



Foster and Whitacker widows' file lawsuit within 24 hours of NTSB final report

SOMERSET, KENTUCKY (KY), UNITED STATES, July 12, 2019 /EINPresswire.com/ -- Queener Law filed a federal lawsuit today against the Federal Aviation Administration's Air Traffic Control division for its negligence in a plane crash that killed local attorney Scott Foster, his 15-year-old son Noah Foster, Doug Whitaker and Kyle Stewart.

Attorney Henry Queener and aviation attorney Jerry Skinner are representing the estates of Noah Foster, Doug Whitaker and Scott Foster in the lawsuit.

On November 12, 2017, Scott Foster was piloting a Piper PA 32-260 when he encountered poor weather conditions and limited visibility. When he asked air traffic control for vectors to better visibility, the controller ignored his request, instead making him wait while the controller contacted another aircraft for cloud top advice.

The air traffic controller directed Mr. Foster to lead the aircraft 3,000 feet through icing conditions to reach improved visibility. The aircraft didn't have deicing equipment and wasn't certified to fly into known icing conditions. The air traffic controller's instructions were illegal and negligent.

The air traffic controller never made a recommendation to attempt a 180-degree turn to return to visual conditions. A second corrective action - to instruct the pilot to descend to the nearest visual, open airfield, to land - was made only after a mayday call. By that time, it was too late - the aircraft had already lost control. And only after communication was lost did air traffic control offer that a local airport was available for diversion.

Air Traffic Control misled Scott Foster about the safest available options. The crash near Fountain Run took the lives of all four people on board.

"This case is about shining the light of truth on what happened that day and what Air Traffic Control did to substantially contribute to that plane crashing," Henry Queener said. "Mr. Foster was not offered any of the many safer alternatives and instead was lead down a terrible path of clouds and icing when the Air Traffic Controller knew Mr. Foster was a visual only pilot and his plane had no deicing equipment."

Amy Foster, the widow of Scott Foster and Noah's mother, said she hopes the lawsuit brings more information to light.

"At the end of the day, it's just answers," Amy Foster said. "I want answers."

The loss of her husband and son is something she will grieve forever.

"It has been absolutely without a doubt devastating to not just our family, but the whole community," she said. "It's not something that you get over, there's no getting over. You learn to live with it, it becomes a part of who you are and you just find a way to keep going."

Sara Whitaker, the widow of Doug Whitaker, echoed Amy's views.

Sara and Doug Whitaker were high school sweethearts. The loss of her husband is “a nightmare we can’t wake up from,” she said. “My three kids lost a great dad. It’s something I don’t think we’ll ever get over. I’m praying we can get through it.”

In addition to more answers, Sara Whitaker said: I want responsibility to be taken where it needs to be taken.

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