



Pilot X to pursue Boeing and FAA over MAX fallout

International Aerospace Law & Policy Group (IALPG: www.ialpg.com) and our team including PMJ PLLC (<https://pmjpllc.com/>) in Chicago, has recently been privileged and honoured to speak with some of the families who lost loved ones on flight ET302.

In parallel to our involvement with ET302 another related case has been under consideration and will be commenced shortly, bringing a valued, additional and important voice to the conversation on how such tragedies as Lion Air JT610 and Ethiopian Airlines ET302 should never be allowed to repeat.

Joseph Wheeler, Principal and Founder of IALPG said:

We, through PMJ, have been retained by a current B737 MAX airline pilot to seek compensation in the US for present and future losses from both Boeing and the Federal Aviation Administration (FAA) on the pilot's own behalf and thereby incidentally other affected MAX-certified Boeing pilots.

This will be a group (or class) action, depending on how many other pilots join and how the aftermath of the twin MAX tragedies has personally affected individuals' health, and economically affected their careers across diverse airlines worldwide.

Mr Wheeler said:

“Pilot X”, whose identity shall remain private, came to us as a MAX pilot who, like many in the world, is disgusted and bewildered as to how a critical safety system like MCAS, with its shortcomings, could be certified and deployed, but its presence withheld from the knowledge of pilots including Pilot X, until so many deaths triggered disclosure about its existence.

Patrick Jones, Managing Partner and Founder of PMJ PLLC said:

After JT610 and ET302, Pilot X and others were left wondering “what else did they not tell us about?”

Unsurprisingly, numerous other MAX Pilots share a similar view and hold significant fears for the future. Pilot X has been significantly impacted by the strong feeling that “it could have been me” (as well it could have been).

For pilots like Pilot X, the fear of ending up in a situation like ET302 is now far too real and has caused serious distress as a result. These types of concerns could sound in damages in US Courts for psychiatric type injuries for some, calculable damages in respect of interference with rosters/flight pay and career progression, or even affect retirement decisions and the ability to take up options to move up on fleets with carriers who insist to retain the MAX in their fleets.

Mr Jones noted:

For some pilots, avoiding future operation of the MAX altogether may be under consideration, with decisions one way or another for many effectively to be forced by airline decisions to use the aircraft after the grounding is lifted.

Mr Wheeler added:

This has the potential to damage these pilots' careers and livelihoods which may manifest as economic losses for them, and consequent loss of a significant pool of expertise and aviation experience from the profession at a time when the global pilot shortage is a reality. Our team is preparing an action for damages in both US state courts, and relevant notices of claim against the FAA for damages, including punitive damages, on behalf of pilots led by Pilot X. The more who join the action the more likely it will lead to a positive change for all pilots.

As international aviation lawyers, and staunch advocates of crew rights, particularly in the realm of safety, IALPG and PMJ are committed to pursuing this action on behalf of pilots on a "no win no fee" basis and doing so with the strict anonymity of the pilots concerned preserved as far as possible under US court processes.

In our view, notwithstanding the public scrutiny on flawed Boeing/FAA interrelations and processes to date, it is only the voice of those who must be most assured of any "fix" (if one is indeed possible for the MAX's design), and thus only pilots, that will ensure changes to the broken system that permitted JT610 and ET302 to happen. After all, pilots are the ones entrusted to keep passengers safe.

This case is not about money although economic incentives for change play a part, rather its focus is to bring the pressure of a very important group to advance positive change and transparency at US and international level, which will in turn facilitate acceptable safety outcomes for all who travel by air.

More information and to join:

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