

# US judge allows potential damages for distress of Boeing MAX victims

May 31 2023

---



Family members from the Ethiopian Airlines crash on a Boeing 737 MAX can seek damages for distress suffered in their final moments.

Family members of victims who died in a Boeing 737 MAX crash can seek compensation for the emotional distress their loved ones

experienced before the fatal incident, according to a US ruling.

In an order late Tuesday, US District Judge Jorge Alonso rejected Boeing's arguments to exclude such potential damages in a case involving dozens of family members related to victims on Ethiopian Airlines flight 302.

This was the second of two MAX crashes that together claimed 346 lives.

"A jury could reasonably infer from the evidence that will be presented at trial that the passengers on ET 302 perceived that they were going to crash, horrifically, to their certain death," said Alonso, a district judge in the Northern District of Illinois.

A trial is set to begin on June 20.

Boeing had argued that victims' families should not be able to seek compensation because the MAX victims had no time to suffer, as they died immediately.

But Alonso said, "There is sufficient evidence to support a reasonable inference that these passengers experienced pre-impact fright and terror."

"Therefore, the Court is not inclined to bar evidence of how contemplation of that emotional distress affects the plaintiffs' grief," he added.

He ruled that surviving family members can seek damages for their emotional pain, due to the particular distress their loved ones experienced in their final moments.

Robert Clifford, an attorney representing victims' families, applauded the ruling.

"Boeing's victims undeniably suffered horrific emotional distress, pain and suffering, and physical impact and injury while they endured extreme G-forces, braced for impact, knew the airplane was malfunctioning, and ultimately plummeted nose-down to the ground," he said in a statement.

"We look forward to upcoming trials to present this evidence to a jury and ensure Boeing is held fully accountable," Clifford added.

A Boeing spokesperson said the company is "deeply sorry" to the victims' families.

"We acknowledged the terrible impact of these tragic accidents and made an upfront commitment to fully and fairly compensate every family who suffered a loss," the company said.

Boeing added that it has kept its commitment in recent years as it settled "a significant majority of claims" and will continue to work to constructively resolve the remaining cases.

© 2023 AFP

Citation: US judge allows potential damages for distress of Boeing MAX victims (2023, May 31) retrieved 10 April 2024 from

<https://techxplore.com/news/2023-05-potential-distress-boeing-max-victims.html>

<p>This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.</p>
--