# 12th Annual McGill Conference on International Aviation Liability, Insurance & Finance

# MONTREAL 18-19 OCTOBER 2019

Plaza Centre-Ville (EVO Building) 777 Boulevard Robert-Bourassa Montreal, Canada H3C 3Z7

For more information visit: https://www.mcgill.ca/iasl/iali/iali2019



This event brings together world-leading aviation liability, insurance and finance experts to address the following topics:

- Recent Developments in Air Carrier Passenger Liability
- Liability of Airports, ANSPs and Maintenance Providers
- Aviation Product Liability Cases and a Case Study on Major Accident Litigation
- Global Regulatory Update Air Transport Regulation
- Aerospace Insurance Claims
- Reflections and Predictions on the 20th Anniversary of the Montreal Convention
- Recent Developments in Air Carrier Cargo Liability
- The Cape Town Convention after 15 Years in Force
- Liability Issues from Key Montreal Organisations
- Liability Issues Arising from Drone Disruption of Air Travel
- A Conversation with In-House Counsel
- A Conversation among Rising Aviation Legal Professionals

In addition, the Conference will host social events to facilitate networking among attorneys, insurers, air carriers, airports, manufacturers, government and other air transport representatives.

### Conference Co-Convenors: Brian F. Havel and Alan Reitzfeld

This event will be eligible for 12 hours of Continuing Legal Education (CLE) credits as reported by members of the Barreau du Québec.

This is the 12th Annual McGill	Toulouse (2008)	Montreal (2013)	Dublin (2018)
Conference on International Aviation	Montreal (2009)	London (2014)	
Liability, Insurance & Finance.	Amsterdam (2010)	Montreal (2015)	
Prior Conferences were held in:	Montreal (2011)	Edinburgh (2016)	
Filor Comercines were neighn.	London (2012)	Montreal (2017)	

### THANK YOU TO OUR SPONSORS

DIAMOND LEVEL



AIR CANADA



KREINDLER CLIFFORD LAW OFFICES



GOLD LEVEL

# **STEWARTS**

SILVER LEVEL

ADVOKATFIRMAN URBAN OLSON





### **BRONZE LEVEL**

















### **PROGRAMME**

#### FRIDAY 18 OCTOBER 2019

07.30-08.30 **REGISTRATION** 

08.30-08.40

WELCOME AND INTRODUCTION

08.40-09.40

#### RECENT DEVELOPMENTS IN AIR CARRIER PASSENGER LIABILITY

- Comparative analysis of recent Warsaw and Montreal Convention jurisprudence
- Applicability of the EU Regulation 261/2004 to non-EU carriers, and update on the "extraordinary circumstances" defence
- Recent aviation disaster litigation, including Lion Air and Ethiopian Airlines Boeing 737 MAX crashes and groundings
- Damage awards, and their influence on forum shopping
- Jurisdictional issues: venue; place where the contract was made; fifth jurisdiction under Montreal 99; treaty and personal jurisdiction; exclusive cause of action; forum non conveniens; removal to Federal court
- Criminalisation, and its impact on civil liability and insurance
- The challenges of achieving global uniformity

#### CHAIR:

Paul Stephen Dempsey (Institute of Air and Space Law, McGill University – Montreal, Canada)

#### **PANEL MEMBERS:**

Brian J. Alexander (Kreindler & Kreindler – New York, USA)

Peter Neenan (Stewarts – London, UK)

Judy Nemsick (Holland & Knight – New York, USA)

Mark K. Schwartz (Driggers, Schultz & Herbst – Troy, Michigan, USA)

09.40-10.40

#### LIABILITY OF AIRPORTS, ANSPs, AND MAINTENANCE PROVIDERS

- Liability of airports for passenger injury
- Contractual liability of the airport operator
- Challenges facing the modern airport and airport services providers (e.g., increased air traffic; construction, redevelopment and modernization of facilities; modernisation of ATC; cybersecurity; airport security; passenger screening; environmental concerns; regulatory issues; real estate issues; financing issues)
- Liability of maintenance providers

#### CHAIR:

Alan Reitzfeld (Port Authority of New York and New Jersey – New York, USA)

#### PANEL MEMBERS:

Sylvain Choinière (Aéroports de Montréal – Dorval, Canada)
Laura Pierallini (Studio Pierallini – Rome, Italy)
Racquel Reinstein (Port Authority of New York and New Jersey – New York, USA)
Jenny A. Urban (CLEAR – New York, USA)

10.40-11.00 REFRESHMENT BREAK

11.00-12.30

## UPDATE ON PRODUCTS LIABILITY CASES AND A CASE STUDY ON MAJOR ACCIDENT LITIGATION: PLAINTIFF AND DEFENDANT STRATEGIES

- Assessing the Lion Air and Ethiopian Airlines airplane accidents
- Suits in the Northern District of Illinois; forum non conveniens
- Government/CAA liability?
- Crisis management
- Effect of social media on regulatory oversight/certification
- International reciprocity of certification
- Solicitation of families "code of conduct" issues
- *Use of delegated authority and the FTCA defence*
- Aircraft engines and component parts
- Military accidents, state aircraft issues
- European perspectives (including state aircraft issues)

#### **CO-CHAIRS**:

**Robert Clifford** (Clifford Law Firm – Chicago, USA) **Kenneth P. Quinn** (Baker McKenzie – Washington, USA)

#### **PANEL MEMBERS:**

Catherine Chaput (Gasco Goodhue St-Germain – Montreal, Canada)

Clay S. Hunter (Paterson MacDougall LLP – Toronto, Canada)

**Justin Green** (Kriendler & Kreindler – New York, USA)

**Urban Olson** (Advokatfirman Urban Olson – Stockholm, Sweden)

**Darryl Pankratz** (Alexander Holburn Beaudin & Lang – Vancouver, Canada)

Robin Squires (Borden Ladner Gervais LLP – Toronto, Canada)

**Diane Westwood Wilson** (Fox Rothschild LLP – New York, USA)

12.30-14.00

**LUNCH** 

**KEYNOTE SPEAKER:** James P. Kreindler (Partner, Kreindler & Kreindler LLP, New York)

"9/11: The Greatest Untold Story"

#### 14.00-15.00

### GLOBAL REGULATORY UPDATE – ARE GOVERNMENTS BUILDING A "CATHEDRAL" OF AIR TRANSPORT REGULATION?

- What is the proper scope of consumer protection?
- Using EU Regulation 261 in other jurisdictions including class actions
- Deciphering the new Canadian regulations and the IATA-led lawsuit challenge
- Prospects for reform of EU 261 and other national regimes
- Patchwork nature of data protection regulations
- Growing international oversight of safety and security
- What does the litigation scene look like?

#### CHAIR:

Brian F. Havel (Institute of Air and Space Law, McGill University – Montreal, Canada)

#### PANEL MEMBERS:

Louisa-Ann Lange (Arnecke Sibeth Dabelstein – Frankfurt, Germany)

Andrew W. MacDonald (Bersenas Jacobsen Chouest Thomson Blackburn LLP – Toronto, Canada)

Catherine Pawluch (DLA Piper (Canada) LLP – Toronto, Canada)

Charles E. Schlumberger (The World Bank – Washington, USA)

Christopher Smith (The Air Law Firm – London, UK)

#### 15.00-16.00

RECEIVING, MANAGING AND SETTLING PRE-LITIGATION AND LITIGATION AEROSPACE INSURANCE CLAIMS: TRENDS FOR THE FUTURE, LEARNING FROM THE PAST

- Preparing and managing aerospace claims at the pre-litigation and litigation stages the plaintiff's perspective: current trends
- Receiving and managing aerospace claims at the pre-litigation stages the defendant's perspective: current trends
- Mediation and dispute resolution both at the outset of a claim and after the lawsuit is filed: current trends
- Effective execution and finalisation of settlements reached at meditation and requirements for minor's settlements
- The mediation process and how effective resolution of aerospace claims is reached in Latin America (with emphasis on Brazil): trends and difficulties

#### CHAIR:

Patricia Barlow (Barlow Law – San Francisco, USA)

#### PANEL MEMBERS:

Luiz Eduardo Arena Alvarez (Arena Alvarez Advogados – São Paulo, Brazil)
Sharon Holahan (Global Aerospace, Inc. – Parsippany, USA)
Christopher Knight (Fowler White Burnett – Miami, USA)
Steven C. Marks (Podhurst Orseck – Miami, USA)
Brian Poston (MacKenzie Fujisawa LLP – Vancouver, Canada)

#### 16.00-16.30 REFRESHMENT BREAK

16.30-18.00

# REFLECTIONS ON THE 20<sup>TH</sup> ANNIVERSARY OF THE MONTREAL CONVENTION – A BLUE RIBBON PANEL

- Impact of MC99 on aviation litigation worldwide
- Impact of MC99 on aviation insurance worldwide
- *MC99 and EU Regulation 261: a clash of principles*
- Assessment of recent MC99 litigation and what it portends
- Will MC99 eventually eliminate the Warsaw Convention?

#### CHAIR:

Ludwig J. Weber (Institute of Air and Space Law, McGill University & ICAO – Montreal, Canada)

#### PANEL MEMBERS:

**Alexander Batalov** (Member of the ICAO Air Navigation Commission; Alternate Representative of the Russian Federation, ICAO Council – Montreal, Canada)

**Sean Gates** (Gates Aviation Ltd. – London, UK; former Legal Adviser to the International Union of Aviation Insurers)

**Andrew J. Harakas** (U.S. Aviation Practice Group, Clyde & Co. – New York, USA) **Jiefang Huang** (Legal Affairs & External Relations Bureau, ICAO – Montreal, Canada)

## 18.00-21.00 GALA RECEPTION /DANCE

Dance to the classic rock music performed by **The Flying Outlaws**, comprised of the following international aviation lawyers:

Paul Stephen Dempsey – Golden, Colorado, USA Steven Marks – Miami, USA Urban Olson – Stockholm, Sweden Alan Reitzfeld – New York, USA



#### **SATURDAY 19 OCTOBER 2019**

08.30-09.30

#### RECENT DEVELOPMENTS IN AIR CARRIER CARGO LIABILITY

- Issues arising from the Underwriters at Lloyds v. Expeditors Korea case in the United States
- Issues of uniformity in multimodal transport
- New IATA/FIATA (International Federation of Freight Forwarders Associations) agreement and implications for freight forwarders
- Proposals for amending the cargo provisions of the Montreal Convention

#### CHAIR:

George Leloudas (Swansea University - Swansea, Wales, UK)

#### PANEL MEMBERS:

Barry S. Alexander (Schnader Harrison Segal & Lewis LLP – New York, USA) Holger Bürskens (Arnecke Sibeth Dabelstein – Frankfurt, Germany) Michael Dery (Alexander Holburn – Vancouver, Canada)

09.30-10.30

#### "YELP-IFYING" THE CAPE TOWN CONVENTION AFTER 15 YEARS IN FORCE

- *Is the Cape Town Convention delivering on its promise of cheaper aircraft financing?*
- New uses for Cape Town discount eligibility outside export credit financing
- Aviation Working Group monitoring of compliance with Cape Town who are they and are there parallels with ICAO safety and security scoring?
- The Cape Town Convention Academic Project should airlines be concerned with open access online reports of administrative and non-judicial remedies against them?
- Ranking of jurisdictions generally, e.g. Pillsbury Aircraft Repossession Index, and overlap with the Cape Town Convention Academic Project is it Zagat versus Yelp?
- Discussion on recent replacements for aircraft export credit financing

#### CHAIR:

**Donal Hanley** (Institute of Air and Space Law, McGill University – Montreal, Canada)

#### PANEL MEMBERS:

Louis Emery (Export-Import Bank of the United States – Washington, USA)\*

Jason MacIntyre (Blakes, Cassels & Gradon LLP – Toronto, Canada)

Carlos Sierra (Abogados Sierra – Mexico City, Mexico; former Chair, Legal Advisory Panel, Aviation Working Group)

**Donal Hanley** (Institute of Air and Space Law, McGill University – Montreal, Canada) **Lisa Valentovish** (Morgan Lewis – New York, USA)

### 10.30-11.00 REFRESHMENT BREAK

11.00-12.00

## UPDATES ON CURRENT AND FUTURE ISSUES FROM KEY NATIONAL AND INTERNATIONAL AIR TRANSPORT ORGANISATIONS

What are the current legal and policy issues – including the issues being raised in this Conference

 that are on the minds and agendas of four key national and international air transport organisations?

#### CHAIR:

Leslie A. Lugo (Assistant General Counsel, IATA – Montreal, Canada) PANEL

#### **PANEL MEMBERS:**

Daniel-Robert Gooch (President, Canadian Airports Council – Ottawa, Canada)
 David T. Lloyd (UK Representative to ICAO – Montreal, Canada)
 David M. Semanchik (Legal Department, Air Line Pilots Association – Washington, USA)
 Carlos Tornero (Deputy General Counsel, IATA – Montreal, Canada)

12.00-13.00

#### LIABILITY ISSUES ARISING FROM DRONE DISRUPTION OF AIR TRAVEL

- Changes in regulations for both commercial and recreational operators for US/Canada/EU
- Drone safety at airports and heliports
- The use of UAVs over international waters
- Privacy compliance and management following UAV data collection
- UAV IoT operations and associated risks (for example at interconnected airports, disaster relief)
- *UAVs and cybersecurity*
- Insurance coverage and contract issues for customers considering adopting their own UAV technology or engaging a third-party UAV provider

#### CHAIR:

Katherine Ayre (Borden Ladner Gervais – Montreal & Toronto, Canada)

#### PANEL MEMBERS:

Jean-Michel Fobe (Sybarius – Brussels, Belgium)
Anna Masutti (LS LexJus Sinacta – Bologna & Milan, Italy; University of Bologna – Bologna, Italy)
Kathryn A. McCulloch (Dentons – Toronto, Canada)
Ehsan T. Monfared (YYZlaw – Toronto, Canada)

#### 13.00-14.30

#### LUNCH

#### **KEYNOTE SPEAKER:**

**Sean Gates** (Gates Aviation Ltd. – London, UK; former Legal Adviser to the International Union of Aviation Insurers)

"Major Aviation Liability Claims—Changes through the Years and a Glimpse into the Future"

#### 14.30-15.30

#### A CONVERSATION AMONG IN-HOUSE COUNSEL

• Leading in-house counsel offer their perspectives on the issues that concern them most in their current professional setting, focusing in particular on the issues raised in this Conference including settlement strategies and discovery compliance

#### CHAIR:

Brian F. Havel (Institute of Air and Space Law, McGill University – Montreal, Canada))

#### **PANEL MEMBERS:**

Nicolas Drolet (Air Canada – Montreal, Canada) Joan Gabel (Air France – New York, USA) Fernando Garcia (Cargojet, Inc. – Mississauga, Canada) Senarath D. Liyanage (Etihad Airways – Abu Dhabi, UAE)

#### 15.30-16.30

# A CONVERSATION AMONG RISING AVIATION LEGAL PROFESSIONALS (IN COOPERATION WITH THE CANADIAN BAR ASSOCIATION)

- The future of aviation
- Air transport regulations
- *Aircraft financing*
- Space law and its current prospects for private practice
- Career prospects of next generation aviation professionals

#### CHAIR:

**Prithviraj Sharma** (ICAO, Delegation of Nigeria – Montreal, Canada)

#### PANEL MEMBERS:

René David-Cooper (Transportation Safety Board of Canada – Gatineau, Canada)

Philippine Dumoulin (Norton Rose Fulbright – Washington, USA)

Ayman Idlbi (CAE Inc. – Montreal, Canada)

Ermanno Napolitano (Institute of Air and Space Law, McGill University – Montreal, Canada)

Aleksandra Puscinska (Norton Rose Fulbright – London, UK)

16.30-18.00

CLOSING REMARKS AND FAREWELL RECEPTION

### **Speakers and Moderators**

BARRY S. ALEXANDER Schnader Harrison Segal & Lewis LLP New York, USA



Barry S. Alexander's practice covers all aspects of litigation, as well as arbitration, throughout the United States. His areas of focus include product liability, aviation law and litigation, commercial litigation, and insurance coverage. He regularly represents commercial airlines, aircraft and component part manufacturers, and insurers in a wide range of commercial litigation matters. He also has substantial experience with appellate work. A frequent lecturer, Mr. Alexander has given multiple aviation related seminars to carriers, insurers and brokers on various liability and regulatory issues, and has presented at many conferences, including the IATA Legal Forum, SMU Air Law Symposium, IATA Cargo Claims and Loss Prevention Conference and ACI Aviation Litigation and Claims Conference. He also is an accomplished writer, having authored articles and book chapters on a wide variety of aviation subjects. He received his Bachelor of Science from Cornell University, and his Juris Doctorate from Duke University School of Law.

BRIAN J. ALEXANDER Kreindler & Kreindler New York, USA



Brian J. Alexander graduated from the United States Military Academy and served as amilitary helicopter and fixed wing pilot from 19851990. Mr. Alexander is a licensed FAA commercial multi-engine airplane and helicopter pilot with instrument ratings. He received his Juris Doctorate from the University of Notre Dame Law School. For more than two decades, Mr. Alexander has litigated numerous international and domestic airline, commuter, military and general aviation crash cases. Mr. Alexander has lectured at legal conventions and symposiums in the United States, Canada and Europe and has authored numerous articles on aviation and product liability litigation. He is a coeditor of "Aviation Accident Law" (Matthew Bender) and coauthor of the book "Litigating the Aviation Case from Pre-Trial to Closing" (ABA 1998). He is the former Chairman of the Aviation Section of the American Trial Lawyers Association and Vice Chairman of the American Bar Association Air and Space Law Committee.

LUIZ EDUARDO ARENA ALVAREZ Arena Alvarez Advogados São Paulo, Brazil



Luiz Eduardo Arena Alvarez is the founding partner of Arena Alvarez Advogados. He graduated in business administration and law. He worked as a director of Clyde & Co in São Paulo until 1994 when he set up his own law office specialising in the field of aeronautical law, specifically in aircraft finance, regulatory work and aviation third party liability claims, insurance and reinsurance related matters. He has been a lawyer in various aeronautical accidents, including airlines and general aviation, also handling cargo and baggage claims. He is one of the founding members of the Brazilian Association of General Aviation (ABAG) and current member of its Board (www.abag.orb.br). ABAG's main purpose is to defend and promote the interests of general aviation in Brazil and it is responsible for organising the important general aviation exhibition in Brazil, LABACE. Mr. Alvarez holds a private pilot license.

KATHERINE AYRE Borden Ladner Gervais Montreal & Toronto, Canada



Katherine Ayre is a civil litigator specialising in defence work. As a former glider pilot and commercial pilot for fixed-wing aircraft, the focus of her practice is in serving the aviation industry. This includes working with clients in the areas of aviation and transportation litigation, product liability, autonomous technology and UAV regulations, insurance litigation including D&O and E&O claims, and occupiers' liability. She specialises in both courtroom and written advocacy for both Canadian and international clients, and regularly works with general counsel and subject-matter experts to help clients navigate the regulatory world in transportation. Ms. Ayre is also a regular speaker, presenter and author on topics such as aviation law, UAV and UAS regulations, municipal law, civil procedure, and damages recovery.

#### PATRICIA BARLOW Barlow Law San Francisco, USA



Patricia Barlow is an aviation plaintiff's attorney representing the families of crash victims in air crashes cases. She is currently representing families and victims of air crash and associated incidents in Afghanistan where lawsuits have been filed in the US. Most of her work is aviation wrongful death cases where she represents victims and families of air crashes. She also does non-aviation wrongful death and personal injury law and some international corporate litigation particularly if Australian and/or New Zealand interests are involved as she is also admitted in those jurisdictions.

ALEXANDER BATALOV

Member of the ICAO Air Navigation Commission; Alternate Representative of the Russian Federation, ICAO Council

Montreal, Canada



Alexander Batalov currently serves as Alternate Representative of the Russian Federation on the Council of the International Civil Aviation Organization (ICAO) and is a member of the Air Navigation Commission of ICAO in Montreal, Canada. Prior to this appointment Dr. Batalov lectured in international air law and public international law at the Faculty of Law of Moscow State University and practised law in the Moscow office of international law firm CMS for almost fifteen years. He obtained his main law degree and candidate of juridical sciences degree (PhD equivalent) from Moscow State University. He holds an Advanced LLM (Master of Laws) in International Air and Space Law from Leiden University (Netherlands). Dr. Batalov has published numerous articles and books in Russian and English on different issues of international air law.

HOLGER BÜRSKENS Arnecke Sibeth Dabelstein Frankfurt, Germany



Holger Bürskens heads the Transportation, Aviation and Logistics ("TAL") group at Arnecke Sibeth Dabelstein. He has practised in the field of transportation, aviation and logistics for more than 26 years and is the author of numerous articles and books on German transportation and international business law, as well as being a regular speaker at industry events. He represents international airlines, forwarding agents and logistics providers. Mr. Bürskens has been awarded the title of Specialist Attorney for Transportation and Forwarding Law, and is frequently recommended by publications such as The Legal 500 ("Leading Individual"), European Legal Experts, and the JUVE Handbook on German Commercial Law Firms.

CATHERINE CHAPUT Gasco Goodhue St Germain Montreal, Canada



Since her admission to the Bar in 1993, Catherine Chaput has developed a varied and extensive insurance litigation practice. She acts in personal injury claims, property damage and construction matters, product liability, as well as civil and professional liability. She represents the firm's clients in transportation matters and has developed a specialty in aviation claims, where the complexity and applicability of international conventions makes for a challenging and rewarding practice. She represents the firm's clients on a regular basis before all levels of Quebec courts. While the trial experience is fulfilling from a professional viewpoint, like her colleagues, she seeks for economic and efficient resolutions of the disputes she handles for the firm's clients' benefit but also for a more efficient administration of judicial resources. To complement her practice, Ms. Chaput addressing giving conferences for lawyers and other professionals in the insurance and aviation industries.

#### SYLVAIN CHOINIÈRE Aéroports de Montréal Dorval, Canada



Sylvain Choinière began his role as Vice-President, Legal Affairs, and Corporate Secretary of ADM Aéroports de Montréal in September 2018. He has been an attorney for over 15 years. Prior to joining ADM, he was Vice-President of an important real estate developer in the Montréal Region. He was Manager of Real Property Strategies at Transport Canada between 2007 and 2012, at which time he was greatly involved with Canadian Airports. He has held a private pilot's licence for almost 25 years. His expertise and strong grasp of the workings and processes of the federal government and Canadian Airports are undeniable assets in the future development of Aéroports de Montréal. Mr. Choinière obtained a Law degree from the University of Ottawa, and also holds a B.A. in Geography and Leisure Studies from the same institution. He was a member of the Canadian Armed Forces Reserve between 1998 and 2006.

ROBERT A. CLIFFORD Clifford Law Firm Chicago, USA



Robert A. Clifford is the founder of Clifford Law Offices in Chicago, an internationally-recognised trial firm that concentrates in aviation, transportation, personal injury, medical negligence, product liability law, mass torts and class actions. Mr. Clifford has represented those injured or killed in every major commercial airline crash in the U.S. in the last three decades. This includes the American Airlines crash at O'Hare in 1979; the United Airlines DC 10 crash in Sioux City, Iowa, in 1989; the Comair runway crash in Lexington, Kentucky, in 2006; the Continental Colgan crash of 2009; and, internationally, the Turkish Airlines crash in Amsterdam of 2009 as well as the tragic Boeing crash of a 737 MAX8 in Ethiopia in 2019. Mr. Clifford served as the liaison counsel for the subrogation and business property damage claims that resulted from our nation's tragedy on September 11, 2001 at the World Trade Center in New York. He served as lead counsel in the negotiation and settlement of those claims that ultimately settled for \$1.2 billion. In addition to practising law, Mr. Clifford is dedicated to the furtherance of the legal profession and has been actively involved in and held leadership roles with the American Bar Association, Chicago Bar

Association, Chicago Inn of Court, American College of Trial Lawyers and Illinois Trial Lawyers Association. He is also a member of the American Law Institute, the Inner Circle of Advocates and serves on the Board of Directors for the RAND Institute for Civil Justice.

RENÉ DAVID-COOPER Transportation Safety Board of Canada Gatineau, Canada



René David-Cooper is currently employed at the Transportation Safety Board of Canada as an advisor to the Director of Air Investigations. He previously held the positions of Legal Counsel at the Canadian Transportation Agency; Airside Operations Manager for Global Affairs Canada during the 2018 G7 Meeting in Charlevoix (Québec), and Judicial Law Clerk for a judge at the Federal Court of Appeal of Canada. He has published several articles in peer-reviewed journals on various air law topics, including Annex 19 and safety management systems, aviation labour law, and airport landing slots. He holds a Master of Laws (LL.M.) from the Institute of Air and Space Law at McGill University, and is a licensed Commercial Pilot with over 12 years of flying experience. He also holds Civil Law (LL.L.) and Common Law (J.D.) degrees from the University of Ottawa, and is a member of the Law Society of Ontario.

PAUL STEPHEN DEMPSEY Institute of Air and Space Law, McGill University



#### Montreal, Canada

Paul Stephen Dempsey is Tomlinson Professor Emeritus of Air & Space Law and Director Emeritus of the Institute of Air & Space Law at McGill University. For more than two decades, he held the chair as Professor of Transportation Law, and was Director of the Transportation Law Program at the University of Denver. Earlier, he served as an attorney with the U.S. Civil Aeronautics Board in Washington, DC. Dr. Dempsey holds the following degrees: Bachelor of Arts, Juris Doctor, University of Georgia; Master of Laws, George Washington University; Doctor of Civil Laws, McGill University. Professor Dempsey was a Fulbright Scholar, was awarded the Transportation Lawyers Association Distinguished Service Award, and was designated the University of Denver's Outstanding Scholar. Professor Dempsey has published more than two dozen books, and more than 100 law review articles. His editorials have been published in major newspapers and news magazines, including

for example, Newsweek, the New York Times, and the Wall Street Journal. From 1986 to 1998, he was host of KWGNTV's weekly talk show "Your Right to Say It." From 1994-2009, Dr. Dempsey was Vice Chairman & Director of Frontier Airlines Holdings, Inc., and Chairman of Lynx Aviation, Inc. He has served as a consultant to and expert witness for U.S. and foreign airlines, railroads, motor carriers, bus and taxi companies, transportation labour organisations, industry associations, government agencies, and telecommunications companies. Dr. Dempsey has lectured in Australia, Austria, Belgium, Brazil, Canada, Chile, China, Colombia, the Czech Republic, Denmark, the Dominican Republic, Egypt, France, Germany, Greece, Hong Kong, India, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kenya, Kuwait, Macau, Mexico, the Netherlands, New Zealand, Nigeria, Papua New Guinea, Poland, Portugal, Romania, Saudi Arabia, Singapore, South Africa, South Korea, Spain, Sweden, Switzerland, Taiwan, Turkey, the United Arab Emirates, the United Kingdom, and the United States.

#### MICHAEL DERY Alexander Holburn Vancouver, Canada



Michael Dery is a Partner and the group leader of Alexander Holburn's Aviation Practice. He represents aviation insurers, airlines, operators, flight schools, UAV operators, AMOs and FBOs in complex litigation and regulatory matters. He provides counsel and advice to clients on litigation arising out of aircraft accidents, aviation related product liability litigation, airline claims handling, human rights matters and various other transportation-related issues. He also represents and advises shipping lines, non-vessel operating common carriers, railways, freight forwarders, trucking companies and load brokers. He has been selected by his peers for inclusion in the Canadian Legal Lexpert Directory (Aviation (Regulation and Liability)), Best Lawyers (Canada Aviation Law), and the Guide to the World's Leading Aviation Lawyers. In 2017, Mr. Dery was the recipient of the Lexology Client Choice Award for excellent client service in the field of Aviation. He is called to the Bar in British Columbia, Ontario, and Alberta.

NICOLAS DROLET Litigation Counsel, Air Canada Montreal, Canada



Nicolas Drolet represents Air Canada in litigation cases as well different kinds of adversarial legal proceedings such as arbitration, mediation and administrative law proceedings before all levels of provincial and federal jurisdictions. He also manages and provides guidance to resolve more complex or high-value customer claims and has oversight over outsourced litigation cases globally. In addition to his role of counsel, he heads Air Canada's global claims team. In that capacity he manages and supervises internal claims case managers, as well as external counsels both domestic and international. As such, he plays an active role in risk management and prevention. He works to identify and analyse systemic issues with the objective to provide guidance and educate internal clients. He earned, and still holds, his pilot's licence after graduating from the Centre Québécois de formation aéronautique (CQFA) in 2006, having received the Air Canada Pilots Association (ACPA) Scholarship for excellence in multiengine, instrument-based flying. He has also completed technical training in aviation, for

which he still holds a valid airline pilot licence. Mr. Drolet has flown aircraft throughout the country, mainly in the Canadian North, carrying both cargo and passengers and performing medevac services.

PHILIPPINE DUMOULIN Norton Rose Fulbright Washington, USA



Philippine Dumoulin works in the Norton Rose Fulbright's Corporate, M&A and Securities practice in Washington, DC. She focuses on domestic and international corporate and M&A matters, helping multinational corporations from various industries on complex and international projects, including global due diligence, corporate governance and compliance, and restructuring of entities. She also has an in-depth knowledge of the aviation industry and its complex legal issues, which she applies to corporate and M&A matters. Prior to joining Norton Rose Fulbright, she worked in other U.S. law firms focusing on aviation law. She also worked as a legal consultant for the Flight Safety Foundation in Alexandria, Virginia, as a research assistant for the Associate Director of the Civil Aviation Safety Authority (CASA) in Canberra, Australia and at EUROCONTROL in Brussels, Belgium. Philippine is admitted to practice law in New York. Ms. Dumoulin is a licensed and passionate aviator.

LOUIS E. EMERY
Export–Import Bank of the United States
Washington, DC, USA



Louis Emery has over 35 years of experience in the legal and finance arenas related to aviation world-wide. Currently he serves as the Assistant General Counsel for Transportation at the Export-Import Bank of the United States where his, and related teams, over 20 years have financed and managed one of the largest aircraft and helicopter portfolios in the world. His experience includes structuring, negotiating and closing both bank and capital markets transactions, as well as amendments, financial workouts and restructurings for the Ex-Im portfolio. He has, for over 10 years, served as a member of the US delegation to the Aircraft Sector Understanding meetings at the OECD in Paris. He was a member of the U.S. delegation which negotiated the Convention on International Interests in Mobile Equipment and the related Aircraft Protocol (the "Cape Town Convention"), as well as the Rail and Space Protocols. He also served on the Registry Task Force, which formulated the performance criteria, regulations, procedures and operational requirements for the International

Registry for Interests in Aircraft Equipment pursuant to the Cape Town Convention. He is also currently working with others from the Departments of State and Commerce on the draft fourth protocol to the Convention relating to mining, agriculture and construction equipment, which will be presented at a diplomatic conference in Pretoria, South Africa. He has also represented the U.S. in other capacities at the international level related to aviation matters. Mr. Emery has, in addition to his government service, practiced law in the areas of aviation, aviation finance, litigation, regulatory and corporate law in private practice in D.C. and in-house with British Aerospace plc. He also acted in a business capacity as Vice President-the Americas for the British Aerospace Asset Management Organisation, a group managing a portfolio of over 100 regional jet aircraft. Mr. Emery is a member of the bars of the District of Columbia and New York.

#### JEAN-MICHEL FOBE Sybarius Brussels, Belgium



Jean-Michel Fobe is recognised as a leading aviation and aerospace expert and has been member of the Belgian Delegations at ICAO General Assemblies, ICAO Legal Committee meetings, ECAC meetings and adviser to leading aviation and space insurance companies since 1986. He holds an LL.M. in Air and Space Law from the McGill University, Institute of Air and Space Law in Montreal, a postgraduate degree in maritime and air law from the Free University of Brussels, a post-graduate degree in Risk Management at the Vlerick School of Management (University of Ghent) and a law degree from the University of Leuven. He has been the teaching assistant of Prof. Dr. Eric Suy at the University of Leuven in the Department of international law and Foreign Relations and Guest Lecturer at the Management School of the University of Antwerp. He is a holder of US and EASA Private Pilot's Licence (PPL) and is an active glider pilot instructor. He is the author of a book on Aviation Products Liability (Kluwer) and articles in Air & Space Law, Lloyd's Aviation Quarterly and was a member of the Case Law Committee for Air & Space Law and the standard work on the Warsaw Convention (Kluwer). He was delegate

to the International Union of Aviation Insurers and the International Air Transport Association conferences. He has been member of the American Bar Association, Section of International Law and Practice, the ABA Forum on Air and Space Law, the European Air Law Association, and the Brussels Air Law Forum, and has been a member of the Société française de Droit Aérien et Spatial. He is past president, treasurer and Webmaster of the European Alumnae and Alumni Association of the McGill Institute of Air and Space Law, Vice-President of the Royal Belgian AeroClub and Member of the Belgian Civil Drone Council. He is listed in the Guide to the World's Leading Aviation Lawyers since 2004 www.expertguides.com) and the International Who's Who of Aviation Lawyers since 2005.

JOAN GABEL U.S. Counsel, Air France New York, USA



Joan Gabel is the United States Counsel for Air France. In that role, she advises and provides counsel to all the operational divisions of Air France, KLM, and Martinair with respect to their activities in the USA. Other responsibilities include litigation oversight, contract review and validation, compliance with state, federal and local regulations impacting all commercial and aviation related operations. As a member of the Air France and KLM Management Team for the USA, she is responsible for providing guidance with respect to decisions and implementation of strategies within that territory. A graduate of Vassar College and the law school of St. John's University, Ms. Gabel has also devoted time to educational and nonprofit initiatives. As an advocate for French-American bilingual education, she has served as a longtime Trustee of the Lycée Français de New York, and, among other activities, was the head of the Audit and Risk Assessment Committee of the Board. She was also named as Chevalier of the Ordre des Palmes Académiques by the French Republic.

FERNANDO GARCIA Vice President, Legal, Cargojet, Inc. Mississauga, Canada



Fernando Garcia is VP Legal and General Counsel for Cargojet. His duties include providing strategic and legal advice on Canada-wide and international operations, labour relations and employment law and all general legal matters. He holds an MIR from the University of Toronto and LLB/BCL from McGill and recently completed an MBA at Wilfrid Laurier University. He specifically enjoys writing about current issues relating to the future of law and technology, diversity and inclusiveness, and providing career advice to junior associates and in-house counsel generally.

SEAN GATES
Gates Aviation Ltd.
former Legal Adviser to the International Union of Aviation Insurers
London, UK;



Sean Gates has specialised in aviation-related law throughout his career and has been a lawyer in more than 50 international aviation disasters through his career. From 19972003 he was senior partner of the leading boutique aviation law firm Beaumont and Son (which subsequently merged with Clyde and Co) and in 2003 founded Gates and Partners which, before merging with another UK law firm in June 2013, employed 60 lawyers specialising in various aspects of aviation law, with offices in five jurisdictions worldwide. From 1998 2013, Mr Gates was the Legal Adviser to the International Union of Aviation Insurers (IUAI), a trade association comprised of the world's leading aviation insurers. Mr Gates represented the IUAI at the diplomatic conference resulting in the Montreal Convention of 1999 on carrier liability to passengers, at the diplomatic conference in Montreal for the Conventions on Surface Damage and at the legal committee meeting in 2013 discussing changes to the Tokyo Convention on Offences Committed On Board Aircraft 1963. Mr Gates heads Gates Aviation Ltd which provides a range of

services to the aerospace including dispute resolution, risk management, and disaster preparedness /response. He is also Senior Vice President of Legal Affairs at Kenyon International Emergency Services, and legal adviser to the European Regions Airlines Association. Recent projects include arbitrator in an aircraft lease finance dispute, disaster response advice for a Chinese manufacturer, advising a European insurer on liabilities arising from space products policy, and disaster response advice for a European airline legal department.

#### DANIEL-ROBERT GOOCH

President, Canadian Airports Council Ottawa, Canada



Daniel-Robert Gooch serves as President of the Canadian Airports Council (CAC). He previously served as the CAC's director of communications and policy. As CAC President, Daniel oversees operations of Airports Council International (ACI)—North America's Canadian division, leads Canadian government affairs and communications, and coordinates policy and regulatory efforts to effectively advance the airport industry within Canada. He serves as the committee secretary to the CAC Large Airport Caucus. He has more than 22 years' experience in marketing, public relations, and publishing, particularly in the aviation and technology sectors. Prior to joining the CAC, Mr. Gooch was publisher and editor of Commercial Aviation Today, a Montreal-based daily electronic news publication for airline industry executives around the world. He also worked in marketing and media relations for U.S. and Canadian clients in the financial, healthcare and business-to-business technology sectors at firms in Atlanta. Daniel is a graduate of Concordia University, with a degree in political science and history.

JUSTIN T. GREEN Kriendler & Kreindler New York, USA



Justin Green has successfully represented families in many major aviation cases. These include airline disasters, corporate airplane and helicopter accidents, and civil airplane and helicopter accidents. His practice has also included personal injury and wrongful death cases arising from other transportation accidents. After learning to fly in the United States Marine Corps, he completed the Naval Postgraduate School's Aviation Safety Program and served as his squadron's aviation safety officer. He is a licensed airplane and helicopter pilot and is instrumentrated with flight time in many different models of airplanes and helicopters. Following his service in the military, Mr. Green earned his law degree from Fordham School of Law in New York City. Mr. Green has been selected as Co-Chair of the Plaintiffs' Executive Committee for the Ethiopian Airlines flight 302 lawsuit. Other prominent cases include Asiana Flight 214, Turkish Airlines Flight 1951 and the Continental Connection Flight 3407 crash near Buffalo, New York, a case in which he had firsthand knowledge of as he had flown into that airport as a pilot.

He has also been extensively involved with litigation related to the terrorist attacks of 9/11 and, more recently, the disappearance of Malaysian Airlines Flight 370. Mr. Green is a prominent CNN Aviation Analyst who has been featured in dozen of on-air segments. Having authored many influential articles, he is seen as an authority on aviation law and is often invited to speak before legal organisations across the country. He also provided his expertise as editor of Aviation Accident Law (Lexis/Nexis), one of the most preeminent publications on the subject. Mr. Green is the Immediate Past President of the International Air & Transportation Safety Bar Association as well as Vice-Chair of the American Bar Association's Torts and Insurance Practice's Aviation Section. Past posts include Chair of the Aviation Section of the American Association for Justice.

DONAL HANLEY
Institute of Air and Space Law,
McGill University
Montreal, Canada



In addition to teaching aircraft financing and leasing law at the Institute of Air and Space Law of McGill University and at the International Air Transport Association (IATA), Donal Hanley has been a non-executive director of the Irish subsidiaries of WNG Capital LLC. Previously, he founded and served as first managing director of the Irish office of Aviation Capital Group LLC (ACG), cofounded CIAF Leasing, a joint venture between ACG and the Civil Aviation Ministry of Egypt, and was Vice President, Legal of ACG in charge of all leasing matters. Prior to joining ACG, he was Director, Legal of the California aircraft leasing subsidiary of Mitsui & Co., Ltd. His private practice experience includes McCann FitzGerald (London and Dublin), Anderson Mori (Tokyo) and Linklaters (Tokyo). Mr. Hanley is an active member of the State Bar of California and a non-practicing solicitor admitted in England and Wales and in Ireland. He graduated with an MA from the Law School of Trinity College Dublin, an MBA in Aviation from Concordia University and IATA in Montreal, a Diploma in Air Law from IATA, and an LLM cum laude and PhD from the International Institute of Air and Space Law of Leiden

University. He is a Fellow of the Royal Aeronautical Society.

ANDREW J. HARAKAS

Head, U. S. Aviation Practice Group, Clyde & Co.

New York, USA



Andrew Harakas is head of the U.S. Aviation Law Practice Group at Clyde & Co US LLP. He has over 25 years of trial and litigation experience in aviation (passenger and cargo), complex tort, regulatory (DOT, FAA, OFAC), insurance and product liability matters. He has represented clients and tried cases arising out of major aviation losses and has extensive appellate experience, having argued numerous appeals before federal and state appellate courts throughout the nation, including three cases before the United States Supreme Court. Andrew has published numerous articles on a variety of issues relating to domestic and international aviation liability and insurance law and was the General Editor of the twenty-six chapter book Litigating the Aviation Case – From Pre-Trial to Closing Argument (4d ed. ABA published 2017). Mr. Harakas also is a frequent lecturer at conferences sponsored by IATA, the American Bar Association, Institute of Air and Space Law (McGill University) and other organizations throughout the world. He received his undergraduate degree from the University of Michigan (B.A.) and his law degrees from the Michigan State University College of Law (cum laude, J.D.) and McGill University, Institute of Air & Space Law (LL.M.).

BRIAN F. HAVEL Director, Institute of Air and Space Law, McGill University Montreal, Canada



Brian F. Havel is Professor of Law and Director of the Institute of Air and Space Law at McGill University in Montreal, Canada. He is also Emeritus Distinguished Research Professor of Law at DePaul University College of Law, Chicago, and Visiting Professor of Law at the University of Oxford, Leiden University, and University College Dublin. He was the Keeley Fellow at the University of Oxford, Wadham College, from 2011 to 2013 and previously served as the Fulbright Distinguished Chair in Comparative Law and Legal Pluralism at McGill. His most recent book is *The Principles and Practice of International Aviation Law* (Cambridge 2014, with G. Sanchez). Professor Havel served as the Co-Convenor of the Conference.

SHARON HOLAHAN Global Aerospace, Inc. Parsippany, USA



Sharon Holahan joined Global Aerospace in 1984 and has served in multiple claims roles throughout her tenure. She was named Director of Claims and Executive Vice President in April 2012 and she is a member of the Board of Directors of Global Aerospace Inc. and also a member of the Global Aerospace Group Executive Committee. She has the oversight responsibility for airline, manufacturers' product liability, general aviation claims and major litigation in the US office of Global Aerospace. Ms. Holahan is a founding member and first president of the International Aviation Women's Association. She is a past Chair of the American Bar Association's Aviation and Space Law Committee of the Torts and Insurance Section. She has been selected for membership in the International Who's Who of Professionals in Aviation and is a member of the International Academy of Defense Counsel. Ms. Holahan holds a Juris Doctorate and is a member of the New York and New Jersey Bars and is a private pilot.

JIEFANG HUANG
Director, Legal Affairs & External Relations Bureau, ICAO
Montreal, Canada



Jiefang Huang graduated from Wuhan University, China, obtained an LL.M. from the Institute of Air and Space Law, McGill University, Canada, and Ph.D. from the International Institute of Air and Space Law, Leiden University, the Netherlands. Previously held the positions of the Third Secretary of the Chinese Embassy to Canada, and Vice President of the International Law Association (Canadian Branch). Joined ICAO's Secretariat in 1996, and worked as Legal Officer, Senior Legal Officer, and Acting Director of the Legal Affairs and External Relations Bureau. Served as Assistant Secretary, Deputy Secretary and Secretary in various ICAO legal bodies and meetings, including the Diplomatic Conference in Cape Town in 2001, and the Diplomatic Conference in Beijing in 2010. Representing ICAO in various meetings of the United Nations. Secretary of the Legal Commission and the Executive Committee of the 40th Session of the ICAO Assembly in 2019. Teaching or making presentations on air law in more than 20 States. Author of "Aviation Safety through the Rule of Law: ICAO's Mechanisms and Practices" (Kluwer, 2009).

CLAY S. HUNTER
Paterson MacDougall LLP
Toronto, Canada



Clay S. Hunter is a Partner at Paterson, MacDougall LLP admitted to the Ontario Bar in 1991. Mr. Hunter attended the University of Oregon (B.A., Political Science 1986; Scholar Athleete, Dean's List); and the University of British Columbia (LLB., 1989). He started at the firm in May 2005 after taking a hiatus from the practice of law in order to pursue a career first as an actor, then as an owner, creator and operator of various Toronto restaurants, bars and night clubs. He was a member of the University of Oregon and Canadian Junior National Track and Field teams. Mr. Hunter became a partner at Paterson, MacDougall LLP in 2010 and his practice focuses primarily on aviation, tour operator, transportation law and products liability. He is a trial lawyer and provides advice on litigation arising from aviation accidents; to carriers in passenger injury, baggage and cargo claims; to tour operators in ruined vacation and personal injury claims; to insurers on exposure and subrogation recovery; in the assessment of damages; and has represented clients before the Courts of Ontario, the Federal Court of Canada, the Supreme Court of Nova Scotia, the Supreme Court of Newfoundland and Labrador, the Canadian Transportation Agency,

the Transportation Appeal Tribunal of Canada and the Canadian Human Rights Commission. Mr. Hunter successfully argued (pre-Thibodeau) the strong exclusivity approach to the applicability of the Montreal and Warsaw Conventions in O'Mara v. Air Canada (Ont. Sup. Court); the proper interpretation of the Montreal Convention's notice and checked baggage provisions in Holden v. ACE Aviation (Ont. Div. Court); the proper application of the Montreal Convention's Art. 35 two-year prescription in Titulescu v. United Airlines (Ont. Sup. Court) and, the tort liability of tour operators for third party acts or omissions being limited to the reasonable selection of competent suppliers in Garofoli v. Air Canada (Ont. Div. Court). He is a member of the Federation of Defense & Corporate Counsel (FDCC), the Canadian and Ontario Bar Associations, Canadian Defence Lawyers Association, the Advocates' Society and the American Bar Association Forum on Air and Space Law, Litigation Section. He is listed in the International Who's Who of Business Lawyers, Aviation and has been recognised by LEXPERT as a leading practitioner in the field of Aviation in its annual surveys in 2014, 2015, 2016, 2017 and 2018.

#### AYMAN IDLBI CAE Inc. Montreal, Canada



Ayman Idlbi is a Legal Counsel in the Corporate and Finance legal group at CAE Inc. Prior to joining CAE, He was an associate at Norton Rose Fulbright in Montreal where he practiced in both the Banking and Finance and Intellectual Property groups. He recently completed a secondment mandate at Air Canada where he advised the company on a variety of transactions and commercial agreements. He focuses on the areas of aircraft finance, corporate financing, financial services, general commercial and banking law, pilot training services, and aviation regulations. He also provided counsel and opinions related to the patentability of inventions, the validity of patents, the risks of patent infringement, and freedom-to-operate for a wide variety of aerospace products. Mr. Idlbi holds a Bachelor of Laws from University of Montreal, a Master of Laws (Air & Space) from McGill University, as well as a Bachelor of Mechanical Engineering and a Master of Aerospace Engineering from Concordia University. Before joining the legal community, he started his career as an engineer in research

and development at Pratt & Whitney Canada, and thereafter pursued activities in design engineering at Bombardier Aerospace. He is a private pilot pursuing his commercial licence.

#### CHRISTOPHER KNIGHT Fowler White Burnett Miami, USA



Christopher E. Knight is the Managing Shareholder of Fowler White Burnett, P.A., a leading full service law firm founded in 1943 with offices located in Miami, Fort Lauderdale, and Palm Beach. With over 33 years of experience and being AV Preeminent Peer Review Rated by Martindale Hubbell for over 29 years, he leads the firm's Catastrophic Exposure Litigation Team and handles a wide range of aviation related litigation, including property damage, personal injury, wrongful death, cargo claims and insurance coverage. He represents domestic and international airline carriers, aircraft and engine manufacturers and maintenance providers in litigation arising from mass disasters and aircraft accidents. He also represents flight training centers and an acclaimed aeronautical university. With extensive experience in litigating cases involving mass air crash disasters and general aviation accidents, Mr. Knight defended a major airline against allegations of negligence and product defect resulting from a catastrophic accident that killed nearly 200 people in Brazil. His aviation practice deals with issues relating to jurisdiction over foreign and non-Florida entities, forum non conveniens, discovery abroad and complex tort litigation. Mr. Knight also handles a broad range of civil litigation matters for Fortune 500 companies, major insurance

carriers, several airlines and manufacturers in state and federal courts. He has served as lead counsel in the defense of multidistrict and class action litigation involving product liability, insurance and attorney general investigations. In the products arena, he handles products liability and related litigation for notable manufacturers, distributors and retailers. In addition to aviation product cases, he is experienced with the defense of products from various industries, such as agriculture, construction, medical and sports and recreation.

JAMES P. KREINDLER Partner, Kreindler & Kreindler LLP New York, USA



James P. Kreindler joined Kreindler & Kreindler LLP in 1983 and became a partner in 1987. He is a magna cum laude graduate of Dartmouth College, 1977. He received his J.D. degree from Columbia University in 1980, where he was a Harlan Fiske Stone scholar. He began his career as an Assistant District Attorney in the Kings Country (Brooklyn) District Attorney's Office. Currently, Mr. Kreindler is the cochair of the Plaintiff's Committee in the 9/11 Litigation on behalf of the 9/11 families to hold Saudi Arabia accountable for its role in the 9/11 attacks. The lawsuit alleges that members of the government of Saudi Arabia provided critical financial and logistical support to the 9/11 hijackers prior to September 11, 2001. This case is the first case to proceed under the Justice Against Sponsors of Terrorism Act, also known as JASTA, passed by Congress in 2016. A longtime specialist in aviation accident and terrorist litigation, Mr. Kreindler previously took the lead role as a member of the Plaintiffs' Committee in the Pan Am 103 families' lawsuit against Pan Am and Libya. That litigation resulted in the largest financial recovery for a single disaster in the history of aviation – nearly \$3 billion. He has

played a major role in many other notable airline disaster cases including: Chairman of the Plaintiffs' Committee for the 2009 Colgan Air crash in Buffalo, New York; Member of the Plaintiffs' Committee for the 1998 Swissair Flight 111 disaster near Peggy's Cove, Nova Scotia; Member of the Plaintiffs' Committee for the 1996 TWA Flight 800 disaster off Long Island, New York. Mr. Kreindler is a frequent lecturer in Aviation Accident Litigation and Terrorism Litigation throughout North and South America and Europe. He is the only Plaintiffs' attorney, other than Lee Kreindler, asked to lecture at International Airline Transportation Association (IATA) meetings.

#### LOUISA-ANN LANGE Arnecke Sibeth Dabelstein Frankfurt, Germany



Louisa-Ann Lange was admitted to the German bar in 2015, and she joined Arnecke Sibeth Dabelstein in 2019. Her practice areas include Transport, Aviation, Logistics; Advising and representing companies in the aviation and travel industry (lessors, banks, associations, booking and travel portals, etc.) with a focus on representation in court. Previously, she worked at Stenger LLP (20152018); Vistra (Germany) GmbH (2019), and she did her legal clerkship at the Regional Appeal Court in Celle and Hamburg. She studied law at the Johann Wolfgang Goethe-University Frankfurt/Main (20042010). Additionally, Ms. Lange has an LL.M. University of Stellenbosch (2010 2011), and she is a member of the German Lawyer Association (Deutscher Anwaltsverein). She is fluent in German, English, and French.

GEORGE LELOUDAS Swansea University



George Leloudas is an Associate Professor at the Institute of International Shipping and Trade Law (IISTL) of Swansea University, which he joined in 2011. He is a graduate of the National and Kapodistrian University of Athens. He holds LLM degrees in Commercial Law from the University of Bristol (England, 2002) and in Air and Space Law from the Institute of Air and Space Law of McGill University (Montreal, Canada, 2003). He also completed his PhD degree in air law at Trinity Hall, Cambridge University, in 2009. He has most recently published his second monograph (together with Professor Malcolm Clarke of Cambridge University) on Air Cargo Insurance. Also he recently published (with Prof Baris Soyer) an article on the carriage of passengers by sea in Michigan State University International Law Review, an article on IUU fishing (with Prof. Baris Soyer and Dr Dana Miller) in Transnational Environmental Law and a book chapter (with Drs. Michael Chatzipanagiotis and Konstantina Liperi) on the Regulation of Planetary Defence and Near-Earth Objects. He teaches insurance law, carriage of goods by air, sea and land, arbitration law, international trade law and he is also one of the editors

of the preeminent transport law publication, *Shawcross and Beaumont*, being responsible for the (passenger and cargo) liability chapters of the publication.

#### SENARATH D. LIYANAGE Vice President, Legal Affairs, Etihad Airways Abu Dhabi, UAE



Senarath D. Liyanage is an Attorney at Law of the Supreme Court of Sri Lanka and a Solicitor in England & Wales. He holds a Master's Degree (LL.M.) in Air & Space Law from McGill University, Canada. Having commenced his aviation career in 1980 as a flight attendant he joined the Attorney General's Department in Sri Lanka and worked as State Prosecutor and State Counsel for 14 years handling labour, criminal, civil, banking and aviation litigation on behalf of the State. While in Sri Lanka he functioned as the Legal Consultant to the DGCA and the Ministry of Civil Aviation. In 2000, he moved to Abu Dhabi as the Air Transport Adviser to the UAE's Federal Ministry of Communications and was actively involved in more than 100 bilateral air services negotiations for the UAE including the initial Open Skies Agreements. He was a member of the ICAO Secretariat Expert Study Group on "Acts or Offences of Concern to the Aviation Community and not covered by Existing Air Law instruments". Mr. Liyanage moved to Etihad Airways in 2004 to set up its legal department. He

functioned as General Counsel and Company Secretary until April 2009 and is currently the Vice President Legal Affairs & General Counsel in charge of litigation and regulatory matters.

DAVID T. LLOYD UK Representative to ICAO Montreal, Canada



David Lloyd was appointed UK Permanent Representative to the ICAO Council in December 2017. Prior to that, he spent over seven years in the UK Permanent Representation to the European Union in Brussels, acting as Chief of Staff for the transport, energy, environment, economic, social policy and agriculture sections. He also led for the UK on EU preparations and follow-up to the agreement of the Sustainable Development Goals at the United Nations General Assembly in September 2015. David's background is with the Prime Minister's Office (Cabinet Office) having served as senior policy adviser for energy, transport and low carbon technologies for the Blair, Brown and Cameron administrations. He also provided support to the Prime Minister for various intergovernmental negotiations, including all meetings of the European Council between 2008 and 2010. Mr. Lloyd has a partner, Louisa, and two young daughters, Sophie and Isabella. In his spare time, he is a keen musician, having worked as a professional trombone player for several years.

#### LESLIE ALLAN LUGO Assistant General Counsel, IATA Montreal, Canada



Les Lugo graduated from Haverford College with a Bachelor of Arts degree in 1983 and received a *Juris Doctor* from the University of Pennsylvania Law School in 1986, where he served as Executive Editor of the *Comparative Labor Law Journal* and was a finalist in the Marshall Moot Court Competition. After law school, he served as a law clerk in the United States District Court. He was later associated with the law firm of Crowell & Moring in Washington, DC, where he specialized in regulatory matters for international airline clients. In 1990, he joined American Airlines as an attorney where he worked on major commercial and securities transactions. He was lead counsel in American's \$124 million acquisition of Reno Air in 1998, the \$6.2 billion spinoff of Sabre Holdings Corporation in 2000, the 2001 restructuring of American's strategic global alliance with British Airways, and the 2:1 stock split of American's parent company AMR Corporation. He was assigned to American's offices in Paris and London on long-term special assignments. Les has taken advanced competition law coursework at King's College London. In 2002, Les joined IATA in Montreal. He is responsible for legal matters

related to passenger distribution. He provides competition law advice and advises on economic sanctions. His significant projects include the restructuring of the Passenger Agency Programme in Europe and Australia to ensure compliance with competition laws, defending the move to 100% e-ticketing from a competition law challenge in Canada, and designing a corporate compliance programme which was implemented at the 2009 Global Leadership Training Week. In 2011, Les relocated to Singapore to establish the first Asia-Pacific branch of IATA Legal Services. He returned to Montreal in 2013. He is currently working on all legal aspects of New-Gen ISS, a completely redesigned Agency Programme and Industry Settlement System for the distribution of passenger air tickets. He is a member of the Bar of the District of Columbia and is a Solicitor admitted in England and Wales. He is fluent in Spanish and has a good knowledge of French. He holds American citizenship and resides in Montreal, Canada.

ANDREW W. MACDONALD

Bersenas Jacobsen Chouest Thomson Blackburn LLP

Toronto, Canada



Andrew MacDonald has practised at Bersenas Jacobsen Chouest Thomson Blackburn LLP since 2012 with an emphasis on aviation litigation and regulatory matters. He has appeared before all levels of court in Ontario, the Federal Court of Canada and the Supreme Court of Canada. In addition, he has acted for clients before various administrative tribunals, including the Canadian Transportation Agency and the Canadian Human Rights Commission. He holds a BSc in Biochemistry from the University of Victoria, an MA in Philosophy, Politics and Economics from the University of Oxford and law degrees (LLB & BCL, with Great Distinction) from McGill University's Faculty of Law.

JASON MACINTYRE Blakes, Cassels & Graydon LLP Toronto, Canada



Jason is a partner in the Financial Services group at Blakes in Toronto, with a practice focusing on secured lending and structured finance transactions in the aviation, project finance, infrastructure and defence industries. He has represented various aircraft lessors, manufacturers and financiers on aircraft finance and commercial aviation matters and regularly advises clients on regulatory matters relating to M&A transactions with Canadian aviation undertakings. He has also represented both lenders and borrowers in domestic and international transactions, which have included asset-based lending, project finance, public-private partnerships and both public and private debt and capital markets offerings. He has been recognised as a leading lawyer in aviation law, including in the following publications: Chambers Canada: Canada's Leading Lawyers for Business 2020; The Legal 500 Canada 2019; The Canadian Legal Lexpert Directory 2019 and Who's Who Legal 2018

STEVEN C. MARKS Podhurst Orseck Miami, USA



Steven C Marks is a Senior Partner at the law firm of Podhurst Orseck, P.A., and focuses on personal injury and wrongful death litigation, product liability, aviation litigation, commercial litigation, class actions, medical malpractice, premises liability, and admiralty. He holds a BA from the University of Florida (cum laude) and a JD from the University of Miami (cum laude). He is a member of the Dade County Bar Association, American Bar Association, the Florida Bar, the Florida Justice Association, the American Association for Justice, Dade County Trial Lawyers; Lawyer-Pilots Bar Association; American Board of Trial Advocates (Miami Chapter). He is a Fellow, Litigation Counsel of America, Trial Lawyers Honorary Society, and the Inns of Court. He was recently appointed to the Legal Advisory Committee for the International Civil Aeronautical Organization; the Flight Safety Foundation Advisory Board; and is a Trustee for the National YoungArts Foundation.

ANNA MASUTTI LS Lex Jus Sinacta Bologna & Milan, Italy; University of Bologna Bologna, Italy



Anna Masutti is tenured Professor of Air Law and European Transport Law at the University of Bologna and head of the Department of Aviation & Aerospace at LS Lexjus Sinacta Law Firm, Italy. Her principal areas of practice include: aviation insurance, airlines, airports, general aviation, loan and lease financing, operating leases and tax-based leases. She frequently contributes to European programmes including those related to UAVs and their regulation. In addition, she is editor of The Aviation and Space Journal (http://www.aviationspacejournal.com/) edited by the University of Bologna. She is in the board of the European Air Law Association (EALA), legal advisor in the IBAA's board (Italian Business Aviation Association) and officer of the Aviation Committee of the International Bar Association (IBA). From 2003 to 2007 Professor Masutti served as member of the Legal and Economic Committee of the Italian Civil Aviation Authority.

KATHRYN A. MCCULLOCH Dentons



Toronto, Canada

Kathryn McCulloch is a partner at Dentons, specialising in aviation and RPAS regulation and litigation. She advises commercial RPAS operators, air navigation service providers (ANSPs), consumer associations, manufacturers, startups and non-aviation companies from an array of sectors and industries engaging in RPAS services. She provides strategic business and regulatory advice to clients on how to adapt to the changing regulatory framework for RPAS operations. Her conventional aviation practice focuses on liability of commercial airlines and airports and the regulatory framework in which they operate. She holds her private pilot's licence and is in the process of obtaining her RPA basic operations licence.

EHSAN T. MONFARED YYZlaw Toronto, Canada



Ehsan Monfared counsels both public and private companies in the aviation industry on all types of commercial transactions and regulatory matters. He acts for Canadian aircraft and aircraft parts manufacturers in negotiating supply agreements and advises companies on their commercial and legal risks. Ehsan is also extensively involved with business aircraft transactions, and his experience includes the negotiation of agreements pertaining to aircraft purchases and dispositions, aircraft and engine maintenance and overhaul, engine and parts purchase, lease, consignment and sale, and aircraft interiors procurement, where he has represented clients on both the buy-side and the sell-side. He also currently acts for several Canadian lessors of aircraft, acting as transactional counsel on domestic and international aircraft leasing operations. A significant part of his practice is devoted to his clients in the commercial air travel sector and he is also involved in the licensing of over twenty new foreign air operators with Transport Canada. Mr. Monfared also has considerable experience drafting tariffs and terms and conditions for various air carriers, and negotiating contracts on behalf of his airline clients

pertaining to premium passenger services, customer-loyalty programmes, car rental and lodging accommodations systems and partnerships, and regional capacity outsourcing. He has a commercial pilot licenses with a Multi-IFR rating, and is licensed to practice in the provinces of Ontario and British Columbia. He currently serves as Chair of the Governance Committee of the Canadian Business Aviation Association, and recently completed his term as the Chair of the Canadian Bar Association's Air and Space Law Section.

ERMANNO NAPOLITANO
Institute of Air and Space Law, McGill University
Montreal, Canada



Ermanno Napolitano is a Ph.D. candidate at McGill University's Faculty of Law under the supervision of Professor Richard Janda, and a graduate of the McGill Institute of Air and Space Law (IASL), from which he obtained a master degree under the supervision of Professor Ram Jakhu. During his studies at the IASL, he was awarded the Nicolas Mateesco Matte fellowship and the Graduate Excellence award. For his LL.M. thesis at the IASL, he wrote on the legal reasons and basis for the International Civil Aviation Organization (ICAO) to take a lead in developing new rules for emerging aerospace activities, with particular emphasis on "suborbital" flights as a new potential mode of civilian aerospace international transportation. His studies embrace both aviation and space law. He has been actively involved in many international initiatives in his field of expertise organized by entities such as the Canadian Space Agency, ICAO, and the United Nations Office for Outer Space Affairs. Mr. Napolitano has presented in various international conferences around the world, such as the International Astronautical Congress, and has collaborated with the Italian Government on regulatory matters regarding civil aviation. He

has been published in various journals, and two of his new articles will be published in the forthcoming edition of the Annals of Air and Space Law and of the Journal of Space Law. He currently studies the use of the commons and their global governance with special focus on the protection of the earth's environment. For his doctoral studies, he has been awarded the Erin J.C. Arsenault Fellowship.

#### PETER NEENAN Stewarts London, UK



Peter Neenan is a dual qualified English solicitor and Illinois attorney described by Chambers as "an exceptional lawyer" and "seasoned practitioner". He specialises in technically complex aviation matters often involving multiple jurisdictions and holds two master degrees in Theoretical Physics and Advanced Air & Space Law. He joined Stewarts' Aviation department on its inception in 2006 and has been at the department since. He was featured in an article in The Times 'Jump from paralegal to partner' regarding his progression from paralegal to partner at Stewarts.

JUDY NEMSICK Holland & Knight New York, USA



Judy Nemsick is a litigation partner in Holland & Knight's New York office. Her practice focuses primarily on complex litigation matters, with emphasis on air disaster litigation, class-action lawsuits, product liability, and privacy issues. She represents U.S. and foreign air carriers, including air ambulance operators, before state and federal trial and appellate courts, including the U.S. Supreme Court and several U.S. Courts of Appeals. She is well-versed in matters involving the Warsaw and Montreal Conventions and preemption under the Airline Deregulation Act and Federal Aviation Act. She has authored *amicus curiae* briefs on behalf of industry groups on significant issues relating to federal preemption, treaty interpretation, and air carrier immunity. She also counsels air carriers on a variety of commercial and regulatory matters, including contracts of carriage, tarmac delays, the Air Carrier Access Act, frequent flyer programs, and family assistance plans. She has written numerous articles on various aviation related topics, and authored two chapters for the ABA treatise *Litigating the Aviation Case From Pre-Trial to Closing Argument*, on federal jurisdiction and conflicts of law. She has been recognized for her aviation expertise by *Chambers USA*, *The Legal 500 USA*, *Legal Media Group's Expert Guides*, and *Who's* 

Who Legal. Judy is an editor and regular contributor to Holland & Knight's aviation blog and Centerline alerts, and is the national chair of the Holland & Knight Women's Initiative. She also is a member of the International Aviation Women's Association (IAWA). Judy received her law degree from St. John's University School of Law, where she was the Articles Editor for the Journal of Legal Commentary. She graduated Phi Beta Kappa and magna cum laude from Boston College with a Bachelor of Arts degree in English.

URBAN OLSON
Advokatfirman Urban Olson
Stockholm, Sweden



Urban Olson is attorney at law in Stockholm Sweden and member of the Swedish Bar Association as well as Lifetime Member of the McGill Institute of Air and Space Law Association (IASLA), and a member of the European Air Law Association (EALA). Mr. Olson works in the area of air carrier liability and products liability relating to aircraft manufacturers and subcomponent manufacturers under European and US law and has worked on the claims adjustments of several large international airline accidents as well as general aviation accidents and state aircraft accidents including, Air France Concorde, SAS Linate, Helios Airlines, Air India Express, and the Airbus CASA wing separation.

DARRYL PANKRAT'Z Alexander Holburn Beaudin & Lang Vancouver, Canada



Darryl Pankratz is a partner in Alexander Holburn's Aviation Practice. He provides advice and counsel to various clients throughout the aviation industry. Darryl represents domestic and international air carriers, product manufacturers and airport operators. He regularly acts on behalf of aircraft maintenance engineers and organizations, as well as professional and private pilots. His practice includes complex multiparty litigation as well as the use of alternative dispute resolution methods. Darryl has been recognised by The Canadian Lexpert Directory since 2013 as a leading Canadian practitioner in the field of Aviation (Regulatory and Liability). He has also been selected by his peers for inclusion in the publication, Best Lawyers in Canada, since 2010 and Guide to the World's Leading Aviation Lawyers since 2013. He is currently the Vice-Chair of the Canadian Bar Association National Air and Space Law Section and Secretary of the British Columbia CBA Air and Space Law section.

# CATHERINE PAWLUCH DLA Piper (Canada) LLP Canada



Catherine Pawluch is co-head of DLA Piper Canada's transportation/aviation practice and a leading partner in the competition (antitrust) law group. As noted by an aviation client, Catherine has an "incredible ability to combine business acumen and exceptional legal knowledge". (International Who's Who of Aviation Lawyers). Ms. Pawluch has advised the world's iconic airlines on startup in Canada of scheduled international air services and charter operations, including advising on foreign ownership rules, the Canadian all-inclusive air price regulations as they affect online booking systems and advertising, Website sales and tariff requirements. Recently, she has advised foreign airlines extensively about compliance with Canada's new air passenger protection regime. She has also advised international air cargo carriers and manufacturers in the UAV ("drone") industry. Her practice also focuses on competition law and foreign investment law, including the national security provisions of the Investment Canada Act. She has extensive experience in merger control matters. She was honoured to serve as President of the Canadian Transport Lawyers Association and also the U.S. Transportation Lawyers Association, the first Canadian to have been elected to this position.

LAURA PIERALLINI Studio Pierallini Rome, Italy



Laura Pierallini is the founder of the Italian aviation law firm Studio Pierallini. She is a professor of commercial and air transport law at the LUISS University in Rome. Ms. Pierallini has practised aviation law since 1988, providing expert advice to clients across the whole of the international aviation sector. Her clientele comprises airlines, manufacturers, lessors, financiers, airports, handlers and travel agents. Ms. Pierallini regularly moderates and delivers speeches at aviation conferences worldwide and she is author of many international publications on air transport and aviation law. Ms. Pierallini was shortlisted as Best Aviation Lawyer for the Europe Women in Business Law Awards in 2017, 2018 and 2019 and recognised as Thought Leader of Aviation by Who's Who Legal Expert Guide in 2018 and 2019. Ms. Pierallini is a committee member of the European Air Law Association, as well as a member of the International Aviation Womens Association (IAWA) and the European Aviation Club.

BRIAN POSTON MacKenzie Fujisawa LLP Vancouver, Canada



Brian Poston has been with MacKenzie Fujisawa LLP in Vancouver, BC, since being called to the bar in 1999. Being raised in the Northwest Territories – where bush piloting served as a lifeline, he developed an interest in aviation at a young age. He started practicing in the aviation field early in his legal career and now focusses on product liability defence, general aviation, airlines and subrogated claims. He has acted for engine and aircraft and component manufacturers, overhaul facilities, pilots, operators, airlines and aviation service providers. He served on the executive of the Canadian Bar Association Air and Space Law Section for ten years, including two years as Chair. He is now an honourary member-at-large and is currently the Chair of the BC CBA Air Law Section.

ALEKSANDRA PUŚCIŃSKA Norton Rose Fulbright London, UK

Aleksandra Puscinska recently joined the asset finance team at Norton Rose Fulbright LLP in London as an associate, where she focuses on aircraft finance and leasing, commercial aviation transactions and regulatory matters in the aviation sector. Prior to joining NRF, she worked in the aviation department at Clyde & Co LLP, where she acted for airlines, trade associations, aircraft management companies, insurers and manufacturers on various regulatory, litigation and transactional matters related to commercial and business aviation. Previously, she also worked as a Regulatory Analyst at the Canadian Transportation Agency and completed placements in the legal department of LOT Polish Airlines and the European Space Agency. She is a New York qualified Attorney and she holds a Master's degree (LL.M.) in Air & Space Law from McGill University, where she was a Boeing Fellow. Her master's Thesis on the fragmentation of air carrier liability regimes in the context of long flight delays, cancellations and denied boarding was relied upon in Rashed v. Saudia Airlines, in the Superior Court of Justice (Ontario). She received her undergraduate degree in law (LL.B.) from King's College London, and completed one year of study at Leiden University.

#### KENNETH P. QUINN Baker Mc Kenzie Washington, DC, USA



Ken Quinn is a Principal in the North America International Commercial Practice Group in Washington, DC. He is also the Global Chair of the Aviation Group, and co-chair of the Unmanned Aircraft Systems multidisciplinary team. Mr. Quinn acts as litigation, regulatory, enforcement, antitrust, and commercial counsel to several domestic and international airlines, aerospace companies, lenders/lessors, private equity/hedge funds, online travel and social media companies, developers and other aviation companies. Mr. Quinn is a former chief counsel of the U.S. Federal Aviation Administration (1991-1993), counselor to the Secretary of Transportation (1989-1991), and senior advisor to the Office of the President-Elect in 1988. He has also served as general counsel and secretary of the Flight Safety Foundation for the past 14 years. He is a fellow of the Royal Aeronautical Society, and is counsel to its DC Branch.

RACQUEL REINSTEIN

Port Authority of New York and New Jersey

New York, USA



Racquel Reinstein has been an attorney for the Port Authority of New York and New Jersey since 2007 and has handled a large range of matters, including airport regulatory, construction/Americans with Disabilities Act (ADA), leasing/real estate, and litigation appeals. These matters have included the successful appeal of the FAA's proposed slot auctions, the ADA review of the new TWA Hotel, updating the Port Authority's Airport Disadvantaged Business Enterprise Program, and the procurement process of the new LaGuardia Terminal B. Ms. Reinstein is the chair of the regulatory subcommittee of the New York City Bar Association Aeronautics Committee and is a graduate of Cornell University and Brooklyn Law School.

ALAN REITZFELD Retired Senior Partner, Holland & Knight LLP New York, USA



Alan D. Reitzfeld, after practicing aviation law for 40 years, retired in April 2018 as a senior partner in Holland & Knight LLP's New York Litigation Practice Group. Prior to his retirement, he played a leading role in defending airlines in multidistrict litigation and appellate matters arising out of numerous major domestic and foreign commercial jet airline crashes and other incidents. Mr. Reitzfeld has spoken on aviation and technology law issues in numerous international and domestic programs and has published articles on those subjects in the U.S. and elsewhere. He is the current Chair of the Aviation Law Committee of the International Bar Association and the current Chair of the New York City Bar Association's Aeronautics Committee. Mr. Reitzfeld is a 1973 graduate of Syracuse University and earned his law degree from Hofstra Law School in 1976, where he served as Research Editor of the Hofstra Law Review. He has also served this year as the Co-Convenor of the Conference.

CHARLES E. SCHLUMBERGER The World Bank



Dr. Charles E. Schlumberger, a Swiss national, is the Lead Air Transport Specialist of the World Bank in Washington DC. In this function he is responsible for the Bank's policy and development priorities in the field of air transportation. He supervises or participates directly in several air transport projects globally, which range from air transport infrastructure financing, air carrier restructuring and/or privatisation, air transport safety and security projects, and air transport policy advice to governments. Prior to his appointment to the World Bank in 1998, Dr. Schlumberger has held the position of Vice-President at Union Bank of Switzerland, responsible for international credit restructuring. Prior to his activities in financial institutions, he was the CEO of a Logistics and Transport Group in France, and worked as a lawyer on aviation related matters in Switzerland. Dr. Schlumberger graduated in 1986 with a law degree from Basel Law School, focusing on Aviation Law and Bankruptcy Procedures. He further holds an MBA from Harvard Business School in Boston, USA, and received the degree of Doctor of Civil Law from the Institute of Air and Space Law of McGill University in Montreal,

Canada. He is also an active FAA and EASA licensed pilot and certified flight instructor, and a Fellow of the Royal Aeronautical Society.

#### MARK KELLEY SCHWARTZ Driggers, Schultz & Herbst Troy, Michigan, USA



Mark represents the injured and their families in aviation, catastrophic personal injury and wrongful death matters. A Board Certified Specialist in Aviation Law (FL), his aviation practice includes both air carrier and general aviation personal injury, wrongful death and product liability matters. He has represented families of passengers on Comair 3272; the Crash of Coastal Helicopter AS350 on the Mendenhall Glacier, Alaska; Korean Airlines Flight 1533, as well as dozens of other fatal general aviation crashes. In addition, he has successfully prosecuted several Federal Tort Claims Act lawsuits arising from the negligence of air traffic controllers. While in college and pursuing his pilot certificates, Mr. Schwartz was employed by a regional airline and worked in airport operations at a Part 139 airport, providing him a broad background in aviation. As a certificated Commercial Pilot and Certified Flight Instructor (CFIIMEI), he is also able to harness the knowledge attendant to those qualifications in the representation of his clients. He has extensive experience in Montreal Convention litigation with two recent notable decisions; the first on the availability of mental anguish damages under the Convention, and the

second, establishing that a passenger is not required to show a carrier's deviation from industry standards in order to prove an accident occurred. Mark also represents pilots and other certificated individuals and entities in FAA investigations and enforcement proceedings before the National Transportation Safety Board. Beyond aviation law, Mark handles personal injury and wrongful death matters arising at hotels and resorts, on cruise ships and shore excursions and in other travel-related and recreational settings.

DAVID M. SEMANCHIK Air Line Pilots Association Washington, DC, USA



Dave Semanchik is a Regulatory Counsel & Senior Attorney in the Legal Department of the Air Line Pilots Association, International (ALPA). Dave represents the Association before the U.S. Department of Transportation on matters including applications for international alliance antitrust immunity, and consumer protection issues and before the U.S. Department of State on international aviation issues, including bilateral air services negotiations. He also works on a wide variety of matters on behalf of the Association, including litigation and arbitrations. He was a member of the American Bar Association's Air & Space Law Forum Governing Committee for two terms until 2019. Mr. Semanchik serves on the board of the International Aviation Club of Washington, DC, and was its President in 2013.

PRITHVIRAJ SHARMA ICAO, Delegation of Nigeria Montreal, Canada



Prithviraj Sharma graduated with an LL.M. in Air and Space Law from McGill University's Institute of Air and Space Law with a thesis on the Cape Town Convention and its additional protocol on aircraft financing. At McGill, he worked as an Assistant Editor for the Annals of Air and Space Law, a well-known peer-reviewed journal in the aerospace sector, and on various research projects in space law including Space Security Index, an annual, comprehensive and integrated assessment on space security. He was awarded the Robert E. Morrow Fellowship, and the Graduate Excellence Award. Before completing his LL.M. at McGill, Mr. Sharma obtained his bachelor's degree in law in India, and passed the All India Bar Exam. He worked as a lawyer at Rajinder Narain & Co. Legal LLP (RNC Legal), a reputed law firm in New Delhi whose core practice area is aviation. His role at the firm was to advise various internationally recognised lessors, aircraft manufacturers, and banks on their leasing and/or financing transactions in India involving various airlines. He also worked as a Legal Advisor for the Indian Delegation on the Council of the International Civil Aviation Organization (ICAO) for the 38th Session of the General Assembly of the ICAO in 2013. His involvement centered on the issues surrounding

climate change. He was also involved in the Indian Delegation's work on the Montreal Protocol to the Tokyo Convention, that aims to address unruly conduct on board aircraft, which was adopted at ICAO in 2014. Currently, Mr. Sharma works for the Nigerian Mission on the Council of ICAO, where he is extensively involved with aviation regulatory matters as well as the work of the ICAO Council, and its various Committees, and Working Groups. Mr. Sharma is actively involved with the Canadian Bar Association's National Section on Air and Space Law where he has served on the Executive. Outside of the world of air and space law, he loves travelling, photography, and cooking.

#### **CARLOS SIERRA**

Abogados Sierra
Former Chair, Legal Advisory Panel, Aviation Working Group
Mexico City, Mexico



Carlos Sierra graduated as an attorney from the Universidad Nacional Autónoma de México, and has a postgraduate degree in civil and commercial law from the Escuela Libre de Derecho, an international law course taught at Duke University and the Universite Libre de Bruxelles. He studied aviation contracts law at IATA, and holds an LLM studies in Air and Space Law from Leiden University in the Netherlands. He has been in private practice for more than 25 years and has been a partner at Abogados Sierra since its inception. The firm is celebrating this year its 25th anniversary. During his professional life, he has been involved in the structuring and implementation of transactions involving the lease, sale and finance of commercial and business aircraft to various airlines, companies and individuals in México. He currently represents some of the major companies that lease and finance commercial aircraft. He has also advised lessors, financiers, commercial aircraft owners and business aircraft owners regarding their rights in various contexts, including in situations where lessees have defaulted on their contractual obligations, and the insolvency and liquidation proceedings of various Mexican airlines. He has acted as a speaker and moderator of various panels on aircraft finance and leasing and aviation law topics at various

international conferences organised by the AWG, the US Trade and Development Agency, IATA, ALTA, IBA and other international entities. He is an active member of the legal advisory panel of the Aviation Working Group, which he chaired for two years. Mr. Sierra also chaired the Aviation Law Committee of the International Bar Association (IBA) for two years and remains a member of the International Registry Advisory Board.

CHRISTOPHER SMITH The Air Law Firm London, UK



Chris is recognised for his regulatory and dispute resolution work in the aviation and travel law sector, but also has a broad general commercial (non-contentious) practice. Coming from an industry background, Chris is familiar with the finer mechanics of an airline operation and is well-placed to support a wide variety of business units across an airline operation. He also works for General Aviation operators, FBOs and pilots, as well as commercial airlines. Chris has been independently nominated by his clients, contacts and peers for inclusion in a number of industry and legal guides for his work in aviation law. He is admitted as a Solicitor in England and Wales. Chris started his career at British Airways franchise carrier, GB Airways, holding various positions before moving into private practice with Gates and Partners LLP and following a merger, with Kennedys Law LLP. Prior to joining The Air Law Firm, Mr. Smith was an associate with Holman Fenwick Willan LLP.

ROBIN SQUIRES Borden Ladner Gervais LLP Toronto, Canada



Robin Squires is the national leader of BLG's Transportation Focus Group specialising in defence work, including for numerous aviation industry clients. Within his transportation, class actions and defence practice, he provides advice to private and public sector clients. He advocates for his clients and has tried cases at all levels of Ontario Courts, in the Federal Court, and in various tribunals. His experience includes complex casualty matters and class actions involving multiple parties and interjurisdictional and cross-border issues. In addition to Mr. Squires' court experience, he advises transportation clients on corporate matters and liability and risk management issues, including drafting of service agreements and contracts, releases and indemnity agreements; governance issues, and labour and employment matters.

#### **CARLOS MANUEL TORNERO**

Deputy General Counsel, IATA

Montreal, Canada

A graduate of the University of North Carolina at Chapel Hill and the American University's Washington College of Law, Carlos Tornero was



the former General Counsel for the allcargo airline, Florida West International Airways, Inc. in Miami, Florida a then Lan Airlines affiliate. He currently supports the Cargo Services Conference and Cargo Agency Conference, which are responsible for establishing international standards for the transportation of air cargo and regulating the carriercargo agent relationship, respectively. Additionally, he is the General Counsel for IATA's wholly owned subsidiary, Cargo Network Services (CNS) Corporation headquartered in Miami, Florida, and is responsible for supporting CNS with all of its legal services including commercial matters, competition law compliance, corporate governance and regulatory issues. He was instrumental in drafting and securing adoption of the IATA Multilateral e AWB Agreement. He is a member of IATA/FIATA Cargo Agency Modernization Working Group, and he established the Legal Committee Working Group to address the Brazilian courts' failure to exclusively apply the International Liability Conventions (Warsaw 1929 and Montreal 1999) to passenger and cargo claims. He developed the IATA Training and Development Institute course:

"International Air Cargo Law", and inaugurated the "Legal for Non-Legal Track" at the IATA World Cargo Symposium. Mr. Tornero was instrumental in revising Cargo Services Conference Resolution 600b (the Conditions of Contract on the reverse side of the air waybill) to harmonize its liability standard worldwide, across all routes (Convention and Non-Convention) at the Montreal Convention standard.

JENNY A. URBAN CLEAR New York, USA



Jenny A. Urban is the Director of Aviation Relations and Compliance at CLEAR (clearme.com). CLEAR is the identity platform of the future today, as it transforms what is uniquely you – your fingerprints, your face, your eyes – into a secure, biometric key to frictionless experiences. CLEAR's platform powers secure, frictionless customer experiences in nearly 60 airports and venues for over 4 million members. Ms. Urban is responsible for maintaining CLEAR's security standards in all operations and ensuring expansion into new airports/airlines are secure and comply with federal and local regulations. Prior to joining CLEAR, she served as an associate at two international law firms in Washington DC, New York, and South Carolina, where her practice primarily focused on aviation matters. She earned her LL.M. in Air and Space Law, J.D., M.B.A., and B.A. in Public Policy Leadership and Political Science, all from the University of Mississippi.

LISA VALENTOVISH Morgan Lewis New York, USA



Over nearly 20 years, Lisa Valentovish has represented financial institutions, aircraft owners, lessors, investors and air carriers in connection with their aircraft investments and operations. She has led numerous complex debt restructurings and international insolvency matters and played a role in many of the industry's largest airline restructuring transactions (Skymark Airlines, American Airlines, Delta Air Lines, Northwest Airlines, United Air Lines, US Airways and Atlas Air). Lisa returned to the United States in 2015 after spending five years in Japan as a Registered Foreign Lawyer (Gaikokuho Jimu Bengoshi). She advises clients in structured finance transactions and represented the lead investor in the acquisition and securitization of a portfolio of used aircraft on lease to international airlines (Global Transport Finance 2016 Aircraft Finance ABS Deal of the Year – North America). Ms. Valentovish graduated from Yale University (Bachelor of Arts, 1989) and Quinnipiac University School of Law (Juris Doctor, 2000).

LUDWIG J. WEBER
Institute of Air and Space Law,
McGill University & ICAO
Montreal, Canada



Ludwig J. Weber obtained his LL.B. in 1975 (Heidelberg), his LL.M. in 1976 (McGill), and his Doctor of Law (Dr. iur.) in 1980 (Heidelberg). He passed his Assessor (German Bar) exam in Stuttgart in 1980. From 19801982, Dr. Weber was University Lecturer at the Faculty of Law, McGill University. Since 1991, he has been an Adjunct Professor at the Faculty of Law, McGill University, Montreal. From 1982 to 1995, he was Legal Counsel of the International Air Transport Association (IATA), Geneva/Montreal, responsible for aviation law, competition/antitrust law issues in aviation, and related legal matters. From 1995 to 2004, Dr. Weber was the Director of the Legal Bureau of the International Civil Aviation Organization (ICAO), Montreal, and was in charge, inter alia, of the modernisation of the Warsaw Convention System on air carrier liability and the development of the Montreal Convention of 1999. He was also in charge of the ICAO process for the development of the Cape Town Convention and Aircraft Protocol of 2001, jointly with Unidroit. From 2004 to 2010, he has been a Consultant to ICAO on a number of ICAO projects, including the establishment of

the International Registry under the Cape Town Convention and Protocol of 2001. From 2011 to 2017, he was the Senior Civil Aviation Policy and Management Adviser, ICAO, and from 2017 to 2019, Senior Legal Adviser, Delegation of the UAE on the Council of ICAO. Dr. Weber is further the Chairman of the Board, International Foundation for Aviation and Development (IFFAAD); a Member of the Board, Centre for Research, McGill University; Member of the International Institute of Space Law of the International Astronautical Federation; Member of the European Air Law Association (EALA); and Honorary Adviser of the China Air Law Society. Dr. Weber has lectured and published widely and is a member of numerous other professional associations.

#### DIANE WESTWOOD WILSON Fox Rothschild LLP New York, USA



Diane is partner in Fox Rothschild's New York office and cochairs the firm's Aviation Group. She is a seasoned attorney with more than 30 years of multijurisdictional experience representing clients—particularly in the aerospace, aviation and insurance industries—in high-stakes commercial litigation throughout the U.S., ICC and AAA arbitrations, and courts around the world. Diane has long-term relationships with a wide variety of airline, airport and manufacturer clients for whom she provides strategic counselling. Ms. Westwood Wilson has been lead counsel in many of the aviation industry's most significant cases in the federal district and appellate courts throughout the U.S., including representing EL AL Israel Airlines, Ltd. in the landmark U.S. Supreme Court multilateral treaty case (EL AL Israel Airlines v. Tseng) that established the Montreal Convention as the exclusive cause of action in international air transportation, barring recovery under alternative theories of liability. She tried the case in the Southern District of New York and argued the appeal before the Second Circuit Court of Appeals and the US Supreme Court. She holds a J.D. from Seton Hall University School of Law,

and is recognised as a leading aviation lawyer by *Euromoney, Chambers USA* and *Super Lawyers*, among others. She, and her partner Rebecca Tingey, author the U.S. Chapter of the International Comparative Legal Guide: Aviation Law.

