

Stuart R. Fraenkel, *Of Counsel*



Stuart R. Fraenkel

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Office: California

Peer Review Ratings:

AV rating from Martindale-Hubbell.

Listed in Southern California Super Lawyers.

Admitted to Bar:

Supreme Court of California

United States District Courts for the Central, Northern, Southern and Eastern Districts of California

United States Supreme Court

Stuart R. Fraenkel joined Kreindler & Kreindler LLP as a partner in June 2003. He is one of the founding partners of the Los Angeles office. Mr. Fraenkel has been listed in The Best Lawyers in America, California Super Lawyers, National Association of Trial Lawyer Top 100, and is a Martindale-Hubbell Peer Review AV rated attorney, signifying that he has reached the height of professional excellence and is recognized for the highest levels of skill and integrity.

Mr. Fraenkel has a broad range of experience in civil litigation, including aviation, products liability, automobile, trucking, crashworthiness, personal injury, wrongful death, insurance, insurance bad faith, admiralty/maritime, premises, business litigation and entertainment. His litigation experience has involved matters throughout the United States (including Alaska and Hawaii), Asia, Canada, Central America, Europe, Mexico, the Middle East and South America. Mr. Fraenkel is well versed in national and international conflicts and choice of law issues.

Mr. Fraenkel has handled numerous high profile personal injury and wrongful death cases throughout his career with notable results. The injury cases have encompassed significant burn injuries, brain injuries, paraplegia, quadriplegia, orthopedic injuries, nerve damage, significant psychological and other emotional distress injuries, etc. Mr. Fraenkel is well versed in State and Federal Tort claims procedures and requirements. He has also been trial counsel in aviation, automobile, insurance bad faith, and premises liability trials and binding arbitrations.

Mr. Fraenkel has litigated numerous international and domestic airline, commuter, military and general aviation crash cases. Some of the commercial airlines crashes and incidents he has litigated include:

Southwest Airlines, Flight 2294, Sacramento, CA

Alaska Airlines, Flight 536, Seattle, Washington;

Stuart R. Fraenkel *(continued)*

Alaska Airlines, Flight 338, Long Beach, California;

China Air, Flight 611, Over the Straits of Taiwan;

Singapore Airlines Flight SQ006, Taipei, Taiwan;

Silk Air Flight MI 185, Palembang, Indonesia;

China Air CI 642, Hong Kong, China;

KAL Flight 801, Agana, Guam;

Gulf Air Flight 072, Bahrain;

TAESA Flight 725, Michoacan, Mexico;

Korean Air, Pohang, Korea;

Faucett Airlines, Arequipa, Peru;

Aero Peru, Ancon, Peru; and

Millon Air, Manta, Ecuador

He was a member of the Plaintiffs' Steering Committee on the China Airlines, Singapore Airlines and Korean Airlines cases. Mr. Fraenkel was also one of the lead counsel in the other matters.

Mr. Fraenkel has also handled numerous general and commercial aviation cases involving Airbus, Boeing, McDonnell Douglas, Aero Vodochody, Aerospatiale, Beech Cessna, Citabria, Gulfstream, Marchetti, Mitsubishi, Pilatus, Piper, Westwind, and various experimental fixed wing airplanes, and Augusta-Westland, Bell, Eurocopter, and Robinson helicopters. The military accidents have involved Sikorsky CH-53 Super Stallion, EH-101 Merlin, McDonnell Douglas F/A 18 Hornet, Agusta Westland EH 101 Merlin, and UH-1N Huey aircraft.

In the area of insurance bad faith, Mr. Fraenkel has litigated numerous first party bad faith actions in cases arising out of the failure of insurance companies to defend and/or indemnify its insured, low-balling, fire loss, etc. Mr. Fraenkel litigated numerous cases arising out of the Northridge Earthquake against State Farm, Allstate, Farmers, etc. He was part of the team which received the landmark settlement against State Farm arising out of the Northridge Earthquake. In 2003, he was appointed plaintiffs' liaison counsel for hundreds of statutory bad faith cases arising out of the Northridge Earthquake before the Honorable Charles W. McCoy. Mr. Fraenkel has also handled California Insurance Code §11580 direct actions.

Mr. Fraenkel received his undergraduate degree from Embry Riddle Aeronautical University in 1989 where he was an active member of the Sigma Chi Fraternity and was awarded the Balfour award for being a distinguished senior. During his tenure at Embry Riddle, Mr. Fraenkel also worked as a legal assistant at the Volusia County Office of the State Attorney of Florida.

Stuart R. Fraenkel *(continued)*

Mr. Fraenkel received his doctorate of jurisprudence from Southwestern University School of Law in 1994. During his tenure at Southwestern, Mr. Fraenkel was elected the President of the Phi Delta Phi Honors Law Fraternity and was the President and Founder of the Aviation and Space Law Society. He also spent a semester in Paris, France with Tulane University School of Law studying comparative law, with an emphasis on French Civil law and European Union law.

Mr. Fraenkel is also a graduate of one of the National Transportation Safety Board's (NTSB) Aviation Accident Investigation courses.

Mr. Fraenkel is admitted to and/or practiced the bars of the Supreme Court of California, the United States District Court for the Eastern, Central, Southern and Northern Districts of California, the United States District Court for the Southern District of New York, the United States Court of Appeals for the Ninth Circuit, and the United States Supreme Court. He has also appeared pro hac vice in numerous courts throughout the United States, has authored and argued appellate matters in the California Court of Appeals and briefed appellate matters in the United States Court of Appeals for the Ninth Circuit.

Mr. Fraenkel is a member of the Los Angeles County Bar Association (LACBA), where he served on the Barristers Executive Committee, was the Barristers Secretary, and was a committee member on the Community Outreach, Continuing Legal Education, Children's Rights, Bench and Bar and Networking committees. Mr. Fraenkel has participated in numerous Los Angeles County "Law Day" programs and was the Chair of the program in 1999. He has also served as a Judge for the Annual Western Regional Finals Moot Court Competition. Mr. Fraenkel was appointed to and served as a Trustee on the Los Angeles County Bar Association's Board of Trustees, was a Board Member for the Los Angeles County Foundation and was a Delegate for the Los Angeles County Bar Association Conference of Delegates. He has served as the Chair for the Lawyer Referral and Information Services, is a member of the Access to Justice committee, and acted as a Mentor for the LACBA Mentor/Mentee program. Mr. Fraenkel also serves on the Editorial Board for the Los Angeles Lawyer Magazine.

Mr. Fraenkel is a member of the American Association for Justice (AAJ) (formerly ATLA) where he was elected to and served as the Secretary/Treasurer, Vice Chair, Chair-Elect and Chair for the Aviation Section and has been actively involved in coordinating the section's annual educational programs. Mr. Fraenkel was also appointed to the AAJ Aviation Legislation Task Force and has served as the California State Delegate. He also serves on the International Relations and Public Relations Committees.

Mr. Fraenkel is a member of the American Bar Association's (ABA) Litigation, Tort Trial and Insurance Practice (TIPS), and Air and Space Law sections. He has served as the Co-Chair for the TIPS Aviation and Space Law annual

Stuart R. Fraenkel *(continued)*

programs. Mr. Fraenkel has served as the Vice-Chair for the TIPS Trial Techniques committee and Vice-Chair/Membership Coordinator for the TIPS Aviation and Space Law committee.

Mr. Fraenkel is also a member of the Consumer Attorneys Association of Los Angeles (CAALA), the Consumer Association of California (CAOC), and the Public Justice Foundation (PJF)(formerly TLPJ). He is a member of the CAALA Board of Governors. He was a recipient of the CAALA Presidential Award in 2011.

Mr. Fraenkel is a frequent lecturer, having spoken at seminars, functions and educational programs at: AAJ/ATLA CLE events, ABA CLE events, Lorman CLE events, NBI CLE events, a Pacific Northwest Aviation and Insurance CLE event, a Lawyer Pilot Bar Association CLE event, a Southern Methodist University School of Law CLE event, University of California School of Law educational programs, Loyola University School of Law event, numerous FAA safety programs, the Osh Kosh Annual Airshow, the Los Angeles Police Department Aviation Division safety seminar, ALAANZ Conferences in Sydney, Australia CLE events, Experimental Aircraft Association (EAA) events, the AOPA EXPO Annual Convention in San Jose, and Orange County Pilot's Association events. He is also used as an aviation source by numerous media companies worldwide and has been quoted in various publications on numerous occasions. An article featuring Mr. Fraenkel was written for the Cessna Pilot's Association magazine and another one was found in an ABA TIPS publication. Mr. Fraenkel was also featured as an aviation law expert on a special NBC segment on Hawaiian Air Tour Safety.

Mr. Fraenkel has given speeches on the following topics:

General Aviation and Revitalization Act

Forum Non Conveniens

Legal Issues Relating to 9-11

Essential Litigation Skills

Handling of Wrongful Death Cases in California

Tort Reform

Trial Preparation (Initial Case Management and Organization, Getting the Most Out of Your Witnesses and Successful Techniques for Using Evidence and Exhibits)

Legal Issues that Every General Aviation Owner and Operator Should Know About

Aircraft Owner and Operator Liability and Bulletproofing Your Estate

Alternative Dispute Resolution in Mass Tort Litigation

Aging Aircraft Issues

Stuart R. Fraenkel *(continued)*

Nuts and Bolts of Using Motions for Summary Judgment

Legal Professionalism

Legal Ramifications of Improper Maintenance

Navigating Choice of Law Issues

Mechanic Liability

Foreign Accidents – U.S. Defendants Frequently Argue Forum Non Conveniens Motions: How Are They Doing?

Handling the International Product Liability Case Public Aircraft and Aviation Tort Liability

Hurdles Along the Way: Plaintiff and Defense Counsel Deal with Various Ethical Issues Arising in a Hypothetical Aviation Case

The A, B, C's of Teaching Aviation Law

Evidence – A U.S. Trial Lawyer Primer

Discovery Overseas

Liability of Aviators: A Risk Management Toolbox

The Aviation Trial

California Tort Claims Act – Government Tort Immunities

International Mediations

Aviation Mock Trial, Closing Arguments

Some of Mr. Fraenkel's writings include:

"Preparing for and Presenting Opposition to Forum Non Conveniens Motions," July 2000, ATLA, 2000 Summer Convention

"Interrogatories and Document Requests," April 2002, NBI, Essential Litigation Skills Seminar

"Basic Legal Research and Writing," April 2002, NBI, Essential Litigation Skills Seminar

"Witnesses," April 2002, NBI, Essential Litigation Skills Seminar

"Conflicts of Law in Wrongful Death Cases in California," Lorman Institute, May 2003, Successful Handling of Wrongful Death Cases in California Seminar

"Direct and Cross Examination of an Accident Reconstructionist," July 2003, ATLA, 2003 Summer Convention

"The Need for Tort Reform: Fact or Fiction? A Matter of Perspective," September 2003, ABA Tort Trial and Insurance Practice Section, 2003 Annual Aviation and Space Law Committee Conference

"Getting the Most Out of Your Witnesses," July 2004, NBI, Trial Preparation from Start to Finish Seminar

"Alternative Dispute Resolution in Mass Tort Litigation," July 2005, ATLA, 2005 Summer Convention

Stuart R. Fraenkel *(continued)*

“Commercial Aviation Aircraft Issues – The History of Modern Aging Aircraft Programs,” September 2005, 32 Annual Pacific Northwest Aviation and Insurance Seminar

“Aging Aircraft – Issues, Programs and Solutions,” November 2005, ABA Tort Trial and Insurance Practice Section, 2005 Annual Aviation and Space Law Committee Conference

“Nuts and Bolts of Using Experts in Motions for Summary Judgment,” February 2006, Southern Methodist University School of Law, 2006 Air Law Symposium

“Death on the High Seas Act – A Labyrinth of Uncharted Waters for Air Crash Disasters,” Spring 2006, ABA Aviation Litigation Quarterly

“The Tale of a Tail – The Boeing 737 Saga,” July 2006, AAJ 2006 Summer Convention

“Handling the International Product Liability Case,” July 2007, AAJ, 2007 Summer Convention

“The A, B, C’s of Teaching Aviation Law,” February 2008, Lawyer Pilot Bar Association 2008 Winter Meeting

“The Aviation Trial,” July 2009, AAJ 2009 Summer Convention

“Beyond Liability, Damages, and Collectability: The Importance of Vetting a Plaintiff’s Case,” Fall 2011, Los Angeles Lawyer, Survival Guide for New Attorneys in California.

“Air Crash – The steps of investigation and litigation,” Fall 2012, Trial Lawyer Magazine, Oregon Trial Lawyers Association

“Government Tort Immunities – What the Law Giveth, the Law Taketh Away!,” Fall 2012, CAALA Annual Convention

“The Federal Government’s Lien Rights under the FMCRA,” December 2012, Los Angeles Lawyer Magazine

Mr. Fraenkel has been an Associate Adjunct Professor for Embry Riddle Aeronautical University since 2000. He teaches undergraduate and graduate level Aviation Law and undergraduate Business Law, and Aviation Insurance and Risk Management courses.

Mr. Fraenkel has been serving as a Judicial Arbitrator for the Los Angeles County Superior courts since 1999 and a Mediator since 2009.

Mr. Fraenkel is a United States Marine Corps veteran. He served his tour of duty as a CH-46 Sea Knight crew chief and A-4 Skyhawk plane captain. He was awarded numerous commendations during his tour. Mr. Fraenkel was also selected as an Aviation Officer Candidate for the United States Navy. Mr. Fraenkel has extensive experience in aviation and vehicle maintenance, including combustion, diesel and turbine engines, electrical systems, hydraulics, structures, avionics systems, ejection systems and airframes.