



## Garth W. Aubert

*Partner*

*Los Angeles*

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### PRACTICE AREAS

Aviation Litigation  
Business Litigation  
Class Action Litigation  
General Liability  
Premises Liability  
Products Liability  
Toxic Tort Liability

### EDUCATION

University of the Pacific, McGeorge School of Law, JD, 1992  
University of Southern California, BA, 1989

### BAR ADMISSIONS

California  
US Court of Appeals for the Ninth Circuit  
US District Court, Central District of California  
US District Court, Eastern District of California  
US District Court, Northern District of California  
US District Court, Southern District of California

### Overview

Garth Aubert has had more than 30 years of experience and has earned a reputation for effective, strategic and efficient legal representation. He defends aerospace product manufacturers, airline service providers, aircraft maintenance repair and overhaul organizations, fixed base operators, airport authorities, and airlines. Garth also defends clients in toxic tort litigation.

Garth represents his clients in state and federal courts throughout the United States, in matters ranging from complex litigation and class actions to local litigation. Garth has also represented his clients before the National Transportation Safety Board.

Garth has successfully defended clients confronted with lawsuits arising from incidents, accidents, disputes and exposures throughout the United States and abroad that result in severe personal injuries, wrongful death, commercial disputes, substantial property damage and exposure to toxic substances.

Garth has also been entrusted by clients to serve as national defense counsel with respect to their aviation liability matters.

Additionally, Garth proactively counsels his clients in loss prevention programs, risk avoidance, product integrity seminars and audits, contractual provisions, and electronic discovery. Garth is also routinely called upon by his clients to lead investigations in response to incidents and accidents.

Garth has spoken and written extensively on topics related to litigation, technology and aviation, including for organizations such as the American Bar Association, the Defense Research Institute, the Insurance Institute of London, Aircraft Builders Council, American Conference Institute and in the London insurance market. Garth authored a chapter for *Litigating the Aviation Case*, 3rd Edition, published by the American Bar Association. Garth previously served as chair of the Aerospace Committee of the Defense Research Institute.

Garth is a life-long resident of Los Angeles. Outside of work, Garth enjoys boating, cycling and skiing with his wife of over 30 years and his two adult

children, and enjoys the challenge and satisfaction of completing seemingly unending home improvement projects.

### **Experience**

- + Defense of a component part manufacturer based on the Government Contractor Defense of a wrongful death lawsuit arising from the hard landing of a MV-22B Osprey tiltrotor aircraft in Hawaii, resulting in dismissal of the lawsuit by the Ninth Circuit
- + Defense of a component part manufacturer based on the Government Contractor Defense of wrongful death claims arising from the crash of a US Army Apache AH-64 helicopter in Mali
- + Defense of a military helicopter maintenance provider against claims of severe personal injuries arising from the crash of a US Army AH-6M "Little Bird" helicopter in Iraq
- + Defense of a military parachute manufacturer/government contractor in litigation arising from the death of a Navy SEAL during a training exercise in San Diego, California
- + Defense of an alloy casting manufacturer in multi-party litigation arising from the crash of a Bell 205 helicopter near British Columbia
- + Defense of an alloy forging manufacturer against complex commercial litigation arising from the crash of a Bell 206 helicopter resulting in the death of all three occupants near Ontario, Canada
- + Defense of a heavy maintenance facility against wrongful death and environmental liability lawsuits in three states arising from the crash of a DC-8 aircraft near Sacramento, California
- + Defense of an aircraft maintenance facility in wrongful death litigation arising from the inflight breakup of a Cessna 525 aircraft over Utah
- + Defense based on the Air Carrier Access Act of an airport shuttle bus operator against a wrongful death lawsuit
- + Defense of a geosynchronous satellite component manufacturer against claims of negligence and fraud in the manufacture of parts for nine telecommunication satellites
- + Defense of an aeronautical chart publisher in federal multi-district litigation arising from the crash of a US Air Force CT-43A (B737) aircraft in Dubrovnik, Croatia, which resulted in the death of US Commerce Secretary Ron Brown and others
- + Defense of a major oil company against several nationwide class actions and other litigation arising from an allegedly defective general aviation lubricant
- + Defense of a product manufacturer against environmental claims and penalties arising from an aviation fuel spill near Ventura, California
- + Defense of a vermiculite product manufacturer against wrongful death and personal injury lawsuits throughout California
- + Defense of a legacy aviation engine manufacturer against personal injury and wrongful death asbestos claims throughout California
- + Designated as an expert on California law in support of litigation outside the United States
- + Counseling clients regarding indemnity, limitation of liability, and insurance provisions in complex commercial contracts
- + Drafted and presented day-long workshop regarding incident/accident investigation techniques and best practices for

## Garth W. Aubert

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report writing in order to mitigate exposure

### Recognition

- + AV rated by Martindale-Hubbell, the highest rating available
- + Designated as a Southern California Super Lawyer, a peer-review based recognition granted to less than 5% of attorneys
- + Recognized by Who's Who Legal as a leading aviation attorney in California
- + Recognized by Expert Guides – Best of the Best USA in the aviation category

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