

## Lawsuit Filed Following Deadly Helicopter Crash

March 23, 2010

By Sontaya Rose / KFSN News Team

FRESNO, Calif. (KFSN) -- The families of three Fish and Game employees killed in a helicopter crash want a California power company to take some responsibility for their deaths.

Biologists Kevin O'Connor, Clu Cotter, and Thomas Stolberg were killed in January, along with the pilot Dennis Donovan. They died when the helicopter they were riding in clipped a thin wire and crashed to the ground.

The lawsuit filed by the family of Clu Cotter alleges Southern California Edison did not have any warning devices in place to alert the pilot of these thin static lines that were strung across a canyon. Attorneys representing the families say they believe the pilot never expected them to be placed so far above the main power lines.

The static wires are at the crux of legal action by the families of three Department of Fish and Game employees.

Attorneys representing Clu Cotter and Kevin O'Connor allege electric company Southern California Edison not only failed to mark the lines but also placed static lines unusually higher than the standard 15 to 20 feet above the main lines. They believe the pilot didn't expect the lines to be at that elevation near Redinger Lake in Eastern Madera County.

Stephen Cornwell the Attorney for Cotter's family said, "I don't think there's any question he knew there was power lines there. I think, it's clear, at least it's clear to me that he didn't think that the static lines were going to be 100 feet higher than the power lines."

The first of three lawsuits claims the static lines were invisible without proper warnings. The National Transportation Safety Board investigated the crash and noted the lines were not marked.

Attorney Warren Paboojian is representing the family of Kevin O'Connor.

"My client has two kids; Mr. O'Connor has two kids from a previous marriage. There's four kids out there without a father and a husband. It's just devastating when you lose someone this young in a tragic way that could have been prevented," said Paboojian.

Included in the lawsuit is a claim Southern California Edison knew about the dangers above Willow Creek because of another accident that happened in that same canyon during previous fire suppression efforts. Attorneys have now requested documents related to that incident. No one died during that mishap.

The wrongful death lawsuit filed by surviving family members does not name a monetary amount, but requests compensation for an accident that the plaintiffs' attorneys say was avoidable.

"Not only is it a valuable helicopter but four lives have been lost due to the fact that the pilot just had no chance," said Cornwell.

The families are also suing Landell's Aviation & it's the parent company the pilot worked for at the time of the accident. Attorneys believe the aviation company holds some liability for the crash.

Southern California Edison has not received the lawsuit and refused to comment.