

## Aviation Law: Kreindler & Kreindler, LLP

*(Who's Who is a brief profile of and prepared by, the represented ISASI corporate member organization to enable a more thorough understanding of the organization's role and functions.—Editor)*

Not every Marine Corps helicopter pilot is selected to fly the U.S. president. Nate Brown was among the few. A top-notch aviator, Brown retired from the military to fly for Petroleum Helicopters Inc. (PHI). On Nov. 28, 1996, Brown was killed along with his passengers when the helicopter he was piloting suffered a tail boom separation on approach to landing on an oil rig in the Gulf of Mexico.

His widow, Deborah Brown, couldn't accept the National Transportation Safety Board's probable cause finding that Brown had failed "to use proper emergency procedure." She hired New York aviation law firm Kreindler & Kreindler to bring a civil action against the manufacturer, which was ultimately successful. Still, compensation could not reinstate Nate Brown's good name.

After the litigation, Kreindler & Kreindler presented the NTSB with the results of the firm's own investigation into the cause of the crash and the history of similar defects on this model helicopter. In an unusual and laudable decision, the Safety Board reconsidered its earlier finding on probable cause and determined that piloting decisions were not a factor in the tragedy.

Throughout its 50-year history representing victims of aviation accidents, Kreindler & Kreindler has shown a continuous commitment to its clients and to air travelers in general.

The Brown petition is one example of how Kreindler & Kreindler uses its pilots, engineers, and investigators to review accident scenes, recover wreckage, re-analyze data, and create animations in order to more fully understand an accident scenario and in some cases identify defects that indicate an on-going problem.

In 1999, four men were killed in a helicopter crash atop a glacier in British Columbia while filming a television commercial. Because of the remote location of the crash, the Canadian government did not recover the wreckage.

Two years later, Kreindler & Kreindler, representing the family of the television producer on board, organized a private expedition—coordinating the recovery of



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wreckage and bodies and obtaining information that revealed a previously unknown contributing factor in the accident.

The firm's examination showed that the camera mount affixed to the nose of the helicopter was installed without counterweights, altering the airplane's center of gravity and making it difficult to control. The team assigned to the case included two Kreindler & Kreindler partners, former military helicopter pilots whose understanding of aviation was an invaluable addition.

The U.S. Department of Defense looked to Kreindler & Kreindler's expertise when it established a blue ribbon panel in 2001 to assess the safety of the Marine Corps V-22 tilt-rotor aircraft. Kreindler & Kreindler, on behalf of the families of marines killed during the development and test phase of the controversial aircraft, was asked to

testify on the flight control problems plaguing the Osprey. As a result, the manufacturers and the Marine Corps were required to slow down the deployment of the V-22 until these hazardous safety issues were resolved.

Kreindler & Kreindler has represented passenger families in nearly every major air disaster, including American Airlines Flight 527, TWA Flight 800, Egypt Air Flight 990, Comair Flight 5191, Swissair Flight 111, the hijacking of Pan Am Flight

73, and the bombing of Pan Am Flight 103. The Pan Am cases and the firm's ongoing September 11th attack investigation has given Kreindler & Kreindler an unparalleled command of the relationship between aviation and terrorism.

Kreindler & Kreindler has also developed expertise in surreptitious ownership of airplanes, air safety hazards from ground-based airport events, and shortcomings in air traffic control equipment and training.

Kreindler & Kreindler understands that aviation disasters are always the result of many contributing factors. The firm is rewarded when, as a consequence of its work, aviation is made safer. At the same time, Kreindler & Kreindler also considers success something as focused and individual as restoring to a pilot's widow her husband's good name. ♦



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