

# Maintenance Company's Error Causes Helicopter Disaster

On April 8, 1999, Jane Doe was a passenger in a 1991 Aero Spatiale AS350B Helicopter. The helicopter crashed during take off at a South Florida airport. Plastic sheeting, left in and around the transmission oil cooler by employees of an aviation maintenance company, was found to have caused the crash.

While replacing the helicopter's windshield, an employee of X Corporation used a roll of plastic to protect the windshield and paint the metal perimeter. In order to install the windshield, the employee had to work at the level of the cabin roof and he left the roll of plastic just in front of the transmission oil cooler.

The helicopter was repaired and then returned to the line as "airworthy." Jane Doe, 38, was a real estate appraiser and a passenger. She was part of a group going to appraise a piece of real estate property at the request of a governmental agency. The helicopter was piloted by a very experienced Vietnam veteran pilot who testified he did not see the roll of plastic while conducting his pre-flight inspection. The manufacturer of this helicopter publishes a manual that includes step-by-step pre-flight inspection procedures, but does not require the pilot to inspect the roof of the helicopter.

The helicopter was also on skids and placed on a dolly that was 18 inches high at the time of lift-off. There was no way that the pilot could see the roll of plastic during the pre-flight inspection.

While the helicopter was lifting off the dolly, the plastic roll unfurled and became entangled in the engine rotors. The pilot lost engine power due to the plastic being sucked into the engine vent, which caused the crash.

Jane Doe was treated at a local hospital for a period of two weeks. She underwent a series of operations including an incision in her abdomen, the resection of her small bowel, the repair of her stomach membrane, and the evacuation of air

trapped inside her abdomen membrane. She also sustained paralysis to the sixth cranial nerve, contusions, abrasions, significant abdominal scarring and trauma all over her body.

After the crash, Jane Doe was also treated at a world famous eye institute for double vision and non-tracking. Her right eye made some recovery, but the left eye developed contractures. She also received Botox injections, but still had gaze and double vision problems.

As a result of her injuries, which also included headaches, inattentiveness, decreased mental processing and lower back pain, Jane Doe was referred to a South Florida physiatrist. MRIs revealed central disc protrusion at C3-4, along with a mild disc bulge at L4-5. There was also evidence of swelling of muscle tissue adjoining the sacrum. Jane Doe underwent intensive rehabilitation and was treated for neck pain radiating into her left shoulder and back pain radiating down both legs. Jane Doe also received biofeedback. Ultimately, a small central disc herniation at C5-6 was revealed by MRI.

Jane Doe also underwent psychotherapy for phobia, post-traumatic stress disorder, and major depression. She was prescribed antidepressants. A neurologist also diagnosed Jane Doe with neurogenic bladder (the inability to control her bladder) and initiated conservative treatment. A South Florida economist was retained to testify as to the present money cost of her future medical care and treatment, as well as her loss of future earning capacity. Chris Searcy and David White were prepared to try the case. However, after negotiations and mediation, the case was settled by X Corporation. The amount of money will be sufficient to provide Jane Doe with all of her future medical care and treatment, and will satisfy her future loss of earning capacity. ♦

