

Federal Lawsuit Accuses V-22 Osprey Manufacturers Of Deceptive Practices And Systemic Failures, Causing Marine Deaths

Bell Textron, Boeing, and Rolls Royce Sued Over A Deadly Training Crash in California in 2022, Which Killed Five

LOS ANGELES, CALIF., UNITED STATES, May 23, 2024 /EINPresswire.com/ -- The families of U.S. Marines killed in a fatal 2022 crash of an Osprey V-22 have filed a wrongful death lawsuit in federal court, saying known but undisclosed flaws and defects in the design and manufacturing of the troubled aircraft and its systems caused the deaths.

The lawsuit names Bell Textron, The Boeing Co., Rolls Royce Corp, and Rolls Royce North America in the June 8, 2022 crash during a training operation designated as Swift 11, outside of Glamis, California. Known as the "Purple Foxes," the crew was with Camp Pendleton's Marine Medium Tiltrotor Squadron 364 (VMM-364).



John J. Sax

The Marines killed were:

- Capt. John J. Sax, 33, from Placer, California.
- Capt. Nicholas P. Losapio, 31, from Rockingham, New Hampshire.
- Cpl. Nathan E. Carlson, 21, from Winnebago, Illinois.
- Cpl. Seth D. Rasmuson, 21, from Johnson, Wyoming.
- Lance Cpl. Evan A. Strickland, 19, from Valencia, New Mexico.

"As we approach Memorial Day weekend, we cannot help but think of the families of our service members who have lost their lives, not in combat but in training exercises here at home. Too many service members such as the Marines onboard Swift 11 have perished due to the negligence, and systemic failures of manufacturers of military aircraft and other equipment," [said Timothy Loranger, senior partner at Wisner Baum](#). "For years Bell-Boeing and others have

asserted that this aircraft and all of its systems are safe, yet the facts keep telling a different story.”

The lawsuit, filed on behalf of the families of Sax, Carlson, Rasmuson, and Strickland, accuses the companies of negligence, negligent misrepresentation, and fraudulent misrepresentation for failing to make “truthful statements to the government and to service members about the design, operation, and safety of V-22 Osprey aircraft...”

The Osprey V-22 is a hybrid aircraft that takes off vertically, like a helicopter, with a large “proprotor” on each wingtip. Once at the desired altitude, the proprotors are tilted forward to fly like a plane. A Marine Corps [investigation released in July 2023](#) cleared the pilots and maintenance crew of any wrongdoing and determined that the fatal crash resulted from a sudden “dual hard clutch engagement.”



Nicholas P. Losapio

In a hard clutch engagement, the clutch releases from the rotor system and suddenly reengages damaging the gear system and potentially leading to a loss of thrust or a condition of asymmetric thrust. In this case, there were system failures in the right and left engines. The experienced pilots could do nothing to save themselves or their crew.

“

For years Bell-Boeing and others have asserted that this aircraft and all of its systems are safe, yet the facts keep telling a different story.”

*Attorney Timothy Loranger,
senior partner at Wisner
Baum*

“Bell-Boeing has been aware of hard clutch engagement problems in the V-22 Ospreys since 2010,” said Loranger, a Marine Corps veteran who spent years as an aircraft mechanic working on fighter jets and tankers. “But here we are more than a dozen years later, and that knowledge hasn’t resulted in a solution, and the malfunction has continued to cost lives.”

Since the fatal 2022 crash, six more hard clutch engagement incidents have occurred.

And that’s not the only system that failed the crew of Swift 11, which was the training mission’s designation, according to the lawsuit. The V-22 Osprey is equipped with a system that automatically transfers power from one engine to both proprotors in the event that one engine fails. Called the Interconnect Drive System (ICDS), the concept is not unique to the Osprey and

has been used safely in other applications for years.

“However, the Osprey’s ICDS is flawed, unsafe, and does not meet the government’s specifications for safety and/or reliability,” the lawsuit states.

“Due to the Osprey’s lack of compliance with government specifications, the SWIFT 11’s pilots and crew were powerless to counteract the aircraft’s uncontrollable asymmetric thrust condition where there was a sudden loss of thrust on the right hand proprotor and positive thrust on the left proprotor,” the lawsuit continues.

“SWIFT 11’s right engine FADEC shut down the right engine without command from the pilot during the dual HCE event. Due to the ICDS’s lack of redundancy and compliance with government specifications, power was not transferred from the operational left engine to the inoperative right proprotor.”

Amber Sax, the wife of Cpt. John Sax, released a statement in remembrance of the second anniversary of the crash.

“We seek accountability, answers, and change. Our goal isn’t to see this platform removed; it’s to know that someday we will be able to say, ‘their lives enabled others to live,’ knowing what happened to them won’t ever be repeated. Finding the root cause of these mechanical failures and pressing for full transparency for our military, service members, and their families is only part of our advocacy,” she wrote.

“We want assurance that these components have been successfully redesigned, tested, and rendered safe. The importance of addressing this cannot be overstated — it is not just about fixing a machine, but about ensuring that no other family has to endure this loss again.”



Nathan E. Carlson



Seth D. Rasmuson

Since entering service, the Osprey has been involved in multiple accidents, resulting in the deaths of 62 people. Investigations continue on two crashes that happened last year, which killed three U.S. Marines in Australia and eight U.S. Air Force crewmen in Japan.

Loranger, [Wisner Baum](#) senior partner, filed the lawsuit in U.S. District Court, Southern District of California (Case No. 3:24-cv-00906-MMA-MSB), on behalf of Amber Sax and their two children; Avery Rasmuson, wife of Cpl. Seth D. Rasmuson, and their child; Emily Elizabeth Baxter, wife of Cpl. Nathan Carlson; and Brett and Michelle Strickland, the parents of Lance Cpl. Evan A. Strickland.

Wisner Baum is a Los Angeles law firm that represents over 20,000 plaintiffs in a broad range of civil litigation and has won more than \$4 billion across all practice areas, including military aviation accidents, commercial trucking cases, pharmaceutical product liability, class action litigation, mass torts, and more. The firm has earned a reputation for breaking new legal ground, holding major corporations accountable, influencing public policy, and raising public awareness about important safety issues.

Robert Frank
Newsroom Public Relations
+1 206-790-6324
[email us here](#)



Evan A. Strickland

This press release can be viewed online at: <https://www.einpresswire.com/article/714117793>

EIN Presswire's priority is source transparency. We do not allow opaque clients, and our editors try to be careful about weeding out false and misleading content. As a user, if you see something we have missed, please do bring it to our attention. Your help is welcome. EIN Presswire, Everyone's Internet News Presswire™, tries to define some of the boundaries that are reasonable in today's world. Please see our Editorial Guidelines for more information.

© 1995-2024 Newsmatics Inc. All Right Reserved.