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Cirrus, trainer ordered to pay \$16.4M after fatal crash

Families of two men killed say Cirrus failed to provide adequate instruction for the pilot.

By **STEVE ALEXANDER**, Star Tribune

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A jury in Grand Rapids, Minn., has ordered aircraft maker Cirrus Design Corp. of Duluth and a flight training subcontractor to pay \$16.4 million in damages in connection with a 2003 Minnesota plane crash that killed two Grand Rapids men.

A Cirrus official said the company was "disappointed and surprised" by the verdict but had not decided whether to appeal. Cirrus does business under the name Cirrus Aircraft.

Gary Prokop and his passenger, Jim Kosak, died in January 2003 when Prokop's Cirrus SR-22 aircraft crashed near Hill City, Minn., en route to St. Cloud.

The families of the two men alleged in a 2005 lawsuit in Itasca County District Court in Grand Rapids that Prokop, the owner and pilot of the plane, was not adequately trained to fly the four-passenger aircraft he purchased from Cirrus. The training, by the University of North Dakota Aerospace Foundation, was included as part of the price of the airplane.

"The plane was marketed to Prokop as being easy to fly, and they were going to train him to proficiency to operate it," Prokop family attorney Darrold Persson said.

The suit alleged that Prokop became disoriented and lacked proficiency in using the plane's autopilot system, which might have averted the crash, said Kosak family attorney Phil Sieff of Robins, Kaplan, Miller & Ciresi of Minneapolis.

The plaintiffs and the company agreed that other crashes involving Cirrus aircraft were not an issue in the lawsuit, which focused on a single fatal crash.

The jury late Thursday awarded \$12 million to Prokop's family but reduced it to \$9 million because as pilot he was considered partly responsible for the crash, Persson said. Kosak's family was awarded \$7.4 million.

The judgment for Kosak will benefit his widow, Mary, and their two daughters and son. The Prokop judgment benefits his widow, Katie, and his three sons and two daughters.

"What this verdict means is that Cirrus is going to have to take a very hard look at the skill level of the pilots that are buying their planes and how they are training those pilots," Sieff said. "This is a very fast plane with very advanced technology. If you promise training as part of a plane purchase, then you need to do it."

Cirrus disagrees with the verdict, said Bill King, the company's vice president of business administration.

"We're disappointed and surprised by the verdict," King said. "We've argued that Prokop was trained, and that other factors were involved in the crash, such as the weather. There were overcast conditions that day."

Cirrus and the University of North Dakota Aerospace Foundation, a private flight training firm on the university campus, would be jointly obligated to pay the judgment. King said Cirrus has not decided whether to appeal.

Officials and attorneys for the foundation, based in Grand Forks, N.D., could not be reached.

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