

MAGAÑA, CATHCART & McCARTHY

BRIAN R. MAGAÑA
A LAW CORPORATION
PETER T. CATHCART
A LAW CORPORATION
CLAY ROBBINS III
A LAW CORPORATION

1801 AVENUE OF THE STARS, SUITE 600
LOS ANGELES, CALIFORNIA 90067-5801
310.553.6630 FAX 310.407.2295
<http://www.mcmc-law.com>

WILLIAM H. WIMSATT
CHARLES M. FINKEL
RICHARD BISETTI
ANNE M. HUARTE
PATRICK BLUM

**FOR IMMEDIATE RELEASE
JANUARY 25, 2006**

Contact: Carter P. Spohn
BUSINESS DIRECTOR
310.553.6630
310.650.5220 (cell)

**"Pitfalls of Air Charters Brought to Light by Palomar Crash -
Charter Passengers Deserve Informed Consent"**

"Passengers deserve to be properly informed before consenting to pay for charter transportation!"

The Cessna Citation charter jet carrying a prominent East Coast executive was observed to be coming in for a landing, fast and with the landing gear up. "This would not be unusual when a pilot attempts to land downwind during gusty Santa Ana wind conditions, realizes there is insufficient runway left to safely touch down and come to a stop, and then attempts to go-around," opines aviation attorney Charles M. Finkel*. "Unfortunately for the innocent passengers on this ill-fated aircraft and their loved ones, the flight ended in flames with all on board dead. This may be an indication of a trend likely to increase," Mr. Finkel foresees. At the very least, passengers deserve to be properly informed before consenting to pay for charter transportation!"

The terrorist strike using airliners on 9/11, increased security at airports and the accompanying inconveniences, decreasing service on the major airlines, and the proliferation of fractional ownership in private jets has greatly increased the number of people choosing small jet travel as a preferred means of air transport. The era of Very Light Jets (VLJs) shall soon be upon the traveling public as companies such as Eclipse Aviation, Adam Aircraft, Cessna Aircraft Co. prepare to unleash jet aircraft capable of reasonably economical operation costs heretofore unknown with charter or "air taxi" ticket prices not much higher than that offered by the airlines.

However, "there are pitfalls which await unwary passengers of charter aircraft," claims Finkel, "and something must be done to make certain people understand the risks associated with charter operations." Although strictly regulated by the FAA, charter operations lack the safety record of the airlines. They often fly into smaller and more difficult airports. The pilots often lack the experience and training of airline pilots. Maintenance and control can be less stringent. "But most important," says attorney Finkel, "is that charter passengers often don't know what they are getting. Insurance is a critical issue. I have seen many charter operators with minimal insurance limitations. Buses carry more insurance, cabs generally care more, why not charter operations which cater to wealthy clientele?"

"All too often when representing the spouses or children of passengers killed in charter aircraft accidents I am forced to advise my clients that there is only minimal insurance available. One example is a real estate investor who perished on a charter flight last year. For a man whose family relied upon him for support, the paltry insurance policy limits will provide little future security.

"Another problem is that passengers can be totally up in the air as to who he or she is actually chartering the aircraft from. The company that actually hires, trains, and controls the pilots may be completely different from the one that advertises the charter flight. These are issues that must be brought to the public light as charter and air taxi operations increase."

Charles Finkel and his firm are pushing for legislation which would mandate that charter operators advise customers of at the very least the following: 1) The amount of liability coverage available; 2) The company which actually holds the FAA certification to operate the charter flight.

"While I would like to see legislation that mandates insurance limits on charter flights commensurate to that of the airlines, that seems unlikely. The next best thing is to make certain that customers fully appreciate the risks before accepting the benefits which charter jets offer."

* Charles M. Finkel is an attorney specializing in aviation law at Magaña, Cathcart & McCarthy in Los Angeles, California. A licensed pilot since 1968, Mr. Finkel holds Airline Transport and Flight Instructor Certificates, has authored numerous articles on aviation law, taught at California State University, Los Angeles, and has extensive experience in the litigation of major airline and general aviation crash cases.

#