

## **Jury Returns Verdict for Plane Owner Sued Over Accident**

(Conroe, Texas – November 26, 2008) - On November 21, 2008, a Montgomery County, Texas jury rejected a request on behalf of the parents of a 34 year old pilot killed in an experimental aircraft accident in 2005 for \$23.2 million, plus punitive damages. Aviation law firm Coats & Evans and Conroe lawyer Scott Golemon of Haas & Golemon successfully defended the owner of the aircraft involved in the accident.

The airplane, a prototype Turbine Design TD-2, torque-rolled during an attempted go-around near Bogalusa, Louisiana, on April 12, 2005. The jury found that the pilot in command, a friend of the plaintiffs' son, was 80% responsible for the accident and the plaintiffs' son was 10% responsible.

While the plaintiffs did not sue the airplane's designer or builder, or the estate of the pilot in command, documents obtained in pre-trial discovery revealed that the plaintiffs' attorneys had identified its owner, businessman and pilot Mike Spearman, as a "deep pocket" only two weeks after the accident. After the verdict, Spearman said, "I am very grateful for the jury's diligent and objective work. While I still mourn the loss of the two pilots, who shared my love of flying, I feel vindicated and exonerated by the jury's verdict."

Coats & Evans presented expert testimony from astronaut Hoot Gibson, former NTSB investigator Greg Feith, test pilot and veteran air racer Dave Morss, and Richard Taylor, author of *Understanding Flying*, and other flying books, as well as forensic economist Stephen Horner. The verdict was returned after a three week jury trial in Conroe, Texas.

Lead counsel Gary Evans explained, "although our client faced exposure to a potentially substantial verdict, we had excellent data from an electronic flight information system aboard the accident aircraft, and our experts were able to use that data and scientific principles to explain to the jury what really happened. Ultimately, the jury held the pilot-in-command to an appropriate level of responsibility under the Federal Aviation Regulations."

Coats & Evans represents clients in aviation lawsuits, aviation transactions and aviation-related administrative matters. The firm's attorneys are all pilots and have over 18,000 combined flight hours. For more information, contact Coats & Evans, 281-367-7732, or on the web at [www.TexasAviationLaw.com](http://www.TexasAviationLaw.com).

Plaintiffs were represented at trial by Martin Rose of Dallas' Rose Walker law firm, and Bryan Cantrell, of Huntsville, Texas.