

## Finding Fault In AA 587 Crash: Trial Set For Fall

By Howard Schwach

Nearly seven years after the devastating crash of American Airlines Flight 587 into the streets of Belle Harbor on November 12, 2001, a federal court will sit to decide liability for the crash sometime this fall.

Robert Spragg, an attorney with **Kreindler** and Kreindler, the Manhattan firm that is coordinating all of the cases arising from the crash, told *The Wave* this week that the liability discovery phase of the case ended in January and that the trial, originally scheduled for April 28, would probably be moved back to the fall due to expert witness discovery and settling motions by both sides.

"There are still three or four wrongful death cases and six or seven personal injury cases still to be settled," Spragg said, adding that there were 265 wrongful death suits by relatives of the 260 people on the plane and the five on the ground who died as a result of the crash, as well as dozens of per-

See AA 587 Crash, page 17  
sonal injury and property cases from homeowners at the crash site.

Federal Court Judge Robert Sweet, who has all of the consolidated cases in his court, will hold one more round of settlement conferences prior to the trial, Spragg said, in the hope of settling the remaining cases, but experts familiar with the case say that those who have not settled up to now will probably not do so prior to the trial.

A number of those family members have told *The Wave* in the past that they believe a trial is the only way they will discover the truth about the crash.

"I don't believe the NTSB's contention that Molin [First Officer Sten Molin] flew the tail off the plane by using the rudders too aggressively," a family member, who asked not to be identified because he fears angering Judge Sweet, told *The Wave* last October. "The trial, with the discovery process, will show that Airbus [Industries, the manufacturer of the plane] knew that the tail structures were flawed be-

fore the crash. The only way that will come out is in a trial and I won't settle for anything less than the truth."

The discovery process led to evidence collection in both Europe and the United States.

"We took statements in France, Germany and here in the United States," Spragg said. "We have to see if we can set the responsibility for the crash, and we have taken depositions from personnel from American Airlines, Airbus Industries and third parties."

Spragg believes that there will eventually be shared responsibility for the crash between American Airlines and Airbus Industries.

In December, the Canadian Transportation Safety Board ruled in a case involving the loss of the rudder surface on a aircraft virtually identical to the Airbus A-300 that crashed in Rockaway that the rudder surface disbonded, allowing the rudder to split from the tail.

There are many in Rockaway who believe that a similar disbonding was the cause of the AA 587 crash, and they are hoping that the trial will provide the "smoking gun" that proves that fact.

Meanwhile, American Airlines continues to fly the A300 aircraft on its Latin American routes and the aircraft continue to fly over the Rockaway peninsula each day.





**An Airbus A300 crashed into Belle Harbor on November 12, 2001, killing all 260 on the plane and five locals on the ground. The trial to fix liability for the crash may be held in the fall.**

Printing imperfections present during scanning