

Personal Injury Spotlight:

BRIAN PANISH AND KEVIN BOYLE TALK ABOUT THEIR NUMEROUS WINS IN AIR DISASTER CASES

Every day millions of Americans fly to domestic and international locations to and from the United States. While flying is known to be a safe way to travel, when the unthinkable happens, the consequences are irrevocably devastating.

Brian J. Panish and Kevin R. Boyle at Panish Shea & Boyle have developed a fierce reputation for handling aviation litigation cases and specializing in isolating pilot error and defective design, manufacture, or maintenance of an aircraft or its component parts.

Panish started his career as a defense attorney handling aviation cases, among other types of cases. Since then, he has obtained more than 100 verdicts and settlements in excess of \$1 million, including 10 jury verdicts in excess of \$10 million. Boyle also started his career on the defense side representing product manufacturers, and also was a U.S. Supreme Court law clerk to the late Chief Justice William Rehnquist.

When four children were severely burned after their 1979 Chevy Malibu was rear-ended by a drunk driver, Panish served as lead counsel on the liability action against General Motors. The result was a \$4.9 billion verdict—the largest personal injury and product liability verdict in American judicial history.

Panish and Boyle worked together on behalf of aviation disaster victims starting with the Alaska Airlines flight 261 crash in 2000. During a flight from Mexico to San Francisco and Seattle, Alaska Airlines flight 261 hurtled into the Pacific Ocean off of Port Hueneme, California. All 83 passengers and five crew members died. A federal judge found Alaska Airlines and Boeing Co. legally responsible for the crash. They achieved hundreds of millions of dollars in settlements. Panish and Boyle were key members of the Plaintiffs Steering Committees for litigation related to the crashes of this flight as well as Singapore Airlines flight 006.

“Working on the side of the victims is much more rewarding,” Panish says. “I enjoy being able to help people get fair and just compensation.”

Panish has represented numerous families of the victims of the Alaska Airlines crash, including the family of Morris Thompson, Commissioner of the Bureau of Indian Affairs during the Nixon administration. Thompson, his wife and daughter were on flight 261 on their way home from a vacation in Mexico. The CEO of Alaska Airlines had given Thompson free airline tickets to celebrate his retirement from Doyon, the Native regional corporation for Interior Alaska.

“We were proud to represent Morris,” Panish says.

After the Alaska Airlines disaster, tragedy struck again in October 2000. Despite an approaching typhoon, wind gusts of up to 80 miles per hour, and relentless rain, Singapore Airlines flight 006 took off from a closed runway at Chiang Kai-Shek Airport in Taipei, Taiwan



Brian Panish and Kevin Boyle

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headed toward Los Angeles.

“As the pilot went down the runway, the plane struck various construction items and holes, split into three pieces, caught on fire and 82 people were killed,” Boyle says.

Boyle deposed their CEO in Singapore and Panish questioned the airline’s head of safety. Singapore Airlines pleaded no contest liability for the accident.

Panish and Boyle represented Sidney and Christina Wu on behalf of their parents, Ching Ying Wu and Richard Tzuen Ren Wu, both of whom perished during the crash. They achieved a \$15 million verdict for the wrongful deaths suffered by the couple, the largest ever in the federal court in Los Angeles in a wrongful death case. The duo also

represented survivors who suffered horrific burns, and other families of those who perished.

“We did the first trial, and the only trial that resulted in all the cases getting settled for a substantial amount of money,” Boyle says.

In the case of *Witham v. Ajjet*, Panish and Boyle were brought in to handle a case that most of their colleagues chose to settle. On March 29, 2001, an Ajjet charter jet carrying 15 passengers en route to a birthday celebration crashed in Aspen, Colorado. Panish and Boyle each represented a family from the crash and co-tried the case.

“Most of the people had settled for several million, but our clients wanted to go to trial and a firm brought us in to try the case,” Panish says. “We tried the case and got a record verdict of \$11.7 million, plus a finding of punitive damages.”

Panish and Boyle have handled numerous helicopter crashes, including one involving a family that was killed while taking a helicopter tour over the Grand Canyon. They also won a \$13.5 million settlement on behalf of his clients in the case of *Chief Warrant Officers v. Boeing, et al.* In August 2003, an Apache Longbow helicopter carrying two U.S. Army servicemen crashed due to the alleged malfunctioning of the helicopter’s gearbox and accelerometer. One man is now a quadriplegic as a result of the spinal injuries he sustained during the crash. The other had to have a metal device inserted in his neck and back. In the settlement, the defendants did not admit fault.

Boyle credits their success to “hard work, the willingness to go to trial, and connecting with the clients to get the good results.”

Panish and Boyle are currently working on behalf of the family of Don Yoo, whose wife, two children and mother-in-law were killed in December 2008 when a F/A-18D Hornet fighter jet returning to a Marine base crashed into their San Diego home.

— Ashley Cisneros

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