

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

ARIS SISWANTO, Personal Representative of )  
the Heirs of MRS. SUSIYAH, deceased, )  
HADI WIDJAJA, Personal Representative of )  
the Heirs of ANDREAS WIDJAJA, deceased, )  
HENNY SANTOSA, Personal Representative of )  
the Heirs of DJOKO SATRYO TANOE )  
WIDJAJA, deceased, ONG SIUE HWA, Personal )  
Representative of the Heirs of STEPHANIE )  
YULIANTO, deceased, TRISNOWATI HALIM, )  
Personal Representative of the Heirs of )  
PRAWIRA HARJA SUBAGIO, deceased, )  
TJOKRO HERWANTO TEDDY, Personal )  
Representative of the Heirs of DJAROT )  
BIANTORO, deceased, MRS ERNAWATI, )  
deceased, and KEVIN BIANTORO, deceased, )  
MEI-YI WEE, Personal Representative of the )  
Heirs of CHI MAN CHOI, deceased, and ZOE )  
MAN SUEN CHOI, deceased, HARI SANTOSA )  
ANG, Personal Representative of the heirs of )  
BUNDI SU, deceased, HARI SANTOSA ANG )  
and HUSIN HARSONO, Co-Personal )  
Representatives of the heirs of MRS YENNI, )  
deceased, STEVEN MICHAEL ANG, deceased, )  
and SHARON MICHELLE ANG, deceased, )  
SINDU MULYONO, Personal Representative of )  
the heirs of EKO WIJAYA, deceased, )  
SUSANDHINI LIMAN, deceased, MARILYN )  
WIJAYA, deceased, ALFRED WIJAYA, )  
deceased, and WILLIAM WIJAYA, deceased, )  
FELLY PURNOMO, Personal Representative of )  
the heirs of FERNY YUFINA PURNOMO, )  
deceased, and CHRISTIEN AULIA PURNOMO, )  
deceased )

Plaintiffs, )

v. )

AIRBUS, S.A.S., a corporation, DORIC )  
CORORATION, a corporation, HONEYWELL, )  
INTERNATIONAL, a corporation, THALES )  
AVIONICS,S.A.S., a corporation, MOTOROLA, )

No. 15-cv-5486

Hon. John Robert Blakey

INC., a corporation, UNITED TECHNOLOGIES )  
CORPORATION, a corporation, and )  
GOODRICH CORP., a corporation, )  
 )  
Defendants )

**SECOND AMENDED COMPLAINT**

Plaintiffs Aris Siswanto, Personal Representative of the heirs of Mrs. Susiyah, deceased, Hadi Widjaja, Personal Representative of the heirs of Andreas Widjaja, deceased, Henny Santosa, Personal Representative of the heirs of Djoko Satryo Tanoe, deceased, Ong Siue Hwa, Personal Representative of the heirs of Stephanie Yulianto, deceased, Trisnowati Halim, Personal Representative of the heirs of Prawira Harja Subiago, deceased, Tjokro Herwanto Teddy, Personal Representative of the heirs of Djarot Biantoro, deceased, Mrs. Ernawati, deceased, and Kevin Biantoro, deceased, Mei-Yi Wee, Personal Representative of the Heirs of Chi Man Choi, deceased, and Zoe Man Suen Choi, deceased, Hari Santosa Ang, Personal Representative of the heirs of Bundi Su, deceased, Hari Santosa Ang and Husin Harsono, Co-Personal Representatives of the heirs of Mrs. Yenni, deceased, Steven Michael Ang, deceased, and Sharon Michelle Ang, deceased, Sindu Mulyono, Personal Representative of the heirs of Eko Wijaya, deceased, Susandhini Liman, deceased, Marilyn Wijaya, deceased, Alfred Wijaya, deceased, and William Wijaya, deceased, and Felly Purnomo, Personal Representative of the heirs of Ferny Yufina Purnomo, deceased, and Christian Aulia Purnomo, deceased, by their attorneys, Wisner Law Firm, P.C., for their second amended complaint against defendants Airbus, S.A.S., a corporation, Doric Corporation, a corporation, Honeywell International, a corporation, Thales Avionics, S.A.S., a corporation, Motorola, Inc., a corporation, Goodrich Corp., a corporation, and United Technologies Corporation, a corporation, state as follows:

## COUNT I

1. Plaintiffs are citizens of countries other than the United States. Plaintiffs are the heirs, and personal representatives, of their respective decedents. Plaintiffs' decedents were citizens of countries other than the United States.

2. Defendants Airbus, S.A.S. and Thales Avionics, S.A.S. are, upon information and belief, corporations incorporated in, and having their principal places of business in, France. All other defendants are, upon information and belief, corporations incorporated in and having their principal places of business in, the United States. All defendants do business in Illinois sufficient to subject them to the jurisdiction of the courts of this State.

3. This action arises from the crash of Air Asia Flight 8501 in which more than 75 persons died at the sag26me location. Therefore, this action is governed by the Multi-Forum Multi-Jurisdiction Act, 28 U.S.C. §1369, and this Court has subject matter jurisdiction over this action under 28 U.S.C. § 1331.

4. Venue is proper in this District under 28 U.S.C. §1391 as all defendants do business in this District.

5. On a date prior to December 28, 2014, defendant Airbus, S.A.S. ("Airbus") designed, manufactured, assembled, and sold a certain Airbus 320-200 aircraft, Registration PX-AXC ("the accident aircraft").

6. At the time the accident aircraft left the control of defendant Airbus, it was defectively and unreasonably dangerous in one or more of the following respects:

- (a) the accident aircraft's radar did not provide complete and accurate weather information;
- (b) the accident aircraft's pitot tubes and angle of attack sensors were subject to becoming blocked or obstructed and providing erroneous information, including information as to the accident aircraft's air speed, to the air data inertial reference units ("ADIRU") and flight control computers ("FCC");

- (c) the accident aircraft's ice detection system failed to detect and warn of accumulation of ice in certain parts of the aircraft;
- (d) the accident aircraft's rudder trim limiter was subject to failure, causing an uncommanded pitch of the accident aircraft, and one of the accident aircraft's rudder trim limiter had failed prior to the subject crash;
- (e) the accident aircraft's angle of attack sensors were subject to failure in flight and an Airworthiness Directive regarding this problem was issued by the U.S. Federal Aviation Authority (FAA) and the defendant Airbus issued a revised protocol for responding to a failure in flight of the angle of attack sensors shortly prior to the subject crash;
- (f) the accident aircraft's angle of attack sensors provided erroneous information to the ADIRU's and FCC's;
- (g) the accident aircraft's ADIRU's provided erroneous data and spurious signals, including erroneous data and spurious signals concerning the aircraft's angle of attack, to the FCC's;
- (h) the accident aircraft's ADIRU's failed to filter out erroneous data and spurious signals, including erroneous data and spurious signals concerning the accident aircraft's angle of attack;
- (i) the accident aircraft's FCC's failed to filter out erroneous data and spurious signals, including erroneous data and spurious signals concerning the accident aircraft's angle of attack;
- (j) the accident aircraft's FCC's commanded dangerous and unauthorized flight control movements;
- (k) the accident aircraft's FCC's authorized uncommanded and dangerous flight control movements;
- (l) the accident aircraft did not have adequate protection of its ADIRUs, FCC's and other components from electromagnetic interference;
- (m) the accident aircraft's side stick controls provided erroneous information to the FCC's;
- (n) it was difficult to recover the accident aircraft from an unusual flight attitude; and
- (o) the accident aircraft's Flight Augmentation Computers (FAC's) were subject to failure, and one of the accident aircraft's FAC's had failed and been replaced prior to the subject crash; when the FAC's failed, the autopilot would become inoperative and the rudder limiter system, including the rudder and yaw damper, would fail, resulting in a loss of control.

7. On December 28, 2014, the accident aircraft was being operated by Air Asia as Flight

No. 8501 from Surabaya, Indonesia to Singapore.

8. On said date, plaintiffs' decedents were fare paying passengers onboard the accident aircraft on the subject flight.

9. As the direct and proximate result of one or more of the above-described defects in the accident aircraft, the accident aircraft was caused to go into a steep high speed climb, followed by a high altitude stall; the two Flight Augmentation Computers both failed, resulting in a loss of the autopilot and a failure of the rudder limiter system and a loss of rudder and yaw control; the flight crew could not regain control of the accident aircraft and the aircraft crashed into the Java Sea, killing all those onboard, including plaintiffs' decedents.

10. Plaintiffs' decedents left surviving heirs and next of kin, including plaintiffs, for whose benefit this action is brought.

11. Plaintiffs and the other heirs and next of kin of their respective decedents have suffered a loss of support, loss of net accumulations, loss of household and other services, loss of care, comfort, companionship, guidance, and society, and mental anguish, sorrow, and grief as a result of the deaths of plaintiffs' decedents.

WHEREFORE, plaintiffs pray for the entry a judgment in their favor against defendant Airbus, S.A.S. for an amount in excess of the minimum jurisdictional amount of this Court, together with costs and such other amounts as may be allowed by law.

## COUNT II

1-9. As paragraphs 1 through 9 of Count II, plaintiffs reallege paragraphs 1 through 9 of Count I.

10. As a further direct and proximate result of one or more of the foregoing defective and unreasonably dangerous conditions of the accident aircraft which resulted in the crash of the accident aircraft, plaintiffs' decedents, and each of them, were caused to suffer multiple and

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