

Hinge On Rear Wing Led to Instability

Plane Breaks Up Causing Death of Young Pilot

Attorneys Chris Searcy and Chris Speed recently achieved the partial resolution of a wrongful death case arising out of the crash of a single engine aircraft. This accident occurred several years ago in Palm Beach County. The firm represented the mother of a 26-year-old woman who was piloting the aircraft when it crashed. The decedent was a certified instructor and the plane was certified for aerobatic maneuvers.

According to witnesses, the aircraft was being flown in a straight and level manner on a clear day when it suddenly appeared to break apart in flight. Witnesses on the ground indicated that they saw pieces of the plane falling off for no apparent reason.

An in-depth investigation was done by the National Transportation Safety Board (NTSB) as part of its routine review of all aircraft accidents. The NTSB concluded that an inappropriate application of paint to the plane caused it to fly unbalanced, thus creating a significant vibration which affected the plane's structural integrity.

Mr. Searcy and Mr. Speed hired experts to look into the NTSB's theory and to analyze and review the wreckage recovered. Pieces of the aircraft were found covering an area almost a half mile long and four hundred feet wide. Expert analysis of the wreckage determined that there were problems with a hinge on the rear wing which probably led to the instability, thereby causing the plane to come apart.

Litigation was commenced against the manufacturer of the plane, as well as the company responsible for maintaining it. At issue was whether the original design of the plane was defective or whether subsequent repairs were done in a substandard manner. Obviously, planes are designed to stay together in flight, and the pilot of this plane was not flying it beyond recommended limits.

At a recent pre-trial mediation, Mr. Searcy and Mr. Speed negotiated a satisfactory partial settlement with the manufacturer of the airplane. The settlement amount was in excess of a million dollars, although specific terms of the settlement and the identity of the parties are to remain confidential. The lawsuit against the maintenance company is ongoing, and is presently set for trial in the spring of this year. Mr. Searcy and Mr. Speed hope to ultimately obtain full compensation for the decedent's surviving mother. ■