

# **HERRMANN LAW GROUP**

AVIATION, PERSONAL INJURY & INSURANCE LAW

– EST. 1950 –

FORMER SENATOR & INSURANCE COMMISSIONER

Karl Herrmann (1915-1997) Founder

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FOR IMMEDIATE RELEASE

July 31, 2019, 2019

## **Herrmann Law Group sues Boeing for Ethiopian Airlines crash**

SEATTLE, WA – Today the Herrmann Law Group filed a federal lawsuit against The Boeing Company on behalf of the families of two victims who died in the crash of a Boeing 737 Max 8 operated by Ethiopian Airlines.

The complaint alleges three main charges: 1) Boeing's 737 Max 8 was defective in its design, 2) Boeing concealed the presence and dangers of a new computer system on the aircraft from pilots, airlines, and the FAA, and 3) even after a Boeing 737 Max 8 crashed in Indonesia on October 29, 2018, Boeing failed to fully inform pilots of the dangers of the new computer system.

Ethiopian Airlines Flight ET 302 departed Addis Abba, Ethiopia, on March 10, 2019. On board were eight crew members and 149 passengers from more than 30 countries. They were bound for Kenya. About 50 of the passengers were traveling to a meeting of the United Nations Environment Assembly.

Shortly after takeoff, the plane had flight control issues much like Lion Air Flight JT 610, which crashed four months earlier and killed all 189 people on board. Both planes climbed, dove, climbed and dove in high-speed roller coaster rides until the final dive into the ground at roughly 500 mph. All 156 people on board ET 302 died.

In both crashes, the aircraft was a new Boeing 737 Max 8. Driven by competition with Airbus, Boeing modified the 737 aircraft with larger, more powerful engines. The new engines created a structural defect that destabilized the aircraft with a dangerous upward pitch that could cause a stall.

Boeing attempted to fix this hardware problem with computer software called MCAS, the Maneuvering Characteristics Augmentation System. MCAS was designed to force the nose of the plane down whenever data from a single angle of attack sensor indicated the plane was approaching a stall.

There was no warning to the pilots when MCAS was activated. Further, pilots could no longer use the control column to reclaim manual control of the aircraft.

To save costs and present the false appearance of continuity with previous 737 models, Boeing's pilot training program for the significantly modified 737 Max 8 consisted of a woefully inadequate 56-minute iPad program.

The Herrmann Law Group's complaint alleges Boeing "crossed the line between simple negligence and intentional misconduct when it concealed the dangers created by these defects in design, first from the FAA in the certification process, then in

advertising to its airline customers, and worst of all, in failing to properly train and inform pilots.”

After the Lion Air crash, pilots reacted with outrage when they learned MCAS was installed without their knowledge or proper training. “It’s pretty asinine for them to put a system on an airplane and not tell the pilots who are operating the airplane, especially when it deals with flight controls,” Captain Mike Michaelis, chairman of the safety committee for the Allied Pilots Association, told *The Wall Street Journal*.

Following an FAA order, Boeing sent out a Flight Crew Operations Manual Bulletin after the Lion Air crash, but the information was inadequate. Among other shortcomings, the bulletin failed to advise pilots they lost the ability to reclaim manual control of the plane with the control column. The bulletin did not even expressly mention MCAS.

A preliminary report on the ET 302 crash from Ethiopian authorities indicated the pilots followed instructions provided by Boeing, including emergency procedures, but could not save the plane.

The similarities of the Ethiopian and Indonesian disasters resulted in the worldwide grounding of the 737 Max. The aircraft is still grounded.

“Years of experience representing hundreds of victims has revealed a common thread through most air disaster cases,” said Charles Herrmann, the principle of Herrmann Law Group. “Generating profit in a fiercely competitive market too often involves cutting safety measures.”

The Herrmann Law Group, founded in 1950 by former State Senator and State Insurance Commissioner Karl Herrmann, is a personal injury firm with offices in Seattle and Tacoma. They are internationally renowned as a premier firm in aviation litigation and currently represent 30 victim families in the Lion Air crash.

Herrmann Law Group’s practice areas include all types of personal injury cases from catastrophic disasters to auto accidents. For more information please visit the website, [www.hlg.lawyer](http://www.hlg.lawyer), or call Herrmann Law Group at 206.625.9104 or 253.627.8142.

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