

Aviation Litigation

Dating back to the days of our representation of Howard Hughes, Jr., Andrews Kurth has historically had well-known, long-standing relationships with significant players in the aviation industry.

We have developed particular strengths in aviation accident litigation. For over four decades, our lawyers have been trying and winning cases on behalf of leading manufacturers of aircraft, component parts and affiliated products.

In addition to accident litigation, we have handled significant commercial litigation on behalf of top aviation industry companies. Aviation manufacturers have also looked to our trial section for the defense of toxic tort cases brought by plaintiffs alleging injury arising from work performed on aircraft and aircraft components.

We are both familiar with and experienced in handling the legal, regulatory and investigative considerations that are unique to the aviation industry. In addition to our trial counsel, we bring a preventive perspective to our representation, often helping clients to identify alternative practices and procedures to help mitigate future liability risks.

In addition to our successful trial record, our lawyers have argued and won several landmark appellate decisions in aviation law:

- ***Prejean v. Sonatrach***, 652 F.2d 1260 (5th Cir. 1981)—Our lawyers secured the dismissal of all claims against our client, an aircraft manufacturer, on the basis of the Texas Long Arm Statute.
- ***Bearry v. Beech Aircraft Corp.***, 818 F.2d 370 (5th Cir. 1987)—In perhaps the most-cited Fifth Circuit case on general jurisdiction principles, our lawyers achieved the dismissal of all claims against our client, a general aviation manufacturer.
- ***Wenche-Siemer v. Learjet***, 966 F.2d 179 (5th Cir. 1992)—Our lawyers won dismissal on personal jurisdiction grounds of all claims against our client, an aircraft manufacturer, despite its being registered to do business in the forum state.
- ***Kerstetter v. Pacific Scientific***, 210 F.3d 431 (5th Cir. 2000)—In a very significant Fifth Circuit case on the government contractor defense, our lawyers won dismissal of all claims against our client, the manufacturer of a military trainer airplane.
- ***Jones v. Raytheon Aircraft Servs.***, 120 S.W.3d 40 (Tex. App.—San Antonio 2003, pet. denied)—Our lawyers obtained the dismissal of all claims against our client, an aircraft manufacturer, on the basis of the doctrine of forum non conveniens.
- ***Miller v. Raytheon Aircraft Co.***, 229 S.W.3d 358 (Tex. App.—Houston [1st Dist.] 2007, no pet.)—In a case of first impression in Texas, our attorneys won the dismissal of all claims brought by a pilot against our client, a corporate aircraft fractional ownership company, based on federal preemption under the Airline Deregulation Act.