9/11 Case Settles: Final wrongful death lawsuit reaches resolution

On Sept. 19, 2011, the Bavis family reached an agreement with United Airlines and Huntleigh USA, bringing to an end nearly a decade of wrongful death litigation in connection with the Sept. 11, 2001, terrorist attacks. Bavis v. United Airlines Corporation et al., was filed by the family of Mark Bavis, a passenger on United Flight 175, and claimed that the defendants were liable for airport security checkpoint failures, poor training, faulty cockpit doors and failure by the airline industry to acknowledge and adequately respond to government warnings about terrorist threats.

According to a report by The Boston Globe, the agreement follows a Sept. 7, 2011, ruling by Judge Alvin K. Hellerstein that United Airlines and Huntleigh USA had to prove “only that they adhered to federal aviation safety standards, and didn’t have to meet the state standards of wrongful death that the plaintiffs had sought.” The defendants then filed a motion for summary judgment seeking dismissal of the case. In response, the Bavis family filed a 100-page response with 127 exhibits, giving an outline of what the family intended to present at trial to prove the alleged negligence on the part of United and Huntleigh.

“I think in the end what the family wants is to be able to give Mark voice, and to the extent these documents have been shared with the public — long after the lawsuit is closed, they hope it contributes to the discussion about safety in the air,” said Motley Rice lawyer Don Migliori, who represents the Bavis family, in the Globe article.

Migliori said the Bavis family has continued to endure years of litigation in an effort to force accountability and generate answers relating to how the 9/11 attacks occurred, and the release of the exhibits accomplishes much of what they hoped to achieve by going to trial—public accountability and answers about what happened on Sept. 11, 2001.