

## Client Alert

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### Baker & McKenzie Advising FedEx in Relation to Flight 80's Crash at Narita Airport

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### Background

#### History

On March 23, 2009, at around 6:28 a.m. JST, FedEx Express Flight 80 crashed on the runway at Narita International Airport. The aircraft was coming from Guangzhou Baiyun International Airport in China and preparing for a landing on Runway 34L. At the time, the surface winds were reported to be from 320° at 26 knots gusting to 40 attributing to a rough landing. The plane bounced three times and came down on its nose causing a loss of directional and attitudinal control. As a result of gear failure, the left wing struck the ground causing the jet to kilter and slide on its left side while simultaneously bursting into flames. It took firefighters about two hours to extinguish the fire which had completely obliterated the aircraft and its contents. Both the Capital and First Officer, the jet's only occupants, were killed as a result of the accident.

The crash was FedEx's first fatal accident involving a jet and also the first fatal airplane crash to occur at Narita International Airport since its opening in 1978. Due to the severity of the wreckage and investigations, the runway was closed for a full day causing many flights operated by larger aircraft companies to be canceled or diverted to other airports.

#### Investigation

The crash has been investigated by a number of organizations including the Japan Transport Safety Board (JTSB), the United States' National Transportation Safety Board (USNT) and currently continues to be reviewed by the International Civil Aviation Organization (ICAO).

#### Current Status

Our firm is currently representing FedEx, the world's largest cargo airline, in regards to all matters pertaining to the aftermath of the Flight 80 accident. Since this is the first crash ever to occur in Narita International Airport's history, there is great precedence to be set and extreme care to be taken regarding this matter. Thus far we have advised on all aspects related to the ICAO's investigation as well as environmental issues pertaining to the crash wreckage. In the near future after the ICAO report has been issued, our firm plans to advise FedEx in relation to any future potential litigation suits and other arising disputes and/or controversies.