Boeing Sued Over U.S.-Poland Plane That Crash-Landed

Machael Tarm, Associated Press

CHICAGO (AP) — Passengers on a plane that crash landed in Poland last year when its landing gear failed to deploy have sued Boeing and the firm that inspected the airliner before it departed New Jersey, claiming physical injuries and lasting emotional distress.

A lawsuit filed this week in Cook County Circuit Court in Chicago, where Boeing is headquartered, contends design flaws in the 767-300 led to fluid leaking from the hydraulic system. It said workers of New York-based Mach II Maintenance should have detected it.

Just over 230 people were aboard the November 2011 Lot Airlines flight when it hit the runway, sparks flying as its belly scraped the pavement at Warsaw's Chopin Airport. Emergency crews doused the plane.

The pilot, Capt. Tadeusz Wrona, was later hailed as a national hero in Poland for bringing the plane in with without wheels down.

A Roman Catholic friar aboard, Father Piotr Chyla, had said he prayed during the landing — but credited Wrona as much as his prayers for averting disaster.

Despite reports at the time that no one was injured, the nine-page filing claims passengers suffered lasting "personal and bodily injuries, both physical and psychological." It provided no details and did not specify a figure for damages.

Messages seeking comment left at the headquarters of Boeing and Mach II Maintenance on Friday were not returned. A Chicago-area attorney representing the plaintiffs, Floyd Wisner, also did not return a message left at his St. Charles, Ill., office.

The lawsuit comes in the wake of a preliminary report in October from Poland's State Commission for Investigation of Air Accidents that pointed to technical problems with the plane and inadequate guidance in its cockpit handbook.

The report said the main landing-gear discharge system failed due to a broken hydraulic hose, and the backup system also failed, probably because its circuit breaker was accidentally in the off position. It also said the cockpit checklist did not include guidance on what to do with a malfunction of the alternative landing gear system or if the landing gear could not be discharged.

After the report was released, Boeing said in a statement it would not comment until the final report. It added, "Boeing is committed to the safety of our airplanes

and the people who fly on them." The commission didn't say when it would issue its final report.

Such a total undercarriage failure was unprecedented for a Boeing 767 and unusual overall, according to aviation data and experts.

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