



Supreme Court Declines To Clarify Whether Federal Laws Pre-empt Aviation Product Liability Claims

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This article discusses the November 28, 2016 US Supreme Court denial of a writ of certiorari that leaves unclear whether the Federal Aviation Act pre-empts state law standards governing design defects by aircraft and engine manufacturers. With circuit courts around the country divided on the issue and the Supreme Court's unwillingness to rule on it, aircraft and engine manufacturers continue to be caught between detailed pre-certification requirements imposed by federal regulators and conflicting, inconsistent or differing state tort standards in the wake of aircraft accidents. Focusing on the results following two notable cases — *Sikkelee v. Precision Airmotive Corporation* and *Abdullah v. American Airlines Inc.* — this article sheds light on the reasoning behind the decision, as well as the policy concerns it raises and standards it sets.

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