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### **Statement of Gloria Allred**

On January 14, 2020, a Delta Air Lines pilot flying at a relatively low altitude and through clear skies dumped massive amounts of toxic jet fuel onto teachers, the school where they worked, onto the children who were in their care, and onto the neighborhood below the jet airplane that he controlled.

We represent four of those teachers in a lawsuit that we filed today in Los Angeles County Superior Court. In the morning of January 14th, a massive Boeing 777-200 flown by Delta Air Lines as Flight #89 took off from Los Angeles International Airport bound for Shanghai, China. Shortly after the takeoff, the pilot declared an inflight emergency and caused the aircraft to fly over the heavily populated neighborhood that included Park Avenue Elementary School.

Our lawsuit alleges that the Delta pilot notified air traffic control personnel of the need for the aircraft to return to Los Angeles International Airport, but the pilot did not inform air traffic personnel of any need to dump fuel in order to lighten the plane for landing. In fact, the Delta pilot was specifically asked by air traffic personnel if there was a need to dump fuel and the pilot replied by saying "Negative." He said, "We've got it under control." Had the Delta pilot notified air traffic personnel of the need to dump fuel, the flight would have been directed by air traffic control to a location and altitude from which fuel could be released without danger to the teachers, students, and others at the school.

Without notifying air traffic personnel, however, and without regard for the health and welfare of the populated areas below, and without regard for the fact that the aircraft was only around 2,000 feet above the ground (which was insufficient altitude to allow fuel to evaporate or dissipate), and without any effort to fly at a higher altitude, and without lightening the plane by flying in an approved holding pattern to burn off fuel at a safe altitude, and without any true necessity, the Delta pilot of Flight 89 caused the plane to release what are believed to be thousands of pounds of fuel per second over the City of Cudahy, California and areas under its flight path. At the time, Flight 89 was flying so low

that the fuel it was releasing did not have time to evaporate or dissipate before hitting the ground below.

Unaware of the dangers posed by the Delta plane above them, and while instructing children on the playground, the plaintiffs in our lawsuit, who were teachers at the school, were coated with jet fuel dumped from Flight 89.

The plaintiffs could feel the fuel on their clothes, flesh, eyes and skin. Fuel penetrated their mouths and noses as well, producing a lasting and severe irritation, and a lasting and noxious taste and smell. The coating of fuel caused them to feel sick, dizzy, and nauseated. It caused the plaintiffs to experience breathing difficulties and severe discomfort which required medical treatment. They also suffered severe emotional distress from the knowledge that they had involuntarily ingested toxins. Their severe emotional distress includes the reasonable fear that the exposure to and ingestion of jet fuel might produce serious health consequences in the future.

For these reasons we have filed a lawsuit against Delta Air Lines Inc. today. We allege negligence and we are seeking general and compensatory damages in an amount according to proof at trial.

We are very proud to represent these four teachers at Park Avenue Elementary School whose first priority was the safety of their students in this emergency. They immediately rushed their students indoors and did their best to decontaminate the children who were screaming and crying. Even though the teachers were also contaminated and in pain from the toxic fumes and fuel they assisted the children first and put their own safety last.

Decades ago, prior to my becoming an attorney I was a teacher in the Los Angeles Unified School District. We are honored to represent teachers who were true heroes in this unexpected crisis. We look forward to Delta Air Lines providing justice for these teachers and for others who were harmed and were victims of this unnecessary and dangerous toxic fuel dump.

Gloria Allred  
Attorney at Law  
January 17, 2020

Representing four teachers at Park Avenue Elementary School