

SPOHRER & DODD ATTORNEYS AT LAW

The Practice: AVIATION LAW

Private, Military & Commercial Aircraft Accidents • Defective Aircraft & Parts

Jury Awards \$22.9 Million In Fatal Military Accident

Upon landing at Weisbaden Army Airfield in Germany, a U. S. Army UH-60 Blackhawk helicopter crashed and burst into flames. The result was death and serious injury among the Army officers and personnel onboard.



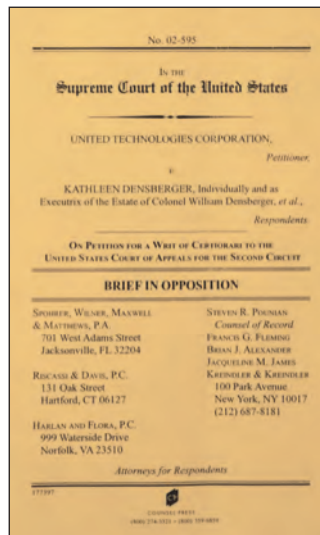
Sikorsky Blackhawk Helicopter

Our firm was hired by family members of the deceased passengers to investigate and prosecute a case against Sikorsky, the helicopter manufacturer. The families had previously been turned away by three law firms who advised that the "government contractor defense" was an insurmountable obstacle.

In a four-week trial in Connecticut, while Sikorsky lawyers and expert witnesses claimed the sole cause of the crash was pilot error, our attorneys provided evidence of the aircraft design fault that actually caused the accident. The jury agreed and returned a unanimous verdict in favor of our clients in the total amount of \$22.9 Million. This verdict was upheld on appeal by the U. S. Supreme Court.



United States Supreme Court



Supreme Court Brief In The
Sikorsky Helicopter Crash Case

"The fact that you proved (to the jury) I wasn't at fault in this crash, for me goes beyond words...it amounted to a personal victory for me."

... Chris Mancini, Pilot Sikorsky Helicopter

HISTORY OF SUCCESS IN AVIATION LIABILITY

- The Spohrer Dodd Aviation Team consists of three attorneys who are certified by The Florida Bar as Aviation Specialists, as well as a Chief Pilot/Aviation Expert, and a Physician Aviator.
- Our firm has represented passengers, pilots, crew members and their families, nationally and internationally for over thirty years.
- Our aviation team has obtained ground-breaking trial verdicts and settlements in a broad range of cases, including claims against military contractors and FAA Air Controllers.
- Spohrer & Dodd Senior Partners each have over thirty years of courtroom experience, including successful briefs before the U.S. Supreme Court.
- Our firm is frequently called upon by attorneys nationwide to handle complex cases that have involved a wide range of private, military and commercial aircraft, including: Cessna Citation, AT-6 Texan, Lear 35, Piper Malibu, Sikorsky Blackhawk Helicopter, Casa 212, AH Cobra Helicopter, F-16C Falcon, F-14A Tomcat, Hughes 500D Helicopter, Sherpa Twin Turbo-Prop, Boeing 737 and 707, Metroliner Turbo-Prop, Bell 206 Helicopter.

The cases reported in this publication resulted in over \$11.5 million in fees shared with co-counsel.

Our Aviation Team

Robert F. Spohrer



Mr. Spohrer is an FAA-licensed pilot and is board certified by The Florida Bar as a Specialist in both Aviation and Civil Trial Law. Since 1974, he has successfully represented victims of military, civilian and commercial aviation accidents against major aircraft, and components manufacturers, the FAA and others. He has represented claims in state and Federal courts throughout the United States and abroad, winning verdicts and settlements totaling over 100 million dollars. Mr. Spohrer served as the Chair of the Trial Lawyers Section of The Florida Bar and has served as Chair of the Board of Examiners for Civil Trial Law. He is an examiner for the Florida Bar in Aviation Certification. In 2003, he was nominated and inducted into the prestigious Inner Circle of Advocates, an organization limited to the top 100 U.S. trial attorneys. He is listed in *Florida Trend Magazine's* "Legal Elite," in the Best Lawyers in America, and as a Florida "Super Lawyer" – a prestigious achievement based on peer nominations.

Charter Jet Crash Case Resolved In Eight-Figure Settlement



Charter Jet Crash Site

Our firm obtained a pre-suit settlement on behalf of a Gulf coast businessman injured in the crash of a chartered Citation. The aircraft en-

\$2.8 Million Settlement Reached In Pilot-Caused Helicopter Crash

Robin Leedom, a 43 year-old single mother whose work involved arranging air transport for VIPs, was the sole passenger in a chartered Bell 206 Helicopter on a flight from Orlando to Daytona Beach. Her flight never arrived. The Bell 206 crashed in low clouds and reduced visibility in a swampy area, spreading the wreckage 300 feet. Robin and the pilot were killed on impact.



Bell Helicopter

NTSB investigators and officials were initially baffled about why an experienced pilot, on a routine flight, would suddenly lose control and crash. Our firm was hired by Ms. Leedom's estate to determine the cause of this fatal accident. Our investigation uncovered that the

blood alcohol level of the pilot was at an illegal level of 11 points when he was transporting Ms. Leedom. Prior to filing suit, a \$2.8 Million settlement was reached with the insurers for the charter company.

"My sister would be very pleased with the work you did for her kids. Thanks again to you and your team for a tremendous job!"

... Jeff Smith, Brother of Robin Leedom

U.S. Government Awards Family Confidential Settlement For Mid-Air Collision Caused By F-16

Jacques Olivier was returning home to Tampa from Sarasota in his Cessna. He was in communication with air traffic controllers and was flying the course and altitude they had assigned him. At the same time, two Moody Air Force Base F-16 fighters were traveling below 10,000 feet at 450 knots — 200 knots above FAA speed regulations for that altitude level. FAA regulations also required them to be in communications with Tampa approach controllers while at that position. Instead, the Air Force pilots "chopped" and discontinued radio contact. They were illegally flying in controlled air space without being in communications with anyone.



F-16

Jacques Olivier had just a few moments to try to avoid the collision before the impact cut his Cessna in half, killing him instantly. Pieces of the plane rained down on the golf course below. The Air Force pilot thought he

had "hit a bird," ejected and landed safely. Our attorneys, retained by co-counsel for our aviation expertise, investigated this accident and determined exactly what had occurred to cause this tragedy. While never officially reporting fault, the Air Force acknowledged liability and we negotiated a confidential settlement for the surviving members of Jacques Olivier's family.

countered a line of thunderstorms while flying over the Midwest. Rather than divert to an appropriate airport, the crew cancelled their IFR flight plan and attempted a dangerous landing at an uncontrolled air field.

The plane overshot the runway and struck an embankment. The crew members were killed and the two passengers seriously injured. Post-crash investigation revealed that the flying pilot had been taking medications which impair judgment and decision-making. Our

team brought this case to conclusion through a pre-suit settlement process that included two mediations held within a two-week period. According to Bob Spohrer: "We were able to successfully make a choice of laws analysis which avoided the very unfair cap on damages and, at the same time, advanced a significant claim for our client's business losses due to injury. The carrier for the charter operator realistically evaluated their exposure and agreed to a settlement in excess of ten million dollars on the second day of negotiation."

\$3.75 Million Settlement Reached On Behalf Of Five Military Families

A C-23B+ Sherpa Twin Turbo-prop carrying 21 National Guardsmen was enroute from Hurlbert Field, Florida to Oceana NAS, Virginia, when it suddenly pitched sharply downward and rolled to the left, ripping the wings from the fuselage. The three-man Florida National Guard flight crew and all 18 of the Virginia Guardsmen on board lost their lives.



C-23B+ Sherpa Twin Turbo-Prop Airplane

Our firm was retained to represent a number of the families of the deceased Guardsmen. We discovered that the manufacturer had modified the plane's original design by cutting it in two, adding a cargo ramp, removing 6 feet of the cabin and making a change to the tail section. This scientific evidence showed that these modifications had a catastrophic effect on the longitudinal stability of the aircraft.

A settlement of \$3.75 million was reached with Bombardier Aerospace, Short Brothers of Northern Ireland, Duncan Aviation and Rockwell Collins, all of whom had been involved in the production or maintenance of this airplane.

Mediterranean Crash Settled For Victim's Families

Eighteen U.S. businessmen were killed when their chartered Metroliner 2 Turbo-Prop airplane negligently flew into a thunderstorm and crashed off the coast of Spain. The pilots had reported bad weather and requested a change in course just before the aircraft dropped from radar while deviating around storms. Wreckage from the flight was ultimately identified floating 26 miles west of the coast and the plane itself was located resting in 300 feet of water.

Our attorneys overcame complex international

legal issues in representing and obtaining a confidential settlement for the families of three of the victims - all from Norfolk, Virginia.



Metroliner 2 Turbo-Prop

Settlement Reached In International Airline Disaster

As part of our growing international aviation practice, the firm's attorneys recently recovered damages for the family of 26-year-old Cristin Gadue, a foreign aid worker from Vermont who was among those killed in the 2005 crash of KAM Air flight 904 near Kabul, Afghanistan. The Boeing 737 aircraft, operated by the Kyrgyzstan-based airline, crashed



Crash Of KAM Air Flight 904

in mountainous terrain during its approach to the Kabul Airport in inclement weather. The accident investigation was hampered by unreliable radar coverage in the area and the disappearance of the cockpit voice recorder. Despite these issues and the challenges of international law, we reached a confidential settlement with the ATC facility which had failed to advise the pilots that they were off course and had descended below the minimum safe altitude for the approach.

"As a lawyer, and the father of a daughter lost in a foreign air crash, I believe that Spohrer & Dodd brings the kind of support and expertise which is required to advance these kinds of difficult litigation scenarios, but they also are sensitive to the very difficult loss of loved ones which dealing with these issues raise."

... Attorney Michael Gadue

Our Aviation Team

Chad S. Roberts



Certified by the Florida Bar Board of Specialization in Aviation Law, Mr. Roberts is a barrister in the American Inns of Court. He holds an AV rating from Martindale-Hubble, the highest rating by peers. He earned a degree in Engineering Science from the Georgia Institute of Technology, one of the top ten engineering programs in the nation. Upon graduation, he was commissioned as a United States Naval Officer, serving aboard guided missile cruisers in the Atlantic Fleet. His naval experience included tours of duty in the Persian Gulf during the Iran-Iraq war, coordinating air intercept operations throughout the Caribbean basin for U.S. Drug Enforcement Agency Interdiction programs, and in Beirut, Lebanon, in support of U.S. Marine Corps Expeditionary Forces. Following naval service, Mr. Roberts enrolled in the Florida State University School of Law, was awarded an academic scholarship sponsored by the Florida Legislature, graduating magna cum laude in 1991. Mr. Roberts is an FAA-instrument-rated pilot with a high performance aircraft endorsement. He currently owns a Husky Bush Plane.

Jim Ussery, Chief Pilot



Mr. Ussery is an FAA-certified pilot and mechanic with over 10,000 hours of experience. He holds an Airline Transport Pilot rating, multi-engine airplane, and instrument ratings. The firm utilizes multiple aircraft to efficiently handle cases throughout the South East, with Jim delivering attorneys, witnesses, and clients safely and comfortably to their destination.

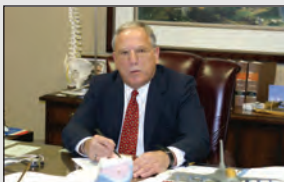
Our Aviation Team

Barry E. Newman



Mr. Newman is board certified in Aviation Law by The Florida Bar and holds an AV peer-review rating from Martindale Hubbell. He has represented claims in Florida, Arizona, New Mexico, Connecticut and Saudi Arabia. Mr. Newman is an FAA-certified Commercial Pilot and holds multi-engine, single-engine, instrument and helicopter ratings. He has flown over 1500 hours in various types of airplanes and helicopters. He recently retired from serving 18 years with the Jacksonville Sheriff's Office as a Reserve Police Officer. Mr. Newman has owned four Piper aircraft, including an Archer, Warrior, Lance II, and a Seneca II. Mr. Newman was also a volunteer transplant team pilot with Angel Flight, a national organization that provides free air transport to patients in need of medical treatment.

Saul Weinstein, Consulting Physician & Pilot



Saul Weinstein is our physician-consultant. A past FAA examiner, he reviews cases, analyzes medical records, works with other doctors, and greatly assists our attorneys with his extensive experience in medicine and surgery. A pilot with over 7000 hours, he is instrument, multi-engine and seaplane rated and owned a twin engine Piper Comanche. In 1985 he flew a single engine plane across the Atlantic and around England and France before returning home to Philadelphia.

US Government Awards \$9.48 Million After Verdict Found FAA Largely Responsible For Crash

The crash of a Piper Cherokee at Jacksonville International Airport resulted in the deaths of all four on board. The pilot, attorney Don Weidner, and another attorney, Thomas Bowden, together with their clients James and Adrienne Abrisch, were all from the Jacksonville area. There was heavy fog in the region that evening and Mr. Weidner had tried to land at two other nearby airports, without success. Relying on favorable weather reports about current conditions at Jacksonville International (JIA), he diverted the aircraft there. The plane crashed while he was attempting to land.

In investigating the crash, our attorneys uncovered several factors they were certain had played a major role. The accident occurred when the tower was closed for renovations. Air Traffic Controllers at JIA were operating out of an ill-equipped temporary tower. This tower did not include standard weather equipment, including radar and weather-measuring instruments. Controllers were communicating via the "walkie-talkie" feature of their cellular phones with other controllers in a separate building and providing only infrequent weather updates. Our attorneys proved in a Federal Court trial that Air Traffic Controllers failed to update Don Weidner on the deteriorating weather conditions prior to his attempted landing, and that this negligence was the key cause of his crash.



Airport Control Tower

A U.S. District Court Judge ruled that the Air Traffic Controllers were negligent by failing to provide the pilot with current weather conditions and attributed the majority of the fault for the crash to the FAA. The Federal Government paid the families involved a total of \$9.48 million as settlement in this wrongful death case.

SPOHRER & DODD
— Trial Attorneys —

Singular Focus on Challenging Cases

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Spohrer & Dodd Provides Co-Counsel:

- Case Evaluation
- In-House Physician & Nurse
- Network Of Experts
- In-House Pilot/Aviation Expert

The case results reported in this publication are unique to each case and are not indicative of the merits of any other case or the possible results that may be obtained.

Co-Counseling Cases In Florida, Georgia And Nationally