

Gladstone Michel Weisberg Willner & Sloane^{ALC}

Practice Area

Aviation

Gladstone Michel's aviation group attorneys have represented airlines, product manufacturers, general aviation operations, and insurers in thousands of catastrophic injury, wrongful death, and products liability claims arising out of major airline disasters and other incidents. We also defend our aviation clients in racial and disability discrimination claims, breach of contract matters and class actions.

Our aviation attorneys have specialized technical, regulatory, and legal knowledge critical to the effective handling of aviation cases. We aggressively pursue discovery within the guidelines established upon assignment, with the goal to place the matter in a posture enabling our client to reach a decision as to settlement versus trial at the earliest possible time.

The firm's aviation group is comprised of seasoned litigators and is led by an aviation defense attorney with nearly 30 years of experience in cases ranging from routine tort and contract claims to major accidents and terrorist incidents. Additionally, the group leader has worked within the aviation insurance industry and has insight into the market's requirements of its defense counsel. As such, our attorneys can offer our aviation clients the following:

- An approach to litigation that emphasizes the client's need to make an early assessment of the liability and damage issues in a case, and the experience and resources to take any case through trial when necessary.
- A team of lawyers with technology tools and experience to deal effectively with multi-district litigation arising out of major incidents or disasters.
- The understanding that "winning" a case at a cost that far exceeds its potential value or that results in adverse publicity to our client is rarely desirable.
- Pre-litigation counseling with respect to liability issues and emergency preparedness, and post-accident counseling and witness preparation concerning NTSB investigations and hearings.

Gladstone Michel's attorneys recognize that most aviation cases do not improve with age. We are confident that our use of "best practices" risk assessment will enable clients to make informed decisions on whether litigation is appropriate.

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Notable Engagements

- Represented an international airline in 80+ wrongful death claims arising out of a crash off the California coast. The actions were multi-districted in the U.S. District Court for the Northern District of California.
- Represented the captain and first officer of a domestic airline in connection with the passenger injury claims arising out of an accident at Burbank, California. After landing at Burbank Airport, the airplane went through a perimeter fence and onto a city street. The United States District Court for the Central District of California granted the pilots' motion for summary judgment on the coordinated plaintiffs' punitive damages claim.
- Obtained summary judgment for a domestic carrier (affirmed by the Court of Appeal) in an action brought by an obese passenger who was required to purchase two tickets. The court ruled that the airline's requirement was neither discriminatory nor outrageous as a matter of law.
- Obtained summary judgment on behalf of airline in a discrimination action in which the plaintiffs (two California Highway Patrol officers) claimed to have been the victims of post-9/11 racial profiling.

Contact:

Arthur I. Willner
awillner@gladstonemichel.com
(310) 821-9000