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## Pilot in crash was warned not to drive Report cites Damschroder eye problems

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Gene Damschroder was flying a plane in which six people were killed in 2008.

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At 86, Gene Damschroder was still driving cars - and flying airplanes - despite failing eyesight and admonitions by his eye doctor not to drive.

According to a factual report issued this week by the National Transportation Safety Board, Mr. Damschroder had been treated for age-related macular degeneration in the two years preceding the June 8, 2008, plane crash in which he and his five passengers were killed.

While not drawing any conclusions about the cause of the crash near Fremont Airport, NTSB investigators said a now-decertified airman medical examiner listed Mr. Damschroder's uncorrected distant vision and near vision as 20/20 in each eye - information that was directly contradicted by records from his retinal specialist.

"His distant visual acuity without correction was last noted on May 20, 2008, to be 20/200 for each eye," the report stated.

"Distant visual acuity with correction was last noted on April 8, 2008, to be just worse than 20/100 for each eye.... He had been advised not to drive on at least two separate occasions [in October, 2007, and January, 2008] by his retinal specialist."

Despite multiple laser treatments and injections for macular degeneration, Mr. Damschroder did not note "any conditions or treatments, and had specifically denied 'eye or vision trouble except glasses'" on his most recent airman medical certificate, which was dated May 4, 2007, the NTSB noted.

Mr. Damschroder of Fremont was giving airplane rides at the airport on State Rt. 53 he owned during a charity "Drive-In/Fly-In" pancake breakfast to benefit the Fremont Noon Lions Club when the fatal crash occurred.

He was killed along with Bill Ansted, 62, and his daughter, Allison, 23, both of whom lived near Lindsey, Ohio; Matt Clearman, 25, of Maumee, who was Ms. Ansted's fiance, and Danielle Gerwin, 31, and her daughter, Emily, 4, both of Gibsonburg.

The factual report released this week is the final step before the NTSB issues a probable cause statement, said Peter Knudson, spokesman for the NTSB. The probable cause statement is expected to be issued Dec. 3.

Mr. Damschroder's son, Rex, declined to comment on specific issues cited in the report, such as how his father's eyesight might have contributed to the crash, because of a pending civil lawsuit.

"I think more of a factor was he was an 86-year-old guy and things slow down and you're just not a 20-year-old anymore," Rex Damschroder said.

The NTSB report points out that the elder Mr. Damschroder had been involved in four traffic accidents between 1998 and 2008, the most recent of which occurred May 30, 2008, on State Rt. 53 as he was turning into the airport. He told a state trooper at the time that the sun was glaring into his vehicle and he didn't see an oncoming vehicle until he was already making the left turn.

Four years earlier, on April 1, 2004, Mr. Damschroder was giving a flying lesson when he forgot to lower the landing gear and the plane hit the runway during landing at the Bluffton Airport, an event listed as an "aviation incident" in FAA records.

The NTSB report also indicates Mr. Damschroder, who first got his commercial pilot certificate in 1945, had two close calls shortly before the fatal crash on June 8.

The report quoted two witnesses who were at the Fremont Airport that day who said Mr. Damschroder's plane was nearly involved in two midair collisions prior to the fatal crash.

The report said he had flown eight to 10 flights in the plane before making his final flight.

Of that flight, witnesses said Mr. Damschroder's plane, a single-engine Cessna U206C, was flying at a low altitude "when it banked, descended, and impacted a field behind a house."

One witness stated the airplane was flying slowly, almost on the edge of a stall. The witness said he heard the engine "throttle up" and then the airplane appeared to stall with the left wing "dipping." The airplane then "descended below the tree line."

There were no references in the report to apparent mechanical failure.

Rex Damschroder, who now runs his father's airport, said he personally doubts mechanical failure was a factor.

"There could have been something, but in reality, there are so many variables in a crash like this that nobody will ever know for positive what happened," he said.

"Unless you were on the airplane, you just don't know," he said.

The NTSB pointed out several procedural errors.

NTSB investigators said Mr. Damschroder had not contacted the Federal Aviation Administration's Cleveland Flight Standards District Office prior to the fly-in to say that charity rides were taking place, as required by the FAA.

Mr. Damschroder also did not apply for or receive a letter of authorization to conduct sightseeing or commercial air tours, also required by the FAA.

Rex Damschroder said his father was not big on paperwork.

"I think clearly he went the extra mile to make sure engine maintenance was taken care of," he said. "He always put safety ahead of paperwork."

Earlier this year, the families of three of the victims who died in the crash filed a lawsuit in Lucas County Common Pleas Court seeking in excess of \$15 million.

Listed as defendants were David Damschroder, individually, as the executor of the Gene Damschroder estate, and as successor trustee of Mr. Damschroder's trust; the International Association of Lions Clubs; Fremont Noon Lions Club, and six club members.

The lawsuit was filed March 24 by Mrs. Gerwin's husband, Charles, and Mr. Clearman's father, James Clearman of Livonia, Mich.

In the complaint, the two men cite the NTSB's preliminary report that the plane was flying at a low altitude and was

not on a flight plan. Also noted was that members of the Damschroder estate destroyed the wreckage.

Judge Stacy Cook, who is presiding over the case, set a Nov. 10 hearing.

Last week, attorneys representing the son of Mr. Ansted filed a motion to intervene in the case. According to the motion, Andrew Ansted hopes to join in the case as it involves the same players and similar allegations. Judge Cook has not yet ruled on the motion.

Yesterday, Dale Emch, one of the Toledo lawyers representing Mr. Ansted, said the situation was a tragedy for each of the families involved, including the Damschroders. But he pointed to the recent NTSB report as proof of how the crash should have been averted.

"I think the NTSB factual report makes it absolutely clear that Mr. Damschroder had no business driving a car let alone flying a plane, particularly a plane full of people who were paying to support the Lions Club," he said, noting that Mr. Damschroder was acting on the behalf of the International Association of Lions Clubs when he agreed to help at the annual fund-raiser.

"I think it was really outrageous that he was flying around all of those people, all day long, let alone the young people on that plane that died that day, when he had been warned that he shouldn't be driving a car, both in 2007 and 2008, according to the NTSB report," he added.

The factual report is available on the NTSB's Web site, [nts.gov](http://www.nts.gov).

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