ECKERT SEAMANS



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Darcy C. Osta

MEMBER

Darcy Osta is an experienced litigator, particularly in the areas of aviation and transportation law, where she represents a wide range of business entities before federal and state courts and the American Arbitration Association. She concentrates her practice on Regulatory Compliance and Enforcement, in which she helps aviation clients comply with state and federal regulations, statutes and laws, conducts related internal investigations and handles FAA enforcement matters; Aviation Litigation, in which Darcy represents major air carriers, repair stations, charter operators, airport authorities and other industry players in litigation arising from aviation incidents, including mass disasters; The Safety Act, in which she counsels manufacturers and service providers—inside and outside the aviation industry—on the legal liability protections provided by the Department of Homeland Security to producers of Qualified Anti-terrorism Technologies; Professional Malpractice, in which Darcy represents attorneys, appraisers, engineers and design-build firms in claims involving professional liability; Commercial Litigation, in which she represents property owners and managers in personal injury actions, products liability cases, premises liability cases, construction defect, property damage, breach of contract, breach of warranty, fraud and federal discrimination claims.

Darcy's clients include commercial and regional airlines; air carriers operating under Parts 91 and 135 of the Federal Aviation Regulations; charter operators; maintenance, repair and overhaul facilities, aircraft and parts manufacturers; ground handling companies; aircraft maintenance and completion centers; and security personnel.

Darcy serves as the firm's Washington D.C. representative for the Women's Initiative at Eckert (WIE).

REPRESENTATIVE MATTERS

- Obtained summary judgment dismissal of negligence and strict liability claims against helicopter operator in federal court on the grounds that the claims were preempted by 49 U.S.C. 44112
- Successfully arbitrated multimillion-dollar claims against client involving breach of contract, fraud in the inducement, loss of use and diminution in value related to completion of VIP aircraft
- Successfully obtained dismissal in United States District Court for the District of Columbia and the Superior Court of the District of Columbia while defending an owner of residential properties in DC, Virginia and Maryland. The Plaintiff had filed

PRACTICE AREAS:

Aviation

Commercial Litigation

Infrastructure and Transportation

STATE ADMISSIONS:

District of Columbia

Virginia

COURT ADMISSIONS:

U.S. District Court for the Eastern District of Virginia

U.S. District Court for the Western District of Virginia

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Ninth Circuit

EDUCATION:

J.D., George Washington University Law School, 2008

B.A., George Washington University, Elliott School of International Affairs, summa cum laude, 2005

two separate complaints for negligence, breach of contract, breach of the warranty of habitability, gross negligence and declaratory judgment seeking a declaration that a residential lease was unenforceable.

- Obtained dismissal in federal court of multimillion-dollar legal malpractice claim arising from attorney's representation of debtor in a personal bankruptcy action
- Obtained dismissal in federal court of claims for civil conspiracy, legal malpractice, wrongful interference with contractual expectations and violation of Section 1983 against attorney client
- Successfully defended attorney client in multimillion-dollar lawsuit wherein the plaintiff asserted claims for malicious prosecution and abuse of process against two attorneys and their law firms. The Virginia Circuit Court granted the defendants' motion for summary judgment and dismissed all claims against the attorney client.
- Successfully appealed Federal Aviation Administration's emergency revocation of mechanics' A&P licenses

PROFESSIONAL AFFILIATIONS

- American Bar Association
- Virginia Association of Defense Attorneys
- International Aviation Women's Association (IAWA)

AWARDS AND RECOGNITION

- Selected for inclusion in Virginia Super Lawyers – Rising Stars for Aviation and Aerospace, 2018
- Selected for inclusion in Washington D.C. Super Lawyers – Rising Star, 2018

NEWS AND INSIGHTS

PUBLICATIONS

- "How Can a Party Waive Their Right to a Jury Trial?" Virginia State Bar Litigation News, Fall 2021.
- "FAA Clamps Down on Deceptive and Unfair Trade Practices to Minimize Risk to Corporations," Corporate Compliance Insights, April 2019.

SPEAKING ENGAGEMENTS

- "Voluntary Disclosures and the FAA: Who, What, When, Where, How and Why," presenter, August 2022.
- "2021 Aviation Roundtable," presenter, August 2022.
- 2021 Aviation Roundtable: Diversity and Inclusion in the Aviation Industry, webinar presenter, August 2021.
- "Disgruntled Passengers, Miniature Horses, Emotional Support Parakeets and Other Issues," presenter, February 2020.

- “The SAFETY Act as A Tool To Manage Risk,” presenter, April 2019.
- “The New Aircraft Charter Rules: A Deep Dive)” Presenter January 2019.