
March 30, 2010

Relatives of Air France crash victims sue in U.S.

By Jane Sutton

(Reuters) - Relatives of passengers killed in an Air France crash off Brazil have filed nearly two dozen wrongful death lawsuits in Miami against Airbus, alleging that aircraft maker's A330 crashed because of flaws in the plane and its U.S.-made components.

Airbus, a unit of the European Aeronautic Defense and Space Company, called the lawsuits baseless.

"We don't believe that they are well stated or well founded," said Airbus Americas spokesman Clay McConnell. "We will be moving to have them dismissed."

The lawsuits were filed in U.S. district court by the families of passengers aboard Air France Flight 447, which crashed into the Atlantic Ocean on June 1, 2009, some 3-1/2 hours after taking off from Rio de Janeiro.

The Paris-bound plane plunged into the sea 680 miles off Brazil during a storm, killing all 228 people aboard.

France's aviation investigation agency, the BEA, is leading a probe of the crash but has not determined the cause.

Last week it resumed a search for the plane's data recorders, which are believed to lie at a depth of 13,000 feet in the Atlantic off Brazil's northeast coast.

A Miami law firm, Podhurst Orseck, has filed the 23 wrongful death lawsuits in Florida on behalf of passengers' families and expects to file at least 10 more in the next few weeks, firm attorney Steve Marks said.

The identical lawsuits assert that the plane crashed because design and manufacturing defects left the pilots without accurate data to maintain altitude and air speed.

Speculation about the cause of the crash during a storm has focused on the possible icing of the aircraft's speed sensors, which appeared to give inconsistent readings and may have disrupted other systems.

The suits say that the weather radar, ice detector and airspeed indicator provided flawed information while other equipment malfunctioned and engines lacked sufficient power to enable the aircraft to recover from a stall.

Defendants include Airbus and France's Thales Group and their U.S. subsidiaries. Also named are U.S. companies Honeywell International Inc, Motorola Inc, Intel Corp, Rockwell Collins, Hamilton Sundstrand Corp, General Electric, Goodrich Corp, Rosemount Aerospace, Dupont Co, Judd Wire Co and Raychem Co.

Marks, the plaintiffs' attorney in Miami, said U.S. courts have jurisdiction because the companies are either U.S.-based or operate in the United States.

"So many U.S. firms are component parts manufacturers, the U.S. legal system has a unique interest in making sure the skies are safe," Marks said.

The crash was the first in-service fatal accident involving the A330, which first flew in 1992, Airbus spokesman McConnell said, adding that 667 of the aircraft are now in service.

Seven people were killed during a 1994 test flight in Toulouse, France, in a crash blamed on pilot error.

Air France is not named in the lawsuits because separate laws and treaties govern airline liability, Marks said.

The Brazilian government has set up a compensation committee with Air France's insurers and victims' families to determine what the families should be paid.

Earlier this month, Air France's insurance company, Axa, said it would appeal a Brazilian court's ruling for the airline company to pay \$1.16 million in compensation to one crash victim's family. The insurer said then it did not accept the ruling as a precedent because compensation should be decided by the committee.