undoubtedly, they were confused, but not unduly concerned. After all, it was probably just one of their maverick pilots doing something against the rules. They didn't know it was one of OUR maverick pilots doing something against the rules.

Carr had problems more immediate than a bunch of confused Germans. He had just pulled off the perfect plane-jacking; but he knew nothing about the airplane, couldn't read the placards and had 200 miles of enemy territory to cross. At home, there would be hundreds of his friends and fellow warriors, all of whom were, at that moment, preparing their guns to shoot at airplanes marked with swastikas and crosses—airplanes identical to the one Bruce Carr was at that moment flying. But Carr wasn't thinking that far ahead.

First, he had to get there and that meant learning how to fly the airplane. "There were two buttons behind the throttle and three buttons behind those two. I wasn't sure what to push, so I pushed one button and nothing happened. I pushed the other and the gear started up. As soon as I felt it coming up and I cleared the fence at the edge of the German field, I took it down a little lower and headed for home.

"All I wanted to do was clear the ground by about six inches and there was only one throttle position for me . . . full forward!

"As I headed for home, I pushed one of the other three buttons and the flaps came part way down. I pushed the button next to it and they came up again. So I knew how to get the flaps down. But that was all I knew.

"I can't make heads or tails out of any of the instruments. None. I can't even figure how to change the prop pitch. But I don't sweat that, because props are full forward when you shut down anyway and it was running fine."

This time, it was German cows that were buzzed, although, as he streaked across fields and through the trees only a few feet off the ground, that was not the intent. At something over 350 miles an hour below tree-top level, he was trying to be a difficult target as he crossed the lines. But he wasn't difficult enough.

"There was no doubt when I crossed the lines because every SOB and his brother who had a .50-caliber machine gun shot at me. It was all over the place and I had no idea which way to go. I didn't do much dodging because I was just as likely to fly into bullets as around them."

When he hopped over the last row of trees and found himself crossing his own airfield, he pulled up hard to set up for landing. His mind was on flying the airplane. "I pitched up, pulled the throttle back and punched the buttons I knew would put the gear and flaps down. I felt the flaps come down but the gear wasn't doing anything. I came around and pitched up again, still punching the button. Nothing was happening and I was really frustrated." He had been so intent on figuring out his airplane problems, he forgot he was putting on a very tempting show for the ground crew.

"As I started up the last time, I saw our air defense guys ripping the tarps off the quad .50s that ringed our field. I hadn't noticed the machine guns before. But I was sure noticing them right then.

"I roared around in as tight a pattern as I could fly and chopped the throttle. I slid to a halt on the runway and it was a nice belly job, if I say so myself."

His antics over the runway had drawn quite a crowd, and the airplane had barely stopped sliding before there were MPs up on the wings trying to drag him out of the airplane by his arms. They didn't realize he was still strapped in.

"I started throwing some good Anglo-Saxon swear words at them and they let loose while I tried to get the seat belt undone, but my hands wouldn't work and I couldn't do it. Then they started pulling on me again because they still weren't convinced I was an American.

"I was yelling and hollering. Then, suddenly, they let go and a face drops down into the cockpit in front of mine. It was my Group Commander: George R. Bickel.

"Bickel said, 'Carr, where in the hell have you been and what have you been doing now?'"

Bruce Carr was home and entered the record books as the only pilot known to leave on a mission flying a Mustang and return flying a Focke-Wulf. For several days after the ordeal, he had trouble eating and sleeping, but when things again fell into place, he took some of the other pilots out to show them the airplane and how it worked. One of them pointed out a small handle under the glare shield that he hadn't noticed before. When he pulled it, the landing gear unlocked and fell out. The handle was a separate, mechanical uplock. At least, he had figured out the important things.

Carr finished the war with 14 aerial victories on 172 missions, including three bailouts because of ground

fire. He stayed in the service, eventually flying 51 missions in Korea in F-86s and 286 in Vietnam, flying F-100s.

That's an amazing 509 combat missions and doesn't include many others during Vietnam in other aircraft types.

There is a profile into which almost every one of the breed fits and it is the charter within that profile that makes the pilot a fighter pilot . . not the other way around. And make no mistake about it; Colonel Bruce Carr was definitely a fighter pilot.

## Good Read (Good book recommendation & Community Author's blurbs):

**From:** [Dick](#)

**Date:** 12/19/2010 8:22:47 AM

**To:** [PCN Dir](#)

**Subject:** Non Stop to Havana or it's Better to be Lucky than Smart.



Just posted an account of when I was hijacked in 1971, My copilot, Jerry Alcini, and I were in a short Delta Airlines DC-9. I think everyone on PCN will enjoy the piece.

Dick Blizzard

**From:** [Dick](#)

**Date:** 12/17/2010 9:21:18 AM

**Subject:** Non Stop to Havana or it's Better to be Lucky than Smart.

I have been reluctant to write about this event because it could promote copycat activity. Since 911 happened, everything has evolved to a new level, and my flight could be considered irrelevant. I am working on a piece now, relating my unscheduled flight to Havana in November of 1972. I was working for Delta as Captain on the DC-9 and we were in great danger. We made the right decisions, and more importantly, we were lucky. Maybe there was more - like a guardian angel or Divine intervention (I wouldn't think I would qualify for either). I would like for you to read the piece and comment. If you are old enough you may remember seeing it on the news - a popular pop singer and his band were on board the flight. I am writing this now for distribution on my website Dick Blizzard

<http://dickblizzard.blogspot.com>

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**From:** [Gene Hall](#)

**Date:** 12/14/2010 1:32:38 PM

**To:**

A few of my politically incorrect thoughts:

Delta Air Lines seems to think that Africa's time has come. I read on the Net that eight cities are being served from the US, with more to come soon. If the load factors between Atlanta and Johannesburg are any indication, they are probably right. Joan and I are down here for the second time this year, and last time, We used 200,000 F/F miles to get home through Paris. I am out of miles, and may standby for several days to get in business class. Oh well, we could be stuck in

worse places. It's 4:30 PM as I write this (9:30 AM in Atlanta). I notice that the temperature in Atlanta is 18 degrees, and it is 72 degrees here.

The irony of my daughter's family living in Jo'burg is not lost on anyone in our family. There is a fine line between fathers who help their grown children, and those whose help is interference. My son in law was offered a good position in Jo'burg a number of years ago, and I didn't think it was a good idea to bring my two small granddaughters here. I had been here once before, just passing through on my way to Botswana on "safari". But I had read about the violence in the newspapers, and I had met a few expat refugees from here. I really didn't think they would be safe here. So, being the involved father that I am, I talked them out of it.

I have changed my mind, and I think they are as safe – or safer - here as they would be in Atlanta. General MacArthur said the greatest cause of war was undefended wealth. That is from my memory, so it is paraphrased. I looked at the Atlanta Journal Constitution home page on the web a few minutes ago, and the two featured stories were the cold weather records, and the fact that intended crime victims in the metro area were turning the tables on the perpetrators. A Georgia Tech student who shot one of the would be robbers who accosted him in a super market parking lot in Rockdale County was featured. The article also has a list of similar incidents that have happened in and around Atlanta recently. The link to the article may still be up. <http://www.ajc.com/news/potential-crime-victims-turning-775054.html>

The following are a few of the other headlines from the home page:

- [Uproar over youth coach's racist posts](#)
- [17-hour manhunt ends in arrest](#)
- [Robbery suspect turns self in](#)
- [MARTA cop stole equipment](#)
- [Black segregation at new lows](#)
- [Escapee nabbed 18 years later](#)

I have a sling box on my Atlanta TV. I put it there so I could watch the Dawgs, and Jackets on my computer from anywhere in the world. Of course that also allows me to tune into the local Atlanta news. I don't watch it very often, because it's not very interesting. The local news shows are mostly about crime, or at least it seems that way to me. Now that I think of it, the Dawgs and Jackets were not very interesting this year either, but how bout Cam Newton. My point is that the wealth in South Africa is protected –as are the neighborhoods - and in the US people are just beginning to realize that protection is needed.

I am sitting behind a series of walls with lots of electronic protection as well. I have come to the conclusion that the divide in the US is not racial. We are more divided by economics, education, and ideology than race, and the divide is getting wider. The gap between the rich and poor in South Africa is enormous, but in the middle class up, I don't see much of a gap. We worshiped at Bryanston Bible Church on Sunday. If we lived here, it is probably where we would belong, and it looked to be fifteen or twenty percent black. I was a guest for golf at what I am told is the most exclusive golf club in Jo'burg last week. We were in the bar for the nineteenth hole, and there were about twelve men spread around the room, having refreshments. Four were black businessmen. My son in law is involved in a startup business that gives every appearance of succeeding. His partner – who also happens to sign his checks – is a very distinguished, successful businessman, who incidentally is black.

The political problems here are incredible, as they are in the US. SA may eventually go the way of Zimbabwe, I pray it will not. But right now, I am not so optimistic about the life my US grandchildren will have. I know they will all know God, so their long term future is assured.

Meanwhile, I know I can't make up the difference that Delta's troubles cost me in pension, and medical with free business class travel, but we're gonna try. If you old Widgets are not already too old, and you have never been to the bush, the business class sleeper seats are very comfortable,

even for a 6'5" old duffer like me. Seeing the animals in their natural habitat alone, not to mention the beauty of the whole country makes the trip worthwhile. I would put Cape Town in my top six most beautiful cities in the world.

We are hoping to get two business seats out of here before Christmas, but if we don't, we should be home by Easter.

Merry Christmas, and don't forget the reason for the season!

Gene Hall

## Event Announcements (Click here for [Calendar](#)): to post [pcn.calendar@gmail.com](mailto:pcn.calendar@gmail.com)

**From:** [Richard Deeds](#)

**Date:** 12/15/2010 5:30:06 PM

**To:** [pilots wallybird](#)

**Subject:** MARK YOUR CALENDAR! Wallybird brunch January 30, 2011. A new year!!

### ***From the Wallybird***

When: January 20, 2011

Where: Francesco's Restaurant

Time: 1115

**NOTE: We changed the menu and eliminated the Chicken and included the new item:  
Ceasar Chicken Salad!**

Meal choices are:

Ceasar Chicken Salad \$20

Baked Lasagna a la Toscana \$17

Hoagie Sandwich \$15

Meal all inclusive. Your choice of entree, drink, desert and gratuity!

Let start out the new year with a great attendance!!!!

Please RSVP me by noon, Monday

January17 with your menu selection either by email to:

[dickdeeds@pacbell.net](mailto:dickdeeds@pacbell.net)

or Phone:

408-268-0670

Its a new year! Let's get a big turnout and enjoy the good company of our fellow WAL Pilots!

Dick

I am looking for....." (Share a post of who you are seeking, if one sought answers....wallah):

Good Deal/Bad Deal (Share a quick good deal or bad deal you have found – no commercials here!)

If you have something you represent that has a commercial interest, place it in the new service of [PCN Ads](#). Designed especially for our group but available to the industry. Registration is free and so are some ads. The rest start as low as \$5. Enter you promo in [PCN Ads](#).

### **VISA gift cards:**

For this year's Christmas I searched all over for a gift card that I could give and most banks require you to be an account holder. Also most cards are in pre-determined amounts and charge high activation/processing fees. At US Bank anyone can buy a gift card for any amount up to \$500 for only \$3.95. Thought that was a good deal so including it here. Mark

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**From:** [Joel Payne](#)

**Date:** 12/12/2010 9:38:20 PM

**To:** [misc@pilotcommunication.net](mailto:misc@pilotcommunication.net)

**Subject:** The VA

Mark;

Couldn't help but notice all the sites that Alan posted regarding the VA. My story- Last spring while talking to my GP, the subject of my being a veteran came up. He suggested that since I was getting on the verge of needing hearing aids, I should contact my local VA representative to see if they would cover them. I called and set up an appointment. Had to bring a copy of my DD-214.

We filled out the proper forms and sent them along. The rep said the application for VA acceptance would be initially denied [ it was ] for means testing, but later approved [ it was ], because I had set foot in Viet Nam and was therefore deemed to have been exposed to Agent Orange and automatically covered.

After several months and lots of aggravation of dealing with the government, I received a free complete physical [ including 3 pages of blood work ], **free hearing aids** that I understand would normally cost thousands, and a nifty **VA ID card that gets you discounts** at places like Home Depot and Loews. Be advised that any supplemental visits like hearing aid fittings, etc. are billed directly from the VA. They are prohibited by law from submitting bills to Medicare.

So, if you have the patience and don't mind dealing with the hoops you have to jump through, this might be worth the effort for some.

Joel Payne 767A [ret.]

**Hangar Flying** (Share a bit of ole hangar flying with the net. Need a sim buddy? Use PCN for request) :

**Ethiopian Airlines B767 Capt job. Hire up to age 63. If interested give me an email. [Mark](#)**

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**From:** [Mike Ward](#)

**Date:** 12/17/2010 11:13:54 AM

**To:** [Mark Sztanyo](#)

**Subject:** dynamic

mark,

dynamic aviation looking for 767 captains:

**Title:** **Contract Boeing 767 Captain/Check Airman**

**Company:** Dynamic Aviation

**Product/Service:**

**Location:** United States

**Required Travel:** Part of the Job

**Job Type:** Full-time

**Employment Type:** Contract

**Description:**

Contract Boeing 767 Captain/Check Airman Dynamic Aviation is the leading supplier of aerial platforms throughout the world. We routinely provide aircraft to accomplish a variety of missions including Airborne Data Acquisition, Fire Management, Aerial Application and Sterile Insect Technique. Customers include federal, state and local governments; non-profit research organizations and private corporations. Dynamic Aviation is recruiting Boeing 767 Initial Cadre Check Airman and Captains for a Part 121 carrier fleet expansion. The Contract Boeing 767 Captain/Check Airman role provides pilot expertise to Dynamic Aviation in proving runs and ferry flights; and in performing ground instruction, simulator instruction and conducting OE for internal pilots. This contract position will be a short-term assignment (1 year) with the possibility of future full-time employment.

**Requirements:**

Qualified applicants are required to have been previously qualified in accordance with an approved Boeing 767 initial, transition or upgrade training program; previously completed an approved Boeing 767 check airman training program for check airman functions; and previously demonstrated the ability to conduct flight checks and evaluate the performance of airmen to the satisfaction of an FAA inspector. Job requirements include an FAA ATP Certificate with 5000 total flight hours, Airplane Multiengine Land (AMEL) rating, a current Boeing 767 type rating, valid first class FAA medical, FCC Radiotelephone permit, must be able to meet the requirements of FAR 121.383, must be able to pass a ten year background check and be willing to travel.

**Company Benefits:**

Dynamic Aviation Group, Inc. offers a competitive salary, benefits and an excellent work environment. No calls or agencies please. For a full list of benefits, please visit [www.dynamicaviation.com](http://www.dynamicaviation.com)

**Contact Information:**

N/A

Dynamic Aviation

**Political (food for thought):**

**Humor/Sobering or Fun (Share some “vulgarity free” humor with the net):**

**A burglar broke into a house one night.**

**He shined his flashlight around, looking for valuables**

**when a voice in the dark said, 'Jesus knows you're here.'**

**He nearly jumped out of his skin, clicked his flashlight off, and froze.**

**When he heard nothing more, after a bit, he shook his head and continued.**

**Just as he pulled the stereo out so he could disconnect the wires,**

**clear as a bell he heard 'Jesus is watching you.'**

**Freaked out, he shined his light around frantically, looking for the source of the voice.**

**Finally, in the corner of the room, his flashlight beam came to rest on a parrot.**

**'Did you say that?' he hissed at the parrot.**

**'Yep', the parrot confessed, then squawked, 'I'm just trying to warn you that he is watching you.'**

**The burglar relaxed. 'Warn me, huh? Who in the world are you?'**

**'Moses,' replied the bird.**

**'Moses?' the burglar laughed. 'What kind of people would name**

a bird Moses?"

'The kind of people that would name a Rottweiler Jesus.'

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I got this forward from a couple of you guys complete with pictures but can't include the slide show:

## Flying West

I hope there's a place, way up in the sky,  
Where pilots can go, when they have to die-  
A place where a guy can go and buy a cold beer  
For a friend and comrade, whose memory is dear;  
A place where no doctor or lawyer can tread,  
Nor management type would ere be caught dead;  
Just a quaint little place, kinda dark and full of smoke,  
Where they like to sing loud, and love a good joke;  
The kind of place where a lady could go  
And feel safe and protected, by the men she would know.

There must be a place where old pilots go,  
When their paining is finished, and their airspeed gets low,  
Where the whiskey is old, and the women are young,  
And the songs about flying and dying are sung,  
Where you'd see all the fellows who'd flown west before.  
And they'd call out your name, as you came through the door;  
Who would buy you a drink if your thirst should be bad,  
And relate to the others, "He was quite a good lad!"

And then through the mist, you'd spot an old guy  
You had not seen for years, though he taught you how to fly.  
He'd nod his old head, and grin ear to ear,  
And say, "Welcome, my son, I'm pleased that you're here.  
"For this is the place where true flyers come,  
"When the journey is over, and the war has been won  
"They've come here to at last to be safe and alone  
From the government clerk and the management clone,  
"Politicians and lawyers, the Feds and the noise  
Where the hours are happy, and these good ol'boys

**"Can relax with a cool one, and a well-deserved rest;  
"This is Heaven, my son -- you've passed your last test!"**

**Author: Capt. Michael J. Larkin  
Dedicated to: Capt. E. Hamilton Lee**

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**From:** [Jean Cinotto](#)

**Date:** 12/17/2010 12:09:38 PM

**To:** [misc@pilotcommunication.net](mailto:misc@pilotcommunication.net)

**Subject:** The best Christmas Story ever



The best Christmas Story ever.

By Ronnie Polaneczky

Daily News Columnist

[http://www.philly.com/dailynews/columnists/ronnie\\_polaneczky](http://www.philly.com/dailynews/columnists/ronnie_polaneczky)

AND NOW, in time for the holidays, I bring you the best Christmas story you never heard.

It started last Christmas, when Bennett and Vivian Levin were overwhelmed by sadness while listening to radio reports of injured American troops.

"We have to let them know we care," Vivian told Bennett.

So they organized a trip to bring soldiers from Walter Reed Army Medical Center and Bethesda Naval Hospital to the annual Army-Navy football game in Philly, on Dec. 3.

The cool part is, they created their own train line to do it.

Yes, there are people in this country who actually own real trains. Bennett Levin - native Philly guy, self-made millionaire and irascible former L&I commish - is one of them.

He has three luxury rail cars. Think mahogany paneling, plush seating and white-linen dining areas. He also has two locomotives, which he stores at his Juniata Park train yard.

One car, the elegant Pennsylvania, carried John F. Kennedy to the Army-Navy game in 1961 and '62. Later, it carried his brother Bobby's body to D.C. for burial.

"That's a lot of history for one car," says Bennett.

He and Vivian wanted to revive a tradition that endured from 1936 to 1975, during which trains carried Army-Navy spectators from around the country directly to the stadium where the annual game is played.

The Levins could think of no better passengers to reinstate the ceremonial ride than the wounded men and women recovering at Walter Reed in D.C. and Bethesda, in Maryland.

"We wanted to give them a first-class experience," says Bennett. "Gourmet meals on board, private transportation from the train to the stadium, perfect seats - real hero treatment."

Through the Army War College Foundation, of which he is a trustee, Bennett met with Walter Reed's commanding general, who loved the idea.

But Bennett had some ground rules first, all designed to keep the focus on the troops alone:

No press on the trip, lest the soldiers' day of pampering devolve into a media circus.

No politicians either, because, says Bennett, "I didn't want some idiot making this trip into a campaign photo op."

And no Pentagon suits on board, otherwise the soldiers would be too busy saluting superiors to relax.

The general agreed to the conditions, and Bennett realized he had a problem on his hands.

"I had to actually make this thing happen," he laughs.

Over the next months, he recruited owners of 15 other sumptuous rail cars from around the country - these people tend to know each other - into lending their vehicles for the day. The name of their temporary train?

The Liberty Limited .

Amtrak volunteered to transport the cars to D.C. - where they'd be coupled together for the round-trip ride to Philly - then back to their owners later.

Conrail offered to service the Liberty while it was in Philly. And SEPTA drivers would bus the disabled soldiers 200 yards from the train to Lincoln Financial Field, for the game.

A benefactor from the War College ponied up 100 seats to the game - on the 50-yard line - and lunch in a hospitality suite.

And corporate donors filled, for free and without asking for publicity, goodie bags for attendees:

From Woolrich, stadium blankets. From Wal-Mart, digital cameras. From Nikon, field glasses. From GEAR, down jackets.

There was booty not just for the soldiers, but for their guests, too, since each was allowed to bring a friend or family member.

The Marines, though, declined the offer. "They voted not to take guests with them, so they could take more Marines," says Levin, choking up at the memory.

Bennett's an emotional guy, so he was worried about how he'd react to meeting the 88 troops and guests at D.C.'s Union Station, where the trip originated. Some GIs were missing limbs. Others were wheelchair-bound or accompanied by medical personnel for the day.

"They made it easy to be with them," he says. "They were all smiles on the ride to Philly. Not an ounce of self-pity from any of them. They're so full of life and determination."

At the stadium, the troops reveled in the game, recalls Bennett. Not even Army's lopsided loss to Navy could deflate the group's rollicking mood.

Afterward, it was back to the train and yet another gourmet meal - heroes get hungry, says Levin - before returning to Walter Reed and Bethesda.

"The day was spectacular," says Levin. "It was all about these kids. It was awesome to be part of it."

The most poignant moment for the Levins was when 11 Marines hugged them goodbye, then sang them the Marine Hymn on the platform at Union Station.

"One of the guys was blind, but he said, 'I can't see you, but man, you must be f---ing beautiful!' " says Bennett. "I got a lump so big in my throat, I couldn't even answer him."

It's been three weeks, but the Levins and their guests are still feeling the day's love.

"My Christmas came early," says Levin, who is Jewish and who loves the Christmas season. "I can't describe the feeling in the air."

Maybe it was hope.

As one guest wrote in a thank-you note to Bennett and Vivian, "The fond memories generated last Saturday will sustain us all - whatever the future may bring."

God bless the Levins.

And bless the troops, every one. \*

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**From:** [David L. Roberts](#)

**Date:** 12/18/2010 12:33:18 AM

**To:** [MY AVIATION PHOTO FANS](#)

**Subject:** BEST Christmas Lights Display video



Merry Christmas all,

Click on [www.youtube.com](http://www.youtube.com) and then search for **Best Christmas Lights**. Take your pick of the many great displays.

Good to review during the Christmas Season.

Enjoy . . . (here is one) [http://www.youtube.com/watch?v=rmgf60CI\\_ks](http://www.youtube.com/watch?v=rmgf60CI_ks)

*Have a most Blessed Christmas and Hanukkah season!*

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## Mark

Mark Sztanyo, PCN Dir & HL Editor

[Pilot Communication Net](#) from Aug 2009

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*Life on earth will soon be past, only what's done for Christ will last!*

Serving the Delta community, and pilots (active and retired) and their families, *including original Delta, and former C&S, Northeast, Pan-Am, Western, NWA, Republic, North-Central, Southern Airways, Hughes- Airwest, and all the Delta Connection carriers.*

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**Delta Pilots Pension Preservation Organization** - <http://www.dp3.org>

Delta Museum & Fly-in information - <http://www.deltamuseum.org>

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Delta Retiree Connection - <http://www.dlretiree.info>

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