



25th Annual National Institute on Aviation Litigation

New York University

Furman Hall
245 Sullivan St
New York, NY

June 13, 2019





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June 13, 2019 | Furman Hall, 245 Sullivan St | New York, NY

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Assistant General Counsel
NTSB
Washington, DC

Erin Applebaum

Associate
Kreindler & Kreindler
New York, NY

Austin Bartlett

Partner
Bartlett Chen, LLC
Chicago, IL

Megan Wolfe Benett*

Partner
Kreindler & Kreindler
New York, NY

Jeffrey J. Ellis

Partner
Clyde & Co
New York, NY

Justin Green

Partner
Kreindler & Kreindler
New York, NY

Diana Gurfel

Partner
Condon & Forsyth
New York, NY

Lauren Haertlein**

General Counsel and Director
GAMA
Washington, D.C.

David Harrington

Partner
Condon & Forsyth LLP
New York, NY

Michael S. Krzak*

Partner
Krzak, Rundio Law Group
Chicago, IL

John Maggio*

Partner
Condon & Forsyth
New York, NY

Jeanne O'Grady

Partner
Speiser Krause
Rye Brook, NY

Katie Patrick

Senior Attorney
FAA
Washington, D.C.

Anne Marie Rybka

Assistant Vice President
Global Aerospace
Parsippany, NY

Steve Sandler

Associate Attorney
Woodruff, Johnson, & Evans
Chicago, IL

Linda Schneider

Partner
Tressler
Chicago, IL

Mark Schwartz

Member
Driggers, Schultz & Herbst
Troy, MI

Catherine Slavin

Partner
Gordon Rees Scully Mansukhani
Philadelphia, PA

Richard Walker

Member
KMA Zuckert
Chicago, IL

William Walsh

Member
Cozen O'Connor
Seattle, WA

Keith Williams

Partner
Lannom & Williams
Lebanon, TN

Alexandra M. Wisner

Partner
Wisner Law Firm
Geneva, IL

*Planning Committee

**Keynote Speaker

Thursday, June 13, 2019

8:00 a.m.	Registration
8:55 a.m.	Opening Remarks
9:00 a.m.	Litigating a Foreign Air Crash Case: Practical Considerations Speakers: Erin R. Applebaum, John Maggio, Alex Wisner, Richard Walker This panel will address topics that arise after a foreign air crash including: • Jurisdictional issues • Forum non conveniens considerations and developments • Cultural considerations • Code share/interline agreements among carriers • Effect of on-line bookings The panel features two attorneys from the plaintiffs' bar and two attorneys from the defense bar to discuss these issues and provide different perspectives.
10:00 a.m.	Federal Preemption: Conflict in the Field? Moderator: B. Keith Williams Speakers: Jeffrey J. Ellis, Justin T. Green, Catherine Slavin Over the past quarter-century, courts across the country have addressed federal preemption of aircraft operation, design and manufacturing, and passenger services, among other matters. This panel discussion will set forth differing views on where the boundaries of express, field, and conflict preemption currently lie, 20 years after <i>Abdullah v. American Airlines</i>, and where the panel sees those boundaries in the future.
11:00 a.m.	Break
11:15 a.m.	Quantity, Quality and Qualifications: The Effect of the "1,500 Hour Rule" after Colgan Flight 3407 Speakers: David Harrington, Jean O'Grady, Katie Patrick In response to the Colgan Flight 3407, Congress enacted the Aviation Safety and Federal Aviation Administration Extension Act of 2010 (Pub. L. 111-216). This statute included several specific provisions for modifying the FAA's certification and qualification requirements for air carrier operations. This panel will discuss: • The certification and qualification requirements that existed before Colgan Flight 3407; • The statutory mandates in Pub. L. 111-216; • The current certification and qualification requirements that were implemented after Colgan Flight 3407; and • Why the changes were made, whether they were the right changes, their effectiveness, and the impact they have had on the U.S. airline industry over the past 5 years.
12:30 p.m.	Lunch
1:00 p.m.	"A Degree Not Comparable to Any Other" Industry: The Regulatory System for Certifying Aviation Design and Manufacturing <i>Featured Speaker: Lauren L. Haertlein</i> A discussion on the federal regulatory system for the certification of aviation design and manufacturing, and how it establishes a standard of care for the design of aviation products and parts. Lauren will also discuss current issues in certification and delegation, and future developments.

2:00 p.m.	An Update on Emerging Legal Fields: Drones, Cyber-security, and Space Tourism Speakers: Austin Bartlett, Diana Gurfel, Ann Marie Rybka, William Walsh This panel will provide an update on drone law, cyber-security law, and commercial space law. Attendees will hear about recent litigation trends, new developments, and regulatory updates on these cutting-edge legal topics from a variety of perspectives, including defense, plaintiff, and insurance.
3:00 p.m.	Break
3:15 p.m.	You Just Made the List! The NTSB's 10 Most Wanted (Aviation) and How They Got There Moderator: Mark K. Schwartz Speakers: Benjamin Allen, Steven M. Sandler, Linda J. Schneider The NTSB's Ten Most Wanted List has existed for almost thirty years. Yet, even in aviation law circles, many experienced practitioners only have a passing understanding of the purpose behind and history of these critical safety recommendations. But, what happens when the claims or defenses in pending litigation touch upon one of NTSB's 10 Most Wanted? Our panel will start with a brief history of the 10 Most Wanted and identify the criterion used by the NTSB to decide what makes the list. For each of the NTSB's aviation most-wanted our panel will address some of the accidents or events that catapulted the topic onto list, along with any existing or proposed statutes and aviation regulations touching upon them. We are fortunate to have the NTSB's Assistant General Counsel, Benjamin Allen, as a distinguished member of our panel. Ben has been with the NTSB for over six years, where he advises the Board on a variety of legal issues and works closely with outside legal counsel during accident investigations. He will provide invaluable insight. Our panel is rounded out by experienced aviation practitioners Mark K. Schwartz, Linda Schneider and Steven Sandler, who collectively have more than seventy-five years of aviation civil litigation experience representing various aviation stakeholders, including passengers, airlines, manufacturers, pilots, cabin crew, operators and other certificated entities.
4:15 p.m.	Closing Remarks

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