



25th Annual National Institute on Aviation Litigation

New York University

Furman Hall
245 Sullivan St
New York, NY

June 13, 2019





25th Annual National Institute on Aviation Litigation

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

Visit **#ABAavi2019**
Register Now!

	AdvanceRate Effective April 18, 2019	StandardRate Effective May 18, 2018
General Public	\$730	\$750
ABA Members	\$635	\$690
ABA Section of Litigation Members	\$550	\$610
Government Lawyers	\$420	\$465

The ABA reserves the right to correct all typographical errors. | Fees do not include travel or lodging.

To register, visit ambar.org/avi2019

Presented by:
Section of Litigation

Earn up to 6.0 general CLE Credits

Not an ABA Member? **Join Now!**
www.ambar.org/join

ABA CLE National Institutes bring you face-to-face with nationally recognized experts on substantive topics—often while fulfilling most of your annual CLE requirements.

Benjamin Allen

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 Schwarts

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.	<p>Litigating a Foreign Air Crash Case: Practical Considerations Speakers: Erin R. Applebaum, John Maggio, Alex Wisner, Richard Walker</p> <p>This panel will address topics that arise after a foreign air crash including:</p> <ul style="list-style-type: none"> • Jurisdictional issues • Forum non conveniens considerations and developments • Cultural considerations • Code share/interline agreements among carriers • Effect of on-line bookings <p>The panel features two attorneys from the plaintiffs' bar and two attorneys from the defense bar to discuss these issues and provide different perspectives.</p>
10:00 a.m.	<p>Federal Preemption: Conflict in the Field? Moderator: B. Keith Williams Speakers: Jeffrey J. Ellis, Justin T. Green, Catherine Slavin</p> <p>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.</p>
11:00 a.m.	Break
11:15 a.m.	<p>Quantity, Quality and Qualifications: The Effect of the "1,500 Hour Rule" after Colgan Flight 3407 Speakers: David Harrington, Jean O'Grady, Katie Patrick</p> <p>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:</p> <ul style="list-style-type: none"> • 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.	<p>"A Degree Not Comparable to Any Other" Industry: The Regulatory System for Certifying Aviation Design and Manufacturing <i>Featured Speaker: Lauren L. Haertlein</i></p> <p>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.</p>

2:00 p.m.	<p>An Update on Emerging Legal Fields: Drones, Cyber-security, and Space Tourism</p> <p>Speakers: Austin Bartlett, Diana Gurfel, Ann Marie Rybka, William Walsh</p> <p>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.</p>
3:00 p.m.	<p>Break</p>
3:15 p.m.	<p>You Just Made the List! The NTSB's 10 Most Wanted (Aviation) and How They Got There</p> <p>Moderator: Mark K. Schwartz Speakers: Benjamin Allen, Steven M. Sandler, Linda J. Schneider</p> <p>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?</p> <p>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.</p> <p>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.</p>
4:15 p.m.	<p>Closing Remarks</p>

Step 1: Registration Rates

	Advance Rate Effective April 18, 2019	Standard Rate Effective May 18, 2018
General Public	\$730	\$750
ABA Members	\$635	\$690
ABA Section of Litigation Members	\$550	\$610
Government Lawyers	\$420	\$465

The ABA reserves the right to correct all typographical errors. | Fees do not include travel or lodging.

Step 2: Section Membership

Section of Litigation - \$60 {check membership fee}

Step 3: Course Materials

Electronic course materials will be provided via download at least 48 hours prior to the start of the Institute. * If you cannot attend, but would like to order the Course Materials, please visit us at ambar.org/avi2019 or call (800) 285-2221 for pricing and availability.

Step 4: Your Information

Name

Law Firm/Organization

Address Suite/Apt.

City State Zip Code

Telephone

Email ABA Member ID

The ABA and many of its entities provide content through email. We do not share email addresses with anyone outside the ABA.

Step 5: Your Total Due Amount




Registration Rate (from Step 1) 5A \$ _____


5B \$ _____⁺

ABA Section of Litigation Enrollment - \$60 (from Step 3) 5C \$ _____

Total \$ _____

Step 6: 4 Easy Ways to Register

-  Visit ambar.org/avi2019
-  Call (800) 285-2221
-  Fax this form to (312) 988-5850

 Complete and mail this form:
 The American Bar Association
 Event Registration
 Unit 321 N Clark St., FL 16
 Chicago, IL 60654-7598

MCLE

The ABA will seek **6.00** CLE credit hours in 60-minute-hour states, and **7.20** credit of CLE credit for this program in 50-minute states. Credit hours are estimated and are subject to each state's approval and credit rounding rules. Please visit the program website at ambar.org/avi2019 for program CLE details or visit www.americanbar.org/mcle for general information on CLE at the ABA.

Scholarships

Financial scholarship applications are available for this conference. To request an application or receive additional information, please visit: <https://www.americanbar.org/events-cle/abacle/scholarship/>

Attire

Business casual attire is appropriate for all activities.

Attendees with Special Needs

If special arrangements are required, please contact our Meetings Manager, Donna Williams at (312) 988-6210 or Donna.Williams@americanbar.org.

Cancellations

Cancellations received five business days or more before the program will receive a full refund, less a \$50 cancellation fee. No refunds will be provided for cancellations after that date; however, substitute registrants are welcome at any time. To cancel your registration or substitute another individual, please call the ABA at (800) 285-2221 or fax your request to (312) 988-5850. Registrants who do not cancel within the allotted time period and who do not attend the program will receive a copy of the program course materials after program completion.

In-Person Registration

If you plan to register in person, please call the ABA at least 24 hours in advance to confirm that the program is being held as scheduled and that space is available. Cash payments will not be accepted.

Program Location

NYU Law
Furman Hall
245 Sullivan St
New York, NY 10012

Program Confirmation

Written confirmation of your registration will be sent to you upon receipt. If you do not receive the confirmation notice prior to the program, please call the ABA at (800) 285-2221 at least 24 hours in advance to confirm that your registration was received and that the program is being held as scheduled.

Hotel Information

Sleeping accommodations at a specific hotel have not been selected by the ABA. Feel free to visit www.americanbar.org/preferred to search the directory.

Standing Committee on Continuing Legal Education Under the guidance of the Standing Committee on Continuing Legal Education, ABACLE administers and produces National Institutes, webinars, and other technology-based products and written course materials to assist lawyers with their professional development efforts.

Airline Information

With **ABA Egencia***, you can automatically obtain ABA negotiated airfare discounts for travel to the ABA Meetings. ABA Egencia enables you to purchase the best airfare at the time of booking, by providing you with the ability to search for and compare fares from virtually every airline serving the destination.

Reservations with ABA Egencia can be made [online](#) or offline. For offline reservations, call (877) 833-6285. ABA Egencia is available online via www.egencia.com. ABA airfare discounts on some carriers may also be obtained by purchasing your tickets under the ABA Discount Codes directly from the airline or through your travel agent.



American Airlines: ABA Discount **only** available at [ABA Egencia](#)



United Airlines: **800-426-1122**

For ABA Meetings Only - Agreement Code:
8880300 / Z Code: **ZFX6**

Discount available at www.united.com
Click **All Search Options** and enter *Online Discount Code: ZFX68880300* in the *Promotions and Certificates* box.



Delta Airlines: **800-328-1111**

ABA File Global Meeting Code: **NMS9P** Discount available at www.delta.com Click **Advance Search** and enter Online Meeting Event Code: **NMS9P** in the **Meeting Event Code**



Southwest tickets can be booked on ABA Egencia. If not booking via ABA Egencia you can book via www.swabiz.com and use ABA SWABIZ Company ID **99422890**