



Aircraft Leasing: Commercial, Technical and Legal Issues

Thursday 6th December 2018
Washington, DC, USA

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SEMINAR AGENDA

9.00 Registration & Networking Coffee

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9.30 Welcome & Introductions

Introduction to the Seminar Materials

9.40 **Commercial Issues**

- **Airline Sector (Lessee)**
 - Aircraft Acquisition
 - Priorities
 - Buy or Lease?
 - Used or New?
 - Sale/Leaseback
 - Outlook

- **Leasing Company Sector (Lessor)**
 - Current Market and Trends
 - Lessor Priorities and Interests
 - Outlook

- **Business Aircraft Sector**
 - Aircraft Management
 - Sale/Leaseback
 - Fractional Ownership
 - Outlook

11.00 Networking Coffee Break

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11.30 **Technical Issues**

- Delivery Conditions
 - Logs and Maintenance Records
 - Airworthiness Directives/Service Bulletins
 - Maintenance Reserves
 - Return Conditions

13.00 Networking Lunch

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14.30 Legal Issues

- Lease Documentation/Definitions
- Security Deposit/Lock-out
- Lease Term/Rent/Net Lease
- Warranties and Representations
- Disclaimers
- Operation of aircraft/Subleases
- Indemnities
- Insurance
- Loss, Damage and Requisition
- Events of Default
- Cape Town Convention
- Sovereign Immunity
- Governing law/Jurisdiction

16.00 Concluding Remarks

16.10 Networking Coffee

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SPEAKERS

Mark Atwood, Member, Cozen O'Connor

Mark Atwood is a member of Cozen O'Connor, focusing on legal issues affecting the aviation and aeronautics industries. He represents a variety of clients, including U.S. and foreign airlines, airports, leasing companies, brokers, aerospace manufacturers, repair stations, and airline investors before the courts, regulatory agencies, and Congress. He also counsels U.S. clients in their regulatory affairs before foreign governments, advises airlines in financial structuring, and represents parties to aircraft acquisition transactions.

Mark joined Cozen O'Connor in 2010 from Sher & Blackwell, where he developed their aviation practice. He has been involved in a variety of developments in the aviation industry, from airline mergers and formation of new air carriers to development of federal rules and policies on aircraft safety, security, and airport security. Mark has participated as a member of the U.S. delegation in the negotiation of a number of international air transport agreements advised a number of clients doing business in China and the former Soviet Union, lectured representatives of the Chinese government, airline industry, and airport management on regulation of aviation, and advised foreign governments on civil aviation matters. Recently, he assisted in the reorganization and management of a U.S. airline in chapter 11 bankruptcy, in the organization and certification of several new U.S. and foreign airlines, and has obtained authorization for most of the U.S. aircraft flights into North Korea.

Mr. Atwood is a frequent speaker on aviation environmental issues and industry trends, frequently lectures in Latin America on legal practice issues, and annually judges the International Rounds of the Jessup International Moot Court Competition.

Mark began his career with the U.S. Civil Aeronautics Board (CAB) in 1978 – two weeks before the signing of the Airline Deregulation Act. At the CAB, he advised the board on environmental, regulatory, and antitrust matters affecting U.S. and foreign airlines.

Education

Univ. of Southern California, J.D., 1978

Loyola College in Maryland, A.B., 1974

Professional Affiliations

American Bar Association

American Bar Foundation

Inter-American Bar Association

International Aviation Club

Organization of American States

Bar Admissions

California

District of Columbia

Jamie Baldwin, J.D., Adjunct Professor, University of Maryland University College (UMUC) and Visiting Lecturer, University of Westminster (London, UK) and Emirates Aviation University (Dubai)

James Patrick (Jamie) Baldwin is an author, speaker and consultant in air transportation. He teaches Business Law as an Adjunct Associate Professor at the University of Maryland University College (UMUC) and is a Visiting Lecturer at the University of Westminster, London, United Kingdom and Emirates Aviation University. He is also a Contributing Editor to Airways Magazine. Previously, he was an Adjunct Professor at the College of Business, Embry-Riddle Aeronautical University (Daytona Beach Campus).

As a consultant he specializes in start-up airline strategies, regulatory compliance, licensing, aircraft sourcing, strategic planning, contracts, marketing and preparing business plans.

An avid golfer, Mr Baldwin is an occasional golf correspondent for the Dorchester Banner.

Previously Mr Baldwin served as Deputy General Manager for Legal and Regulatory Affairs of Star Airways, a small Turkish cargo airline of which he was a founder, and prior to that, the US Representative of Tajik Air, the international airline of the Republic of Tajikistan. In the latter capacity, he represented the airline's interests before the US government, multilateral development banks and private US and international business interests. He also coordinated and prepared on behalf of the government of Tajikistan a request for a grant from the US Trade and Development Agency for a feasibility study on its air transport sector.

Mr Baldwin served as an officer in the US Navy (1974-1978) and the active US Naval Reserve (1978-1994). Assignments included Naval Liaison Officer on tanker convoys during the Iran/Iraq War, Officer in Charge of military officers boarding, inspecting and briefing masters of merchant ships delivering military cargo during the first Gulf War and Commanding Officer of a US Naval Reserve unit. He is now retired with the rank of Commander.

Mr Baldwin is the author of Pan American World Airways – Images of a Great Airline (BluewaterPress, 2011), and with Jeff Kriendler, former Vice President, Corporate Communications at Pan Am, Pan American World Airways – Aviation History through the Words of its People (BluewaterPress, 2011). His website is www.jpbtransconsulting.com.

Mr Baldwin obtained an A.B. (Bachelor's) Degree in International Relations from the University of Southern California (Los Angeles) and a J.D. (Juris Doctor) Degree from the American University Washington College of Law (Washington, DC). He is a member of the U.S. Naval Institute, the U. S. Golf Association and Sigma Alpha Epsilon. He has travelled widely and includes among his interests, golf, hill walking, distance running, sailing, model railroading, spectator sports, classical music and writing. He is married and resides in Maryland.

Bruce D. Burnett, Managing Director, Aviation Business Consulting

Prior to switching to procurement, Bruce worked in the Airbus Customer Services Business Strategy department in Toulouse and Hamburg where he led an improvement project in the Spares Supply Chain. Before leaving for Europe, Bruce was a Customer Support Director where he served the liaison role between Airbus Americas and their airline customers.



Bruce also worked at several airlines holding leadership positions at US Airways, America West, and United Airlines in Engineering, Maintenance, Aircraft Acceptance / Return, Flight Operations, Customer Services, Flight Ops Engineering, and Finance.

Bruce graduated from Embry-Riddle Aeronautical University with a Bachelors' Degree in Aeronautical Science and received another Bachelors' Degree in Mechanical Engineering from Seattle University.

Bruce holds an Airline Transport Pilots License and has flying experience on multiple Airbus, Boeing, and general aviation aircraft.

As an avid runner, race car driver, and father of two daughters, Bruce and his wife Catherine live in Leesburg, VA.

Michael L. Dworkin, Esq, Aviation Lawyer, Avialex Law Group

Michael L. Dworkin is admitted to the District of Columbia and California Bars and has been practicing law for 45 years. He is also admitted to practice before numerous federal courts, including the Supreme Court of the United States and the United States Claims Court. He is also a certificated mediator.

Mr. Dworkin is the founder and Managing Partner of Avialex Law Group, LLP, a San Francisco, California law firm specializing in aviation matters providing clients with a wide range of legal services on a nationwide and worldwide basis.

Areas of practice include:

- Federal Aviation Administration (FAA)/Department of Transportation (DOT) regulatory, certification and enforcement;
- National Transportation Safety Board (NTSB) appeals;
- Accident/incident investigation;
- Safety audits;
- Airport use and access;
- Insurance;
- Aircraft and equipment sale, purchase, lease and disposition;
- Contracts;
- Development of Safety Management Systems (SMS) and Emergency Response Plans (ERP); and
- Litigation in State and Federal Courts and before Federal regulatory agencies.

Mr. Dworkin and his firm hold the Martindale-Hubbell "AV" rating, the highest attainable based upon independent evaluations by other attorneys in the local community, throughout the nation and in the aviation legal community. They are also listed in Martindale-Hubbell's Register of Preeminent Lawyers. The firm was also named by the International Air Transport Association as one of the world's 100-best aviation law firms and Mr. Dworkin has been named by American Law Media as one of San Francisco's top lawyers.

Prior to establishing his firm, Mr. Dworkin was staff counsel to the Federal Aviation Administration in Washington, D.C. and Los Angeles and United Airlines in San Francisco.

He received his Bachelor of Arts (B.A.) with Honors in Government from Clark University, Worcester, Massachusetts and his Juris Doctor (J.D.) with Honors from The George Washington University's National Law Center in Washington, D.C.

From February 2000 through May 2002, Mr. Dworkin served as President of the Washington, D.C.-based National Transportation Safety Board Bar Association (now the International Air and Transportation Safety Bar Association [www.iatsba.org]). From February 2008 through February 2014, he served as Executive Vice President.

Mr. Dworkin is also a member of the American Bar Association, Bar Association of San Francisco, Lawyer Pilots Bar Association, Aircraft Owners and Pilots Association, National Business Aviation Association and Commonwealth Club of California. Since 2015 he has served on the Board of Directors of the Northern California Business Aviation Association [www.norcalbaa.org] and in early 2017 was elected President.

More information about Mr. Dworkin and his firm can be found at the firm websites, www.avialex.com and www.avialex.aero.



Thomas J. Whalen, Attorney at Law, Whalen Law Associates and Former Member of the US Delegation to the Cape Town Convention and Participant in the Drafting of the Agreement

Tom Whalen focuses his practice on aviation law, representing airline liability insurers and foreign airlines in litigation and administrative proceedings before U.S. government regulatory agencies such as the Department of Transportation, the Federal Aviation Administration and the Department of Homeland Security. He has had extensive experience handling the defense of governments in actions brought under the Foreign Sovereign Immunities Act and in litigating international arbitration disputes and appeals on aviation, immigration and commercial issues.

Prior to joining private practice, he served as law secretary to the Hon. Gerald McLaughlin of the U.S. Court of Appeals for the Third Circuit and was in military service with the U.S. Army.