



March 8, 2014

Circulation: 1,674,306 / UMV: 16,715,898

Clues suggest 'catastrophic failure' on Malaysia flight

Bart Jansen, USA TODAY

An aviation lawyer who worked on cases with problems similar to the Malaysia Airlines disaster said Saturday the lack of warnings about a problem aboard the aircraft suggest a catastrophic failure while flying at altitude.

Steve Marks, a partner at Podhurst Orseck law firm in Miami, represented relatives of victims in the SilkAir crash in Asia in December 1997 and the Air France crash in the Atlantic in June 2009. He said finding the wreckage — if the Malaysia plane did crash — and identifying a cause are complicated and difficult.

SilkAir flight 185, which was heading from Jakarta to Singapore, was filled with business travelers and the 737 wreckage was difficult to locate because it plummeted into the Musi River.

"Some of my clients, who I've already contacted, are reliving this," Marks said. "They sat in the airport. No information was coming out for days."

Searchers are continuing to look for the Malaysian plane, which disappeared from radar early Saturday local time. Vietnamese authorities found an oil slick in the Gulf of Thailand that is consistent with the aftermath of a plane crash, but officials are still searching for further signs of the wreckage as relatives of passengers hold out hope.

The keys in the coming days will be to precisely locate any wreckage, retrieve the bodies and recover parts of the plane to find clues about what happened.

The reason Marks speculates there was a catastrophic problem at 35,000 feet is as a result of his work on the case of Air France Flight 447.

Besides radar tracking of the plane, the Air France Airbus A-330 signaled flight errors to the manufacturer's headquarters in France. The equipment reported problems with height and airspeed as they were happening in a storm — dozens of warnings in the flight's final minutes — which helped track where it went down, Marks said.

"They knew in real time that these failures were occurring," Marks said.

The Boeing 777 should have been relaying similar reports of any problems — if there were any, Marks said. But a lack of reports is why Marks speculates there was a catastrophic failure, perhaps from the plane breaking up, from a lack of pressurization or from a complete electrical failure.

"There would have been some type of reporting, whether through the radios or the computer system,"

Marks said. "The complete absence of any information suggests a catastrophic failure."

If the plane did crash, pieces of the wreckage would reveal how quickly it hit the ocean or ground. If the plane broke up in flight, as Marks speculates, pieces would float down gradually rather than slamming down at full speed. And if there was an explosion, traces would remain on the wreckage.

"If a plane breaks up at altitude, the parts float down, so you find wings and rudders and horizontal stabilizers falling flat," Marks said. "If there was an explosion, you can find burn damage."

A loss of pressurization could put the crew and passengers to sleep, as happened with golfer Payne Stewart's Learjet, which crashed in October 1999 in South Dakota after the six occupants became incapacitated.

But Marks discounts a pressurization problem for the Malaysian flight because Stewart's plane flew on its own for hours before running out of fuel.

"If there was a pressurization problem, you wouldn't have an immediate crash, you'd have a plane flying for another five hours not responding to anything," Marks said.

The total loss of electrical equipment would prevent signals about a problem, but the plane is designed to still fly under those circumstances, Marks said.