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This issue of our *Of Counsel* newsletter presents recent cases involving aviation disasters. For years, experienced SDSBS attorneys have helped plaintiffs pursue accountability for these very complex cases. We will continue.

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Faulty water-refill pump design caused firefighting helicopter to crash on test flight, killing all onboard

In an effort to refill the water tank, the powerful pump separated from the end of the hose allowing the hose to swing uncontrollably, striking a main rotor blade and the tail section.

Andrew and Brianne Gray first met while Andrew was serving in the U.S. Army at Fort Rucker, Alabama. Through his service, Andrew became a decorated Blackhawk helicopter pilot who had flown numerous missions throughout the world. After Andrew retired, the couple moved to Leesburg, Florida. Andrew was hired by Brainerd Helicopters to fly Blackhawk helicopters (dubbed “Firehawks”) that had been modified for firefighting. The couple was excited about their new life in Florida and Andrew’s new opportunity as a civilian aviator. On May 25, 2021, as he walked out the front door headed to work, Andrew turned and said to Brianne, “goodbye, I love you.” Those were his last words to his wife of nine years. Andrew and three others died that day in a tragic helicopter crash.

Brainerd’s modifications to the Firehawk piloted by Andrew had included the installation of a 900-gallon carbon-fiber water tank into the passenger compartment of the aircraft’s fuselage. The onboard water tank was fitted with a 15-foot “snorkel,” a hose which extended from the water tank and hung below the helicopter. The snorkel was used to draw water to refill the onboard water tank with the use of a water pump and impeller while the helicopter hovered over a source of water such as a lake or pond. Upon completing a refill of water, the helicopter could then fly over a fire and drop water to extinguish flames.

In a flight that day to test the water tank system of his Firehawk, Andrew deployed the snorkel. Alarming, the powerful electric water pump separated from the end of the snorkel allowing the hose to swing uncontrollably. It struck one of the main rotor blades of the helicopter. The broken blade then struck the tail section and tail rotor causing the helicopter to spin and crash to the ground where it exploded on impact, killing all on board.



Andrew Gray

In collaboration with attorneys David Marsh and Dale Marsh of Alabama, Searcy Denney attorneys **Mariano Garcia, Cameron Kennedy, and Chris Searcy** filed a bill of discovery in Lake County, Florida, where the crash had occurred, to learn everything about the water tank system and determine what caused the crash and if there was a claim to pursue. That information revealed that several companies, including Brainerd Helicopters, were involved in the design, development, installation, and maintenance of the water tank system. Experts retained on behalf of Andrew’s estate expressed serious concern over the faulty design and certification of the system. The bill of discovery was amended to pursue several claims against the companies responsible for the safe design and function of the water tank.

After navigating a myriad of legal and insurance coverage impediments, including workers’ compensation, immunity, and insurance coverage exclusions, Searcy Denney attorneys obtained a confidential recovery on behalf of Brianne Gray. That settlement, however, will never mitigate the loss she suffers due to her husband’s tragic, preventable, and premature death. ♦