

# \$16.9 MILLION JURY VERDICT AGAINST PENINSULA AVIATION SERVICES, INC ('Pen Air') IN FATAL DUTCH HARBOR CRASH

*First Major Airline Crash Case to Go to Trial in Over 25 Years*

KENT, WA, UNITED STATES, October 6, 2025 /EINPresswire.com/ -- In a landmark aviation case, a Washington State jury has awarded \$16.9 million to the family of David Oltman, who was killed when Pen Air Flight 3296 overran the runway while landing in Dutch Harbor, Alaska. The verdict came after an intense six-week trial led by Clay Miller, name partner, and lead trial counsel at [Miller Weisbrod Olesky](#). This case marks the first fatal commercial airline crash tried to verdict in more than two decades—and the first against a U.S. carrier in over 25 years.



NTSB photo of crash site

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We have given this family financial security, but more importantly, they have been told this loss was avoidable and the fault of the airline. We had an amazing team and held this airline accountable.”

*Clay Miller, lead counsel, and name partner at Miller Weisbrod Olesky*

The Oltman family, represented by Miller Weisbrod Olesky, alleged that Pen Air was responsible for maintenance failures and pilot errors that caused the October 17, 2019 runway overrun in Alaska’s Aleutian Islands. The crash claimed the life of passenger David Oltman, a Washington husband and father traveling on tickets purchased directly from Alaska Airlines and operated by an Alaska-based airline Pen Air.

The Pen Air Flight involved a Saab 2000 airplane with 40 passengers that failed to stop on the runway due to landing with a tailwind and a cross-wired anti-skid system causing it to crash into harbor ballast rocks. Due to runway overrun, one of the propellers struck signs and rocks

outside the airport breaking off sending shrapnel into the fuselage, fatally injuring Oltman.

The Oltman family attorneys alleged the flight should have never departed on October 17th because Pen Air had numerous clues that the anti-skid system was not working correctly, including a fault code for the anti-skid system that occurred during a Dutch Harbor landing just 4 days earlier. The Pen Air pilots attempted to land with a strong tailwind instead of landing into the wind which violated basic safe piloting principles. Evidence at trial included testimony from former Pen Air pilots that the pilot had previously claimed he could land at Dutch Harbor (an airport with an extremely short runway) with a tailwind.

"We have given this family financial security, but more importantly, they have been told this loss was avoidable and the fault of the airline," said Clay Miller, lead counsel, and name partner at Miller Weisbrod Olesky. "I could not be prouder of our trial team—all five of us moved to Seattle for almost seven weeks, poured our hearts into this case, and held this airline accountable."

The airline's legal team denied all responsibility during the trial, instead attempting to shift blame to aircraft manufacturer Saab and the State of Alaska as the airport operator. However, after nearly three full days of deliberation, the jury found Pen Air 70% at fault and an England based brake maintenance contractor, that had cross-wired the brakes during an overhaul 2 ½ years earlier, 30% at fault. The presiding judge, Hon. Mark Larrañaga, had previously ruled that Pen Air was legally responsible for the actions of that contractor under its nondelegable duties as a commercial carrier and Federal Aviation Safety Regulations relating to Airworthiness.



Clay Miller, lead counsel and name partner at Miller Weisbrod Olesky



Miller Weisbrod Olesky was the Oltman family's attorneys

The entire \$16.9 million award—far exceeding the airline’s pretrial offer—will be the responsibility of Pen Air and its insurance carrier. The verdict underscores the jury’s rejection of the airline’s efforts to evade responsibility and represents a major victory for aviation safety and accountability. The case, *Oltman et al. v. Peninsula Aviation Services, Inc. et al.*, No. 20-2-14060-1, was tried before the Superior Court of King County, Washington, at the Maleng Regional Justice Center in Kent. Miller Weisbrod Olesky’s trial team included firm partner Clay Miller and firm attorney Josh Birmingham.

#### About Miller Weisbrod Olesky

Miller Weisbrod Olesky is a national trial law firm representing clients in complex personal injury, aviation, and product liability litigation. With decades of experience holding powerful corporations accountable, the firm’s attorneys have secured landmark verdicts across the United States. Clay Miller can be contacted at [cmiller@millerweisbrod.com](mailto:cmiller@millerweisbrod.com) or 214-987-0005.

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