



Aviation Litigation and Regulation

The aviation industry is constantly changing and novel issues regularly arise. The international nature of aviation means that when disputes arise, they tend to be cross-border. Varying business cultures, legal frameworks and business practices can make the resolution of disputes time-consuming and potentially very costly.

Our global network of offices gives us an unparalleled reach and our aviation practice is highly praised in the marketplace.

Our experienced team of lawyers has been closely involved with many of the significant issues the industry has faced in the last 20 years we continue to be at the forefront when advising our clients on the likely challenges ahead. We are on hand to provide cost-effective assistance aligned to the client's commercial objectives and protection of its business.

CAPABILITES

- Representing airlines, manufacturers and aviation service providers and their insurers and reinsurers in the defence of death and injury claims arising out of incidents and accidents which may occur anywhere in the world.
- Providing emergency assistance to airlines in the immediate aftermath of an accident, including the establishment of interim fundings and making of emergency payments.
- Advising on and representing clients and their insurers in inquests, criminal investigations and public enquiries arising out of serious incidents and major accidents.
- Conducting complex commercial litigation on behalf of airlines in the English Commercial Court and High Court, and worldwide, including obtaining and seeking to set aside emergency injunctions and orders.
- Pursuing contribution claims by way of subrogation or otherwise in order to recover losses incurred by an airline, manufacturer or aviation service provider.
- Employing mediation and other alternative forms of dispute resolution to solve disputes without the expense of litigation.
- Representing airlines in the defence of claims involving bodily injury, delay, loss, damage or delay to baggage, disabled passengers or those with reduced mobility pursuant to the Montreal Convention 1999 and Regulation 261/04 and Regulation 1107/06 including liaising with regulatory bodies on behalf of airlines.
- Providing guidance on the incorporation of specific dispute resolution, arbitration, choice of law and jurisdiction clauses in commercial agreements.

KEY CONTACTS

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EXPERIENCE

- Assisting a major helicopter manufacturer and its insurers in relation to the handling of legal liability issues arising out of the forced ditchings of two EC225 and one AS332 Super Puma helicopter in the North Sea in 2012/2013.
- Assisting a major helicopter manufacturer and its insurers and handling claims which may arise out of the accident to an EC 135 helicopter which crashed into the Clutha Bar in Glasgow on 29 November 2013.
- Representing reinsurers in the handling of claims in 11 jurisdictions arising out of the crash of an Aerocaribbean operated ATR72 aircraft in Cuba in November 2010.
- Advising insurers/reinsurers on coverage issues relating to a claim for loss of aircraft spares and equipment resulting from a hangar fire in Saudi Arabia.
- Representing a major UK airline in connection with large passenger class action in New York, including conducting witness interviews, collection of information under Data Protection rules and providing ancillary regulatory advice on pricing and fares.
- Representing a major UK airline in a claim against it by a disabled passenger for damages as a consequence of the airline failing to meet his seating request on a flight from the UK to Cyprus. The case involved the application of Regulation 1107/06 in the context of the Montreal Convention 1999 and was won by the airline both at first instance and on appeal.
- Defending a major Asian carrier in the Commercial Court in respect of a claim for breach of contract, including allegations of tortious inducement of breach of contract and conspiracy to injure by unlawful means, arising from the sale of redundant fleet aircraft.
- Defending a major UK carrier in the High Court in respect of a claim for breach of contract arising out of the cessation of flying operations by the carrier at a regional airport in November 2006.
- Representing the government of a sovereign state in High Court judicial review proceedings concerning sovereignty over the airspace above an area of the territory of that State currently under foreign control.
- Defending six high profile carriers in passenger claims for compensation for delay following the CJEU decision in Nelson -v- TUI (reaffirming the decision in Sturgeon/Bock) which purports to extend the obligations to compensate passengers in the event of delay by reference to Regulation (EC) 261/04.

NEWS

DLA Piper announces partnership promotions for 2020

30 April 2020

DLA Piper is proud to announce that 67 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2020 in the United States and May 1, 2020 for EMEA and Asia Pacific. The promotions have been made across many of the firm's practice areas in 35 different offices throughout 13 countries.

Across the firm's practices globally, Corporate saw the largest intake of new partners with 19 promotions, followed by Litigation and Regulatory with 15. Intellectual Property and Technology and Finance and Projects had ten and eight promotions respectively, while there were six in Real Estate. Tax and Employment both had four, and there was one in Restructuring.

DLA Piper hires new partners in Australia

23 April 2020

Global law firm DLA Piper today announces that leading tax disputes partner Paul McNab and litigation lawyer John Fogarty will be joining the firm in May.

DLA Piper lawyers named Acritas Stars

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

DLA Piper appoints Head of Global Government Affairs team

6 March 2020

DLA Piper announces the strengthening of its Global Government Affairs team with the appointment of Richard Sterneberg who will head up the team in its Brussels office. Richard brings with him over 20 years of experience working in Brussels as a global government affairs expert.

DLA Piper senior associate Wincen Santoso admitted as a Fellow of the Chartered Institute of Arbitrators (CI Arb), the United Kingdom

17 December 2019

DLA Piper is pleased to announce that Wincen Santoso, an Indonesian and New York qualified senior associate in Singapore, has been admitted as a Fellow of the Chartered Institute of Arbitrators (CI Arb), the United Kingdom, a leading professional membership organization representing the interests of alternative dispute resolution practitioners.

DLA Piper launches its Global Litigation Guide

3 December 2019

DLA Piper has launched its 'Global Litigation Guide', which covers aspects of civil litigation in 30 jurisdictions worldwide.

DLA Piper announces launch of Artificial Intelligence practice

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising from the creation and deployment of AI systems.

DLA Piper advised Geophysical Sub-Strata on its tap sale of US\$114.5 million Guaranteed Medium Term Notes

4 APR 2019

DLA Piper has advised Geophysical Sub-Strata Ltd. on the tap sale of US\$114.5 million 8% Guaranteed Medium Term Notes due 2023 as Series 001, Tranche 002 under the Company's US\$400,000,000 Guaranteed Multicurrency Medium Term Note Programme.

DLA Piper announces partnership promotions for 2019

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

DLA Piper announces launch of Blockchain and Digital Assets practice

26 FEB 2019

DLA Piper announced today the launch of its Blockchain and Digital Assets practice, which will offer strategic advice on a global basis to address the needs of companies implementing blockchain technology solutions and creating and deploying digital assets.

Kate Brown de Vejar joins DLA Piper as global co-chair of International Arbitration

22 JAN 2019

DLA Piper announced today that Kate Brown de Vejar has joined the firm's Litigation practice as a partner in Mexico City and New York.

DLA Piper and IKM Advocates secure victory for the Republic of Kenya defeating a US\$2 billion ICSID claim

24 OCT 2018

In a decisive victory for the Republic of Kenya, DLA Piper and DLA Piper Africa member firm, IKM Advocates, have successfully defeated the claim estimated to be worth US\$2 billion in arbitration proceedings brought by a mining investor, Cortec Mining Kenya Limited. The claim was brought under the bilateral investment treaty (BIT) between the UK and Kenya dated 13 September 1999. The arbitration took place under the auspices of the World Bank's International Centre for Settlement of Investment Disputes (ICSID), with the hearing taking place in Dubai in January 2018. The Tribunal issued its award on 22 October 2018.

DLA Piper hosts inaugural Afghanistan-UK Business Conference

18 SEP 2018

DLA Piper's London office yesterday hosted the first Afghanistan-UK Business Conference, organised by the Embassy of the Islamic Republic of Afghanistan in London and the International Chamber of Commerce in Afghanistan. The event, aimed at further enhancing Afghanistan-UK bilateral business, trade and investment relations, was attended by over 100 participants including public and private sector leaders, potential investors, NGOs and consultants, amongst others.

DLA Piper represents the Securities and Exchange Board of India (SEBI) to recoup funds from one of the world's largest Ponzi schemes

16 AUG 2018

DLA Piper has successfully acted with Counsel (Thomas Bradley QC, Michael Hodge QC and Julia O'Connor) for the Securities and Exchange Board of India (SEBI) in the second of two proceedings before the Federal Court of Australia.
