
By Susan Lasser, J.D.

A federal jury in Pennsylvania has awarded nearly $2.8 million in damages to the widow and minor child of a U.S. Forest Service employee who died in an airplane crash fire. The jury found the manufacturer of the airplane's engine liable for the employee's injuries. The owner of the crashed airplane will share the award as well (Snider v. Sterling Airways, Inc., February 17, 2017).

The decedent was a passenger on the aircraft, which was a model T-210L airplane manufactured by Cessna Aircraft Company. The plane was owned by Sterling Airways, Inc., which entered into a one-year contract with the Forest Service whereby Sterling provided the Forest Service with the plane and a pilot for the purpose of conducting aerial deforestation surveys over several states, including the Commonwealth of Pennsylvania. Sterling promised to maintain and operate the aircraft in accordance with federal aviation regulations and to obtain insurance coverage. On the day of the crash, the aircraft, its pilot, and its two passengers, including the decedent, performed aerial survey operations over Pennsylvania before approaching a Pennsylvania airport with the intent to land there. However, as alleged in the widow's complaint, the aircraft engine, manufactured by Continental Motors, Inc., suffered a catastrophic in-flight failure, and the aircraft crashed just short of the runway. The decedent had survived the initial impact, but died in the post-crash fire.

Lawsuit. The widow brought suit against the airplane engine manufacturer and the owner of the aircraft, among others. She alleged that Continental manufactured and sold defective cylinder and valve assemblies for use with the model engine in the crashed plane. The valve assemblies, she alleged had exhaust valve guides that were defective because they did not meet minimum hardness specifications. One such defective exhaust valve guide was part of the cylinder and valve assembly installed in the no. 2 position on the accident aircraft's engine. She complained that the exhaust valve guide wore excessively and fractured because it was too soft. The excessive wear caused the exhaust valve guide to fracture, and the fracture initiated a series of events that caused the failure of the engine.

Further, the widow alleged that Continental also manufactured and sold cylinder and valve assemblies which were defective because they were not accompanied by sufficient instructions to provide for their safe use. She asserted that the lack of sufficient instructions caused Sterling to install incorrect parts in the aircraft engine and those incorrect parts caused the exhaust valve guides to overheat and then wear excessively, which in turn caused the exhaust valve guide in the no. 2 cylinder and valve assembly in the accident aircraft to fracture. This then set in motion the chain of events that led to the failure of the engine. Thus, she argued that the failure to provide sufficient instructions was both the factual and legal cause of the accident. The widow's claims against the engine maker included strict liability, negligence, and gross negligence.

Judgment. Following the jury verdict in the widow's favor, the court ordered damages to be awarded in the amount of $2,753,048.49. The judgment was in favor of the widow, her and the decedent's son, and Sterling. Although Sterling was originally a defendant, the airplane owner will share in the award.

The case is No. 13-2949.

Attorneys: John R. Merinar Jr. (Steptoe & Johnson PLLC) for Elizabeth C. Snider. Jeffrey W. Moryan (Connell Foley LLP) for Sterling Airways, Inc. Leigh Woodruff (Skinner Law Group) for Continental Motors, Inc.

Companies: Sterling Airways, Inc.; Continental Motors, Inc.
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