

PRESS RELEASE [FOR IMMEDIATE RELEASE]

**\$100 MILLION SETTLEMENT IN FRISCO, COLORADO HELICOPTER CRASH  
LAWSUIT FOR SEVERELY BURNED FLIGHT NURSE**

FRISCO, Colorado (February 1, 2018) —The manufacturer and Colorado operator of a medical helicopter whose post-crash fire severely burned a flight nurse have agreed to pay \$100 million in a cash settlement to avert a March 5 trial date in Summit County, Colorado. The Settlement Agreement was finalized today (Settlement Agreement attached). Dave Repsher was injured when an Airbus Helicopter model AS350 B3e spun counterclockwise shortly after takeoff on July 3, 2015 and crashed in a parking lot next to the St. Anthony Summit Medical Center in Frisco, Colorado.

Helicopter manufacturers and sellers Airbus Helicopters, SAS and Airbus Helicopters, Inc. and privately-owned medical transportation services provider Air Methods Corporation agreed to settle the product defect and personal injury suit (Summit County District Court, 2015-CV-30146) brought by flight nurse David Repsher and his wife, Amanda Repsher. The Repshers were represented by the Kansas City, Missouri law firm of Robb & Robb LLC and the Denver law firm Ogborn Mihm LLP. The case was set for trial on March 5 in Breckenridge, near Frisco, Colorado, the site of the crash.

The lawsuit claims that the helicopter manufactured by Airbus was not equipped with a crash resistant fuel system which had been mandated on newly certificated helicopters since 1994. The NTSB also determined that the lack of a crash-resistant fuel system on the helicopter, which ignited on impact, contributed to the severity of David Repsher's injuries. The crash occurred 32 seconds after takeoff. Surveillance cameras at the scene recorded that the post-crash fire began almost instantly, less than four seconds after the crash, and spread very rapidly, engulfing Dave in flames.

Airbus Helicopters manufactured the crash helicopter in March 2013. The lawsuit claimed that Airbus Helicopters as the manufacturer took advantage of a regulatory loophole that permitted helicopter models that obtained Federal Aviation Administration (FAA) type certificates before November 1994 to avoid the new safety requirements. "This crash resistant fuel system technology has been available since the 1960s when it was first developed by the U.S. Army for use in its helicopters," said attorney Gary C. Robb. Regulations approved and implemented by the FAA in 1994 required comprehensive crash resistant fuel systems in all new helicopters certificated after 1994. Although Airbus Helicopter had been manufacturing crash-resistant fuel systems for more than 20 years, the company did not offer customers such as Air Methods any option to retrofit their fleet's Airbus helicopters to provide crash-resistant fuel systems.

The NTSB found that as of November 2014, only about 15 percent of domestically registered helicopters manufactured after 1994 had crash resistant fuel systems. "It is the greatest desire of David and Amanda Repsher, that all helicopters have the crash resistant fuel system as standard equipment so that no one ever again suffers the severe burn injuries Dave received", said

attorney Gary C. Robb.

A National Transportation Safety Board (NTSB) report also cited Airbus' preflight hydraulic check, a lack of warning related to tail rotor hydraulic system pressure, and design of the helicopter's dual hydraulic system as causes of the crash. According to the NTSB, the design set a trap for the operator, and Airbus had knowledge of three prior crashes due to the same hydraulic design problem.

The lawsuit's claims against Air Methods centered on the after-market seat that it installed. David Repsher's seat was installed in the helicopter post manufacture by Air Methods, the operator. During the crash sequence, he was ejected from the helicopter in his seat, to which he was restrained. The lawsuit claimed that this seat was insufficiently anchored as it was only attached to the rear partition and not the floor.

Dave sustained full thickness burns over 90% of his body, in some places extending down to the bone. Dave was not expected to live through the first 24 hours. He spent 13 months at the University of Colorado Hospital, including 11 months in the hospital's burn ICU. He went into renal failure due to the burns, battled septic shock for 10 months, overcame uncontrolled bleeding in his chest and endured hundreds of procedures and surgeries. He entered the hospital weighing 180 pounds and at one point dropped to a low of 89 pounds. He sustained permanent hearing loss and severe disfigurement to and loss of function of his hands. Dave literally had to learn how to swallow, eat, talk, roll over, stand and walk again.

For the rest of his life, Dave will undergo surgeries and treatments to deal with his ongoing medical conditions. As a result of his renal failure, Dave required almost daily dialysis until receiving a kidney transplant this past August. Dave was blessed to have a living donor come forward, an incredible gift from an amazing person.

Prior to the crash, Dave was an athlete who enjoyed kayaking, rafting, hockey, skiing, running, biking and hiking, taking every opportunity to be outdoors. He hopes to be able to enjoy some of these activities again in the future.

The Repshers plan to establish a private foundation, the initial mission of which will be to promote emergency medical services, flight safety and burn survivor support. "Dave's courage, strength and will to live, the outstanding medical care that was provided, and Amanda's unwavering care and love allowed Dave to survive and recover from his catastrophic injuries. It is typical of their gracious spirit to establish this private foundation to pay it forward," said attorney Murray Ogborn. Those interested in learning more can visit [www.daverepsher.org](http://www.daverepsher.org) and email [info@daverepsher.org](mailto:info@daverepsher.org).