

Transportation

OVERVIEW

When people, products, or goods start to move, transportation companies and organizations confront the “law in motion” – the full range of legal, regulatory, compliance, and other related issues. These issues often converge and constantly change.

Eckert Seamans does not utilize a one-track approach to transportation issues. Rather, it uses the full extent of its full-service, multi-disciplinary resources. It takes people, machines, equipment, and infrastructure to make society move. With each layer, a new dynamic is added to the simple equation of working to make sure that passengers, important cargo, and critical shipments reach their destinations as safely and timely as planned. Inherent to the firm’s Transportation industry group is a complete understanding that at each layer, a host of new or potential legal issues and questions must be considered and addressed. It has been with this holistic view that Eckert Seamans has built its Transportation group around three primary transportation disciplines: Aviation, Public Transit, and Railroad Litigation.

Aviation

When it comes to air transport, Eckert Seamans’ comprehensive approach to the law in motion starts with both the point of origin and destination and includes domestic and international aircraft owners and operators, airport operators, and suppliers and vendors to the industry.

Eckert Seamans represents large, established airlines as well as new entrant international airlines on legal issues arising from their operations to the United States. These include: obtaining operating licenses; representing airlines before the Federal Aviation Administration (FAA), the U.S. Department of Transportation (DOT), and the Transportation Security Administration (TSA); obtaining charter authority and operational authorizations; assisting airlines in obtaining FAA air operating certificates and compliance; negotiating U.S. customs and immigration issues; and advising airlines on consumer issues, such as advertising rules and potential unfair competitive practices.

Airlines also turn to Eckert Seamans for help in the purchase, leasing and financing of aircraft; for help in dealing with U.S. employment laws that affect foreign and domestic employees; for representation on issues that involve leases for gates, airport user fees and other operational issues; for litigation representation; tax counsel; and U.S. and international trademark representation.

On the ground, both public and private entities involved with the location and construction of airports turn to Eckert Seamans attorneys for help with airport maintenance, operation and expansion. The firm taps its multi-disciplinary approach to address specific challenges such as contract law, procurement, real estate and construction, public finance, labor and employment, environmental, and litigation. Firm attorneys have helped airport operators build new terminals, re-negotiate airport concessions programs, improve safety areas on site, finance major maintenance and expansion projects, and handle complex leasing programs. In the coming years, airports will embark on new projects centered on upgrades to runways, capacity, and the aviation system itself, including new air traffic control towers, radar equipment, and intermodal connections.

Public Transit

Transit operators require comprehensive legal solutions because their needs are as comprehensive as any entity within the transportation sector. Frequently, the same client owns and is responsible for everything within its loop, from the real estate on which the infrastructure for transit is built, to the ownership and maintenance of the vehicles, and the employment of the work force charged with maintaining and operating the organization. Transit operators cannot afford to address one legal issue at a time, but must be able to simultaneously meet the constant demands for performance, safety, quality maintenance, expansion, and the effective management of a large and diverse work force, and even retirees. With this in mind, Eckert Seamans has developed its Public Transit Group into a broad-based and highly specialized practice in the area of mass transportation law, which is nationwide in scope.

The firm has used its trademark multi-disciplinary approach to represent clients that range from city and county governments, to public transit agencies, private management companies and transit suppliers. Firm attorneys represent clients on government affairs and procurement matters; state and federal regulatory

compliance; pension and employee benefits; public financing; construction contracts; litigation; labor and work force issues; real estate and eminent domain; and supplier contracts.

The firm has represented clients before the Federal Transit Administration (FTA), DOT, U. S. Department of Labor (DOL), Interstate Commerce Commission, Congress, various departments and agencies, and state and federal courts.

Railroad Litigation

Railroad industry litigation involves both unique equipment and a unique operating environment, where special legal rules and regulations apply. Our understanding of the interplay between the Federal regulations Federal Employees Liability Act (FELA) and state common law that we have successfully defended several of the country's leading railroad companies.

Our lawyers have successfully handled personal injury and property damage litigation arising out of incidents such as train/motor vehicle railroad grade crossing accidents, train to train collisions and toxic exposure. Most of these cases involve catastrophic injuries with substantial damages which make for high-stakes litigation.

Our experience covers the broad spectrum from accident and pre-lawsuit investigations, to trial work, through appellate court arguments. Indeed, Eckert Seamans lawyers are at the forefront of the preemption issue.

Beyond railroad industry litigation, Eckert Seamans lawyers have experience with commercial railroad related disputes and issues, such as antitrust, intellectual property, patent infringement, pricing, rights of way, breach of contract, and bankruptcy.