

# U.S. Pilots Reject Return to Brazil

The New York Times  
August 24, 2007

GARDEN CITY, N.Y., Aug. 23 (AP) — Two American pilots facing criminal charges after their executive jet collided with a commercial airliner over the Amazon last year, killing 154 people aboard, are willing to testify in the case but will not return to [Brazil](#) next week to do so, their American lawyer said Thursday.

The lawyer, Joel R. Weiss, cited the Mutual Legal Assistance Treaty, which he said would allow the pilots to testify about the case from their home country.

The pilots, Joseph Lepore of Bay Shore, N.Y., and Jan Paladino of Westhampton Beach, N.Y., are accused of turning off the transponder on their Embraer Legacy 600 executive jet before it collided with a Boeing 737 operated by the airline Gol last September.

The pilots deny the charges and say they were flying at an altitude designated by air controllers.

The United States [National Transportation Safety Board](#) has attributed the crash partly to the cockpit systems' failure to alert the American crew that the jet's anticollision equipment had failed.