



July 27, 2009

Gregg Cunningham
Executive Director,
The Center For Bio-Ethical Reform
PO Box 219
Lake Forest, CA 92609

Re: ~~Medical Professionalism~~, Case Number 2007SO190247

Dear Mr. Cunningham:

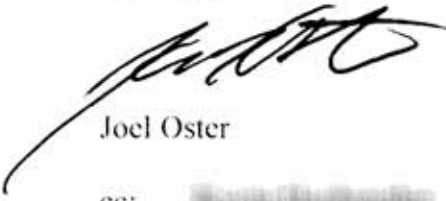
Our office has received a letter from the Miami Flight Standards District Office (FSDO) of the Federal Aviation Administration ("FAA") dated May 5, 2009, announcing that as a consequence of the administrative hearing at which we represented your Center For Bio-Ethical Reform (CBR) and your aerial advertising pilot, the FAA is dropping charges that your pilot breached his duty to determine whether your CBR aircraft was in a proper condition for safe flight (FAR 91.7(b)) and operated your CBR aircraft in a careless and or reckless manner which endangered lives and or property (FAR 91.13(a)). Instead, the agency will merely place a twenty-four month "Warning Notice" in the file of your pilot for a paperwork discrepancy related to your certificate of waiver.

Pursuant to your instructions, we will file with the agency a protest to the "Warning Notice" regarding the fact that it is unreasonable to hold pilots accountable for paperwork responsibilities, which are the duty of the organization by which he is employed.

Congratulations on this important victory. Your willingness to push back against the FAA's outrageous abuse of authority may help deter similar overreaching in the future. The FAA's initial position in this matter demonstrated inadequate training of its FSDO inspectors and control tower personnel. The agency's retreat on these charges signals a tacit admission that their prescribed method for responding to the emergency encountered by your pilot was flawed and had it been followed, would have created safety hazards, which your pilot's method of response minimized. Had you not aggressively contested these charges, a grave injustice would have been done to the pilot whose aviation certificates would have been suspended along with the substantial fine sought to be imposed.

Please let us know if we may be of additional assistance regarding this or any other matter related to your important work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joel Oster', written in a cursive style.

Joel Oster

cc: 