

Jury awards \$10 million to pilot fired for refusing to fly in bad weather

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A Dallas jury yesterday awarded \$10 million to a former American Eagle pilot, after finding that he was fired three years ago for refusing to fly into dangerous weather.

Michael LaGrotte was fired in November 1996 after safely landing his 46-passenger ATR turboprop aircraft at Dallas/Fort Worth Airport. LaGrotte had returned to D/FW after he encountered wing icing shortly after taking off for Houston.

Attorneys for American Eagle, the sister carrier of American Airlines of Fort Worth, had argued that LaGrotte was fired for failing to follow the airline's procedures in icing conditions and failing to use "ordinary care." The airline's attorneys also had sought to portray LaGrotte, a captain, as a pilot who had a pattern of safety-related incidents.

But Jonathan Suder, the Fort Worth attorney who represented LaGrotte, said the jury "didn't buy that."

Instead, Suder said, the jury believed LaGrotte's contention that he was pressured by his chief pilot and a flight dispatcher to take off from D/FW in bad weather and then fired after he refused to take off again after he returned to D/FW.

"The jury ruled that my client was wrongly fired for having refused to perform an illegal act," Suder said. "Under the federal aviation rules, no pilot can take off into known unsafe conditions."

In a statement issued by American Eagle last night, the company said it was "appalled" by the jury award.

"The airline industry, the Federal Aviation Administration and passengers should be outraged that a jury has essentially punished American Eagle for upholding its commitment to safety by removing an unsafe pilot from the cockpit," the airline said.

American Eagle said it will appeal the jury's decision. The airline said LaGrotte had three different safety-related incidents in his 10-year career with the carrier.

The airline also noted that an official of the union that represents American Eagle's pilots testified in the case that "there was no merit to Mr. LaGrotte's grievance of his termination."

LaGrotte lives in Dallas and now works for the Cash America pawn shop chain.

A state district court jury in Dallas ruled for LaGrotte on Dec. 16, Suder said. The damages portion of the trial resumed Jan. 4, and concluded late yesterday afternoon when the jury rendered its award. LaGrotte was awarded \$1.35 million in economic damages, \$1 million for mental anguish, and \$7 million in punitive damages. Prejudgment interest of about \$600,000 was added to the award.