

Tab 9

Exhibits from Deposition of Valencia M. McClatchey

THE PROGRESS, Clearfield, Curwensville, Philipsburg, Moshannon Valley, Pa., Thursday, September 12, 2002

Woman who captured Flight 93 image struggles a year later

By Charles Sheehan
Associated Press Writer
SHANKSVILLE, Pa. (AP) —
The horror unfolding on Val
McClatchey's television the
morning of Sept. 11 was just
beginning to sink in when a vio-
lent blast outside cut the power
to her home and blackened the
screen.

Running outside, McClatchey,
46, captured with a digital cam-
era the moment that the terror-
ist attacks, once hundreds of
miles away, came to this western
Pennsylvania town of 245 people.
The time and date recorded
on the image: however, marked
the beginning of a tumultuous
year for McClatchey. She came
to the crash site, about a mile
from her home, where she took
the picture, to mark the anni-
versary with thousands of others
Wednesday.

"I just felt that this was one of
the only places I could kind of
blend in and find some anonymi-

ty," she said. "It's been chaos
since that day."
In the image, which has
brought news crews to the front
door and a limited amount of
fame to McClatchey, a sinister
black, mushroom-shaped cloud
rises from an otherwise peaceful
view of a farm with a painted
red barn.

United Flight 93 crashed just
outside Shanksville shortly after
10 a.m. on Sept. 11. Investigators
say passengers aboard the
Boeing 757 fought hijackers for
control before the airliner
crashed upside down in an open
field, killing all 46 passengers
and crew.

The picture is one of the few
images of the crash, and within
two weeks it had been purchased
by major U.S. magazines includ-
ing U.S. News & World Report,
Newsweek, Time magazine and
also by several major magazines
in Europe.

But ripples from the terrorist

attacks had an almost immedi-
ate effect on McClatchey and
her husband, John.

JCM Industries, a sawmill
owned and operated by John
McClatchey with 46 employees,
was forced to file for bankruptcy
on Sept. 20.

"After the attacks, insurance
companies just didn't want to
cover companies that did work
that's considered risky," John
McClatchey said. "We had
always been able to get insur-
ance, but things changed."
He said the attacks may not
have been the sole reason for the
collapse of his business, but they
played a direct role.

In the year after the attacks,
with the sawmill gone, Val
McClatchey's health would take
a turn for the worse. She would
need gallbladder surgery and
tumors removed from her kid-
neys and liver.
"We're struggling," she said.
"My husband got a job brokering

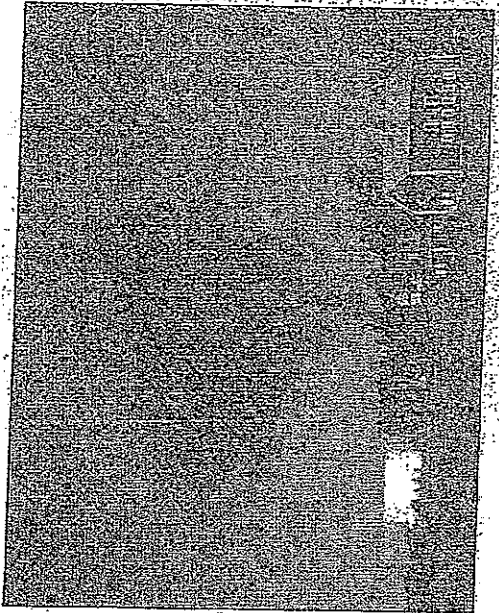
pellets. I took real estate classes
and got my license, but it's been
hard."

The images McClatchey said
she sold for \$250 to \$350 have not
done much to help the couple
financially.

Some residents of the region,
who wanted copies of the image
to have, insisted on paying cash to
cover costs of printing, and
McClatchey said she has donat-
ed almost all of that money to
the Todd M. Beamer Foundation,
a fund named after one of the
passengers aboard Flight 93 that
aids children affected by the ter-
rorist attacks.

But the McClatcheys say they
are waiting to see what next
year will bring, and they remain
optimistic.

"It depends on how things go
with the bankruptcy, but I know
we are stronger people now than
we were a year ago," she said.
"This whole town is, but I think
we're ready for a break."



This image of the smoke plume left by United Flight 93 after it
crashed in a field in Shanksville on Sept. 11, 2001, was taken
by Val McClatchey from the porch of her nearby home.

DEPOSITION
EXHIBIT
McClatchey /
ACEs 5-14-06

9/11 REMEMBERED

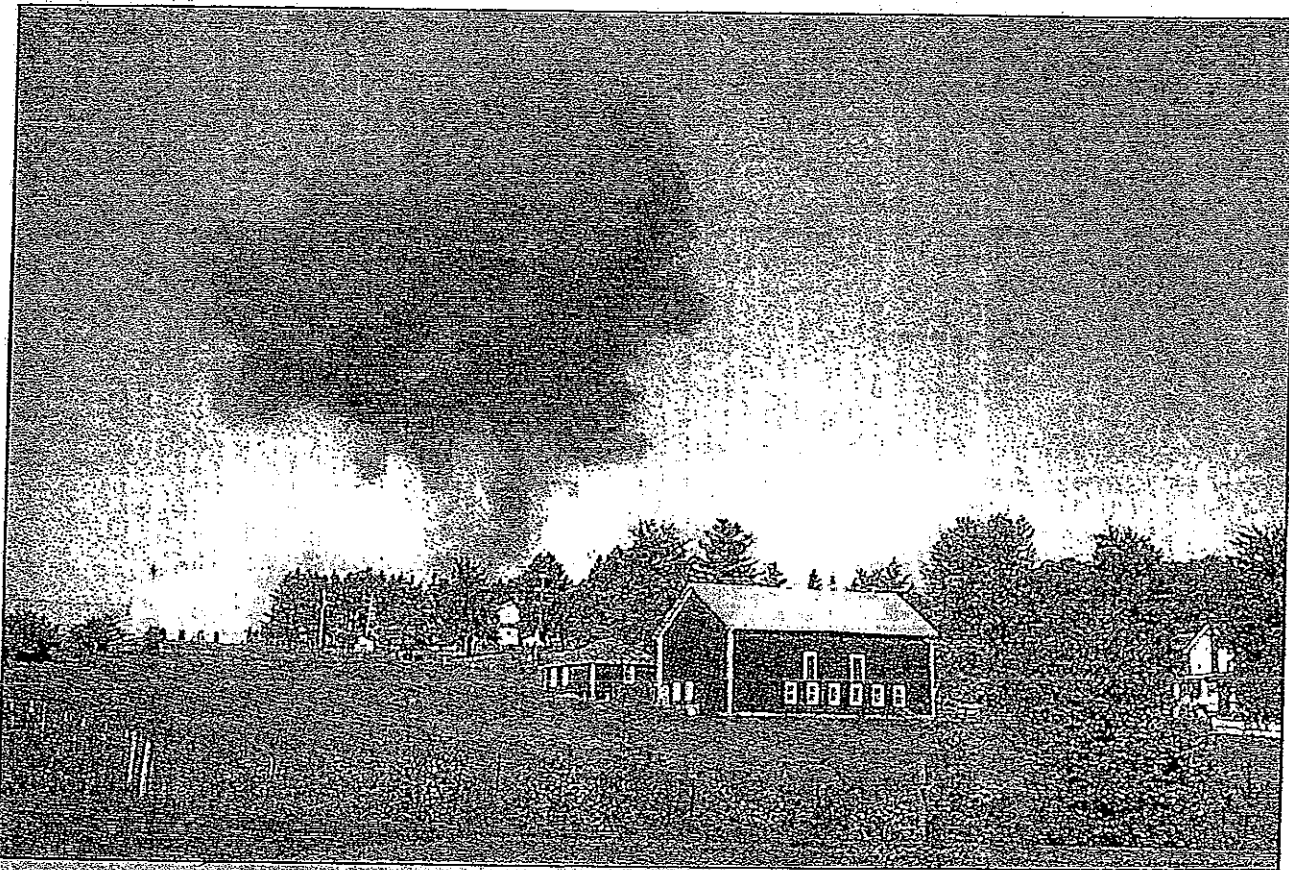
\$3

The Tribune-Democrat

Johnstown, Pennsylvania • Wednesday, September 11, 2002

The Shanksville Story

How a small town was changed forever



VAL McCLATCHEY/FOR THE TRIBUNE-DEMOCRAT

A plume of smoke emerges from United Flight 93, which crashed in a Shanksville cornfield on Sept. 11, 2001.

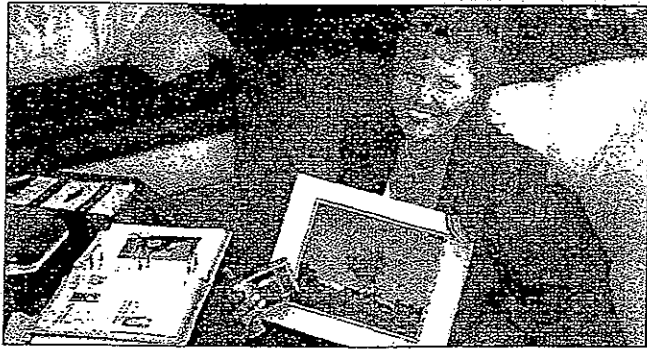
DEPOSITION
EXHIBIT

McCLATCHEY 2

ACE vs 3-14-06

MC 00274

'I hope I never come across anything like that again.'



Val McClatchey of Indian Lake captured on film an image that may be remembered for decades.

DAVE LLOYD/
THE TRIBUNE-DEMOCRAT

Page 9 The Tribune-Democrat, Johnstown, Pa.

Wednesday, September 11, 2002

Tranquility shattered

By MIKE MASTOVICH
THE TRIBUNE-DEMOCRAT

By her own admission, Val McClatchey typically has had luck with a camera.

"I have taken my share of photos of floors, ceilings and my pockets," said McClatchey, 46, a real estate agent from Indian Lake, a Somerset County community northeast of Shanksville.

At 10:06 a.m. on Sept. 11, McClatchey photographed an image that probably will be remembered for years, if not decades. The photo, taken almost immediately after Flight 93 crashed about a mile from her home, contrasts the rural beauty usually associated with this quiet community and the volatile result of a terrorist attack met by the heroic response of Flight 93's passengers and crew.

"I called it 'End of Serenity.' Life as we know it around here has completely gone," said McClatchey, whose photo has appeared in Time and Newsweek magazines and on the cover of The Washington Post magazine. "Some people say it's ominous beauty. It shows Pennsylvania, the red barns, the pasture. Then the symbol of

Please see **TRANQUILITY**, PAGE 10

*To all those who have lost a friend,
To all those who have lost a family member,
To all those whose lives have been irreparably touched by this disaster,
Go our heartfelt condolences and wishes for a future that heals.*

"The Gourmet Pizza Shop"
1749 Goucher St.
Westmont Shopping Center
255-7138

God Bless America

YANKEE SHOE REPAIR
FACTORY, Inc. 230 Bedford St., Johnstown
The Name You Grew Up With... **814.536.7747**

We salute the brave efforts of so many rescuers and survivors who put their lives in danger to save the lives of others. They show the true spirit of America, a spirit which will overcome the tragedies of September 11, 2001.

Long View Motel – Carl and Rose Sprock
7582 Lincoln Hwy., Central City • 754-4989

* **I Pledge Allegiance** *
* *The flag symbolizes our hopes and reminds us of our freedom. It represents us as a people. Let it fly proudly amid the terrible events that have recently unfolded.* *
* **Niessner's Flowers** *
* (814) 266-9551 *

Page 19
 The Tribune-Democrat, Johnstown, Pa.
 Wednesday, September 11, 2002

TRANQUILITY

Continued from Page 9

the big black cloud is rising over everything."

As she watched television news reports of the events at the World Trade Center in New York and at the Pentagon outside Washington that morning, McClatchey heard a roar from a low-flying plane, followed by an intense explosion. The aftershock nearly knocked her off her living room couch.

From the front porch of her brick, ranch-style home, McClatchey saw a plume of dark smoke rising over the nearby hillside. Instinctively, she clicked her Hewlett-Packard 315 digital camera.

"I heard a very loud roar of an engine. As I turned, I caught a glimpse of the sun reflecting off the plane," she said. "All of a sudden, the explosion hit.

"I had the camera ready because a friend of mine is a helicopter pilot, and he was supposed to do a fly-by over our house, so I put the camera by the door."

In the photo's foreground, a bright red and white barn is nestled among a long

row of trees on one side and a wire fence and shrubs on the other. Farther up a field, a white barn sits. A large, dark mushroom cloud divides the otherwise deep-blue sky.

"I saw what Val took. I saw it from my home," said Carole Dupstadt, owner of Dupstadt's Country Store nearby on Route 30. "The Earth shook. I thought our country was really blowing up."

McClatchey sells the copyrighted photograph for \$20, donating the proceeds to The Todd M. Beamer Foundation named for one of the Flight 93 passengers who confronted the hijackers. The fund helps children and parents experiencing family trauma.

Through her photo, McClatchey said she had raised more than \$5,000 for the foundation through July.

In addition to Newsweek (Dec. 3), Time (May 27) and The Washington Post magazine (May 12), the photo has appeared in two German magazines and several other publications. "End of Serenity" also was featured on The Learning Channel.

The Library of Congress and Smithsonian National Museum of History, both in Washington, wrote McClatchey, asking for copies. TV's "Good Morning America" visited her in July to tape an upcoming segment, and "Reader's Digest" interviewed her for a story.

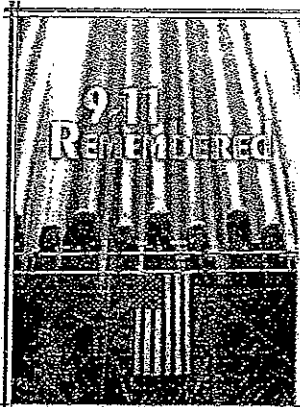
The attention has shocked McClatchey, who didn't see her photograph until a few days after it was shot. Electricity was out for hours after the crash.

When she initially attempted to download the image, McClatchey learned that her puppy had chewed a computer cord beyond repair. She and her husband, John, couldn't locate a replacement.

McClatchey then took her camera's memory card to the Pennsylvania State Police. The FBI showed up at her home shortly after to interview her.

"It was all just kind of a fluke. It was sheer dumb luck," McClatchey said. "But I hope I never come across anything like that again. The only pictures I'm taking now are of properties for sale."

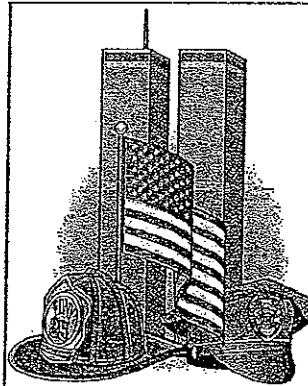
McClatchey sells the copyrighted photograph for \$20, donating the proceeds to The Todd M. Beamer Foundation.



Honoring Our Heroes

We remember those men, women and children who lost their lives on September 11, 2001. The many acts of patriotism demonstrated that day shall never be overshadowed by acts of terrorism. On behalf of the students, staff, faculty, administration, Foundation Board, and Board of Trustees, we honor the memory of the victims of Flight 93, the Pentagon, and the World Trade Center tragedies. Their courage and patriotism make us all proud to live freely in America.

**Cambria County Area
 Community College**



Hope...
 in the Face
 of Tragedy

**CARMEN'S
 Wholesale Tires**
 Johnstown, Pennsylvania
 (814) 266-3424

We salute the brave efforts of so many rescuers and survivors who put their lives in danger to save the lives of others. They show the true spirit of America, a spirit which will overcome the tragedies of September 11, 2001.



Zepka Harley-Davidson

960 Eisenhower Blvd.
 Johnstown, PA 15904

"American Dreams" will never die. United we stand, one nation under God. We shall never forget 9-11 and our innocent brothers & sisters, alive and gone... our heroes... our American family. We pray, we grieve, we remember.



**AMERICAN
 DREAM**



Val Hudson, Broker/Owner
REAL ESTATE, APPRAISALS & MANAGEMENT, INC.
 (814) 262-SALE (7253)

Valerie Ashbrook, Broker/Owner

A 45 1 1 1 1

Valencia McClatchey

From: "Val McClatchey" <[REDACTED]>
To: "Jones, Kathy" <[REDACTED]>
Sent: Monday, November 26, 2001 2:58 PM
Subject: Re: Newsweek.com photo use confirmation

Dear Kathy,
Thank you for using my photo. It's an honor to be able to share it with others.

Please remit a fee of \$100. for the use of "End of Serenity"
payable to:
Valencia McClatchey

[REDACTED]

Sincerely,
Valencia McClatchey

— Original Message —

From: Jones, Kathy
To: [REDACTED]
Sent: Saturday, November 24, 2001 5:30 PM
Subject: Newsweek.com photo use confirmation

Hi Val- here it is:

This email is to confirm Newsweek's online use of your photo of the crash of Flight 93. The image was picked up from Newsweek's print edition dated Dec. 3, and will be online for not more than 14 days.

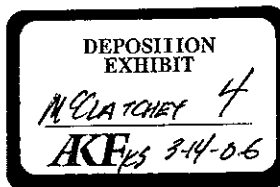
Please invoice me \$100 ASAP. You can fax, [REDACTED] email the invoice to my address or mail to:

Kathy Jones
Photo Editor
Newsweek.com

[REDACTED]
[REDACTED]

thanks!

CONFIDENTIAL



9/18/2005

MC 00010

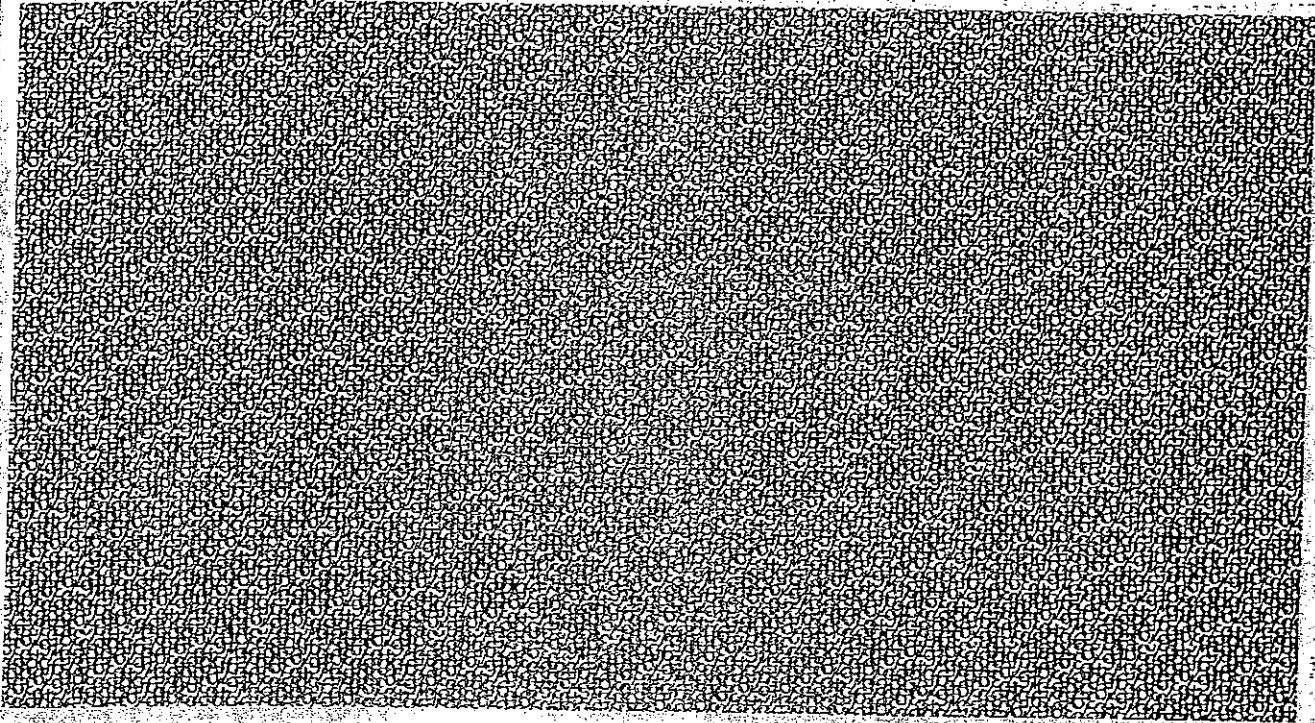
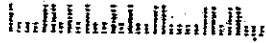


REDACTED



VALENCIA MCCLATCHEY
e REDACTED

11/26/2002



CONFIDENTIAL

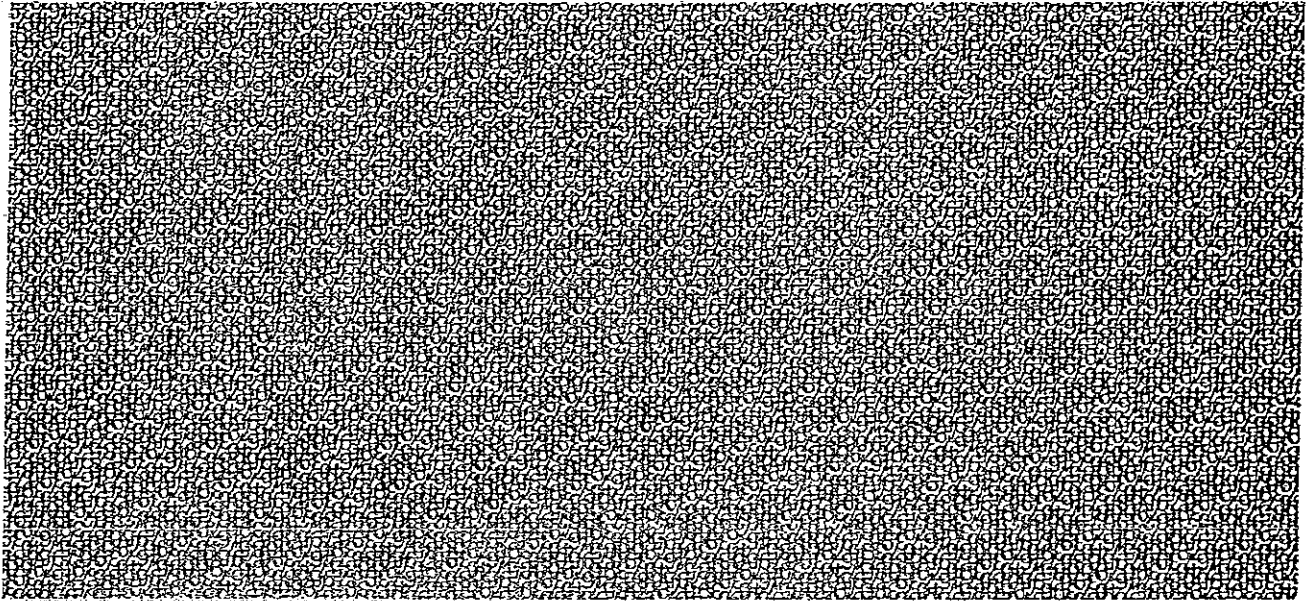
DEPOSITION
EXHIBIT
McClatchey 12
ACE 3-14-06

MC 00188

USNEWS REDACTED HCLATCHBY-DBI REDACTED 11/26/2002 450.00

INVOICE DATE	PURCHASE ORDER	INVOICE NUMBER	GROSS AMOUNT	DISCOUNT	NET AMOUNT
11/13/2002		REDACTED	450.00	0.00	450.00
US News and World Report		TOTAL	450.00	0.00	450.00

RI 000172 122978



CONFIDENTIAL

Val McClatchey

From: "Val McClatchey" <REDACTED>
To: "Morlacci, Mike" <REDACTED>
Sent: Wednesday, November 28, 2001 8:42 AM
Attach: Sept 11, JPG
Subject: Re: End of Serenity Photo

Hi Mike,
As you requested,, here is the photo & my permission to use it. The more it is seen the better!!
Thanx so much,
Val

— Original Message —

From: Morlacci, Mike
To: Val McClatchey
Sent: Wednesday, November 28, 2001 8:23 AM
Subject: RE: End of Serenity Photo

Hi Val,

I am seeking permission to use a reproduction fo the 'End of Serenity' photo within an online photo presentation about Flight 93 on our Web site. We are a news site with 5 million monthly page views. We are not seeking a profit from this, but are merely trying to further inform the public as additional information is revealed. Please check our special edition page: <http://www.thepittsburghchannel.com/wtc/>

Added exposure could only help the cause.

Thank you for your time and consideration,

Mike Morlacci

Managing Editor

ThePittsburghChannel.com

REDACTED

e-mail: mmorlacci@thepittsburghchannel.com

Free E-News Updates! Breaking News, Sports, Entertainment And More:

<http://www.thepittsburghchannel.com/news/email-newsletters.html>

— Original Message —

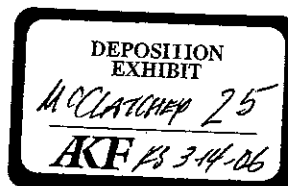
From: Val McClatchey [mailto:REDACTED]
Sent: Tuesday, November 27, 2001 8:07 PM
To: Morlacci, Mike
Subject: End of Serenity Photo

Hello Mike,
This is Val McClatchey. I understand that you are interested in posting the photo? I can be reached either by email: REDACTED or by phone at: REDACTED

Sincerely,
Val

2/14/2002

CONFIDENTIAL



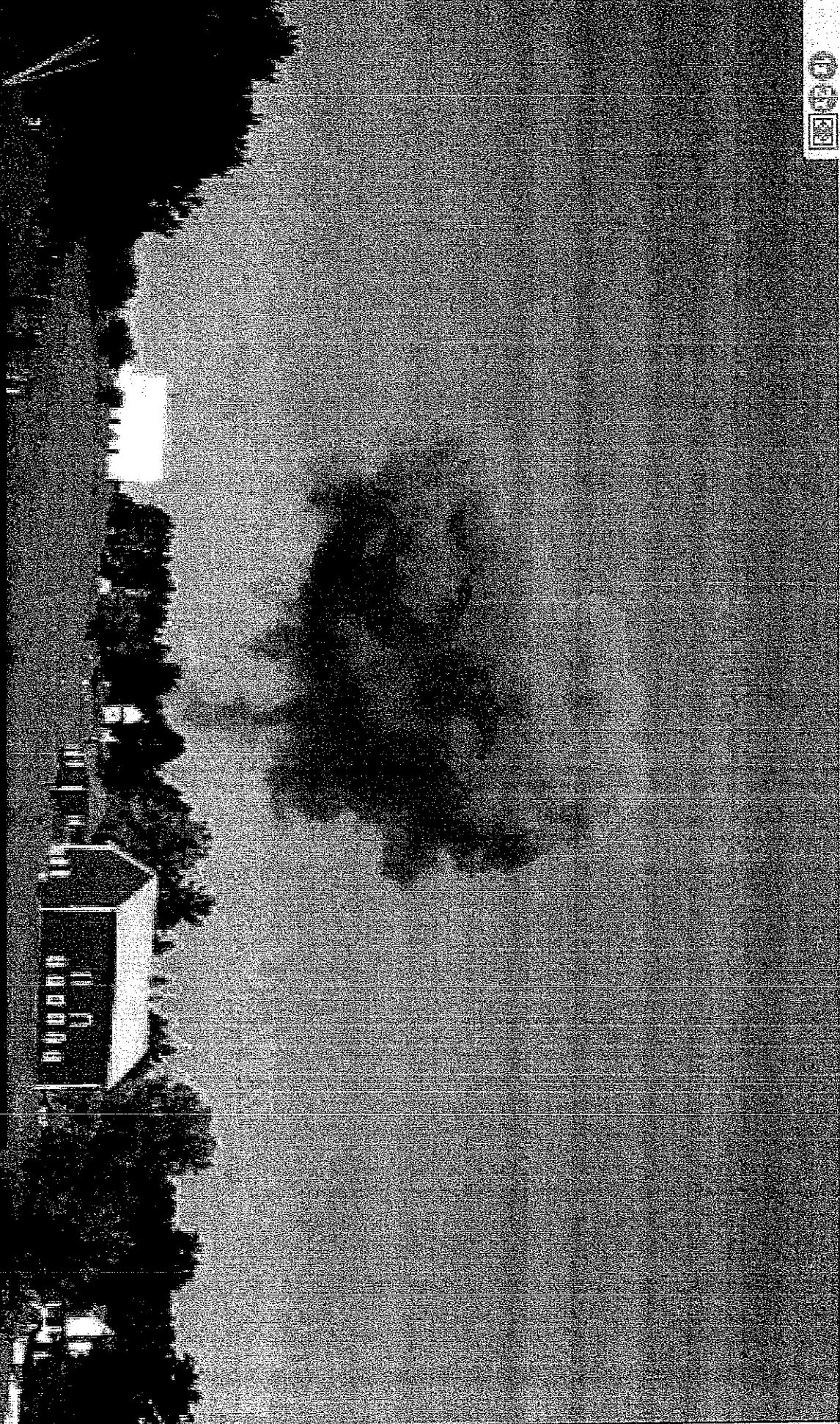
MC 00058

Liberty BOUND

DEPOSITION
EXHIBIT
McLennan 27
KFB 3-14-06



10:03 AM - U93 Crashes in Pennsylvania





12 Protesters at SMO" Calgary sign a Protest Banner
courtesy of Cliff Pearson courtesy of Blaine Macher

"War is Good For Business" "9/11, Iraq & Nazi Footage"

Poster design & illustration by courtesy of George Russell

& courtesy of Seymour Chwast Collected by Rodney Cleaver &

Special thanks to Carol Chu Misty McCann

"End of Serenity" "Ledermann Interview & NYC"

courtesy of Val McClatchey courtesy of Brian Fass

"Denver Union Station" "No Gulf War"

courtesy of Douglas Bohm courtesy of Fred Askew

"Hidden Wars of Desert Storm" "DU Babies"

courtesy of Gerard Ungerman courtesy of Hans de Jonge

"Oakland Incident" "San Francisco Day X"

courtesy of Mike Pounovich courtesy of Simon Sommerfeld

Saturday, March 11, 2006 4:18:49 PM

THE FLIGHT THAT
FOUGHT BACK

DEPOSITION
EXHIBIT
W. CLATCHEY 28
AKF 3-14-06

Saturday, March 11, 2006 4:18:31 PM

