



Mark W. Atwood

Member

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Mark focuses on legal issues affecting the aviation and aeronautics industries. He represents a variety of clients, including U.S. and foreign airlines, airports, leasing companies, brokers, aerospace manufacturers, repair stations, and airline investors before the courts, regulatory agencies, and Congress. He also counsels U.S. clients in their regulatory affairs before foreign governments, advises airlines in financial structuring, and represents parties to aircraft acquisition transactions.

Mark has been involved in a variety of developments in the aviation industry, from airline mergers and formation of new air carriers to development of federal rules and policies on aircraft safety, security, and airport security. Mark has participated as a member of the U.S. delegation in the negotiation of a number of international air transport agreements, advised a number of clients doing business in China and the former Soviet Union, lectured representatives of the Chinese government, airline industry, and airport management on regulation of aviation, advised foreign governments on civil aviation matters, and regularly counsels a major US airport on development of international air service. He authored the first chapter ("The Chicago Convention") of the book *Aviation Regulation in the U.S.* (ABA Book Publishing, 2014), edited by Cozen O'Connor member David Heffernan. *Chambers & Partners USA* also ranked Mark as a leader in Nationwide Aviation Regulatory; he is also listed in *Expert Guides: Aviation*.

Mark frequently represents clients in matters arising out of aircraft leases, and has presented numerous seminars on aircraft leasing in the U.S., Europe and the Middle East.

Mark received his law degree from the University of Southern California in 1978, and his undergraduate degree from Loyola University Maryland in 1974.

Experience

Represented the largest aviation trade organization in presenting the industry's response to the Federal Aviation Administration's request for suggestion in regulatory reform.

Represented several airline and charter operator clients, with co-counsel, in persuading the Department of Transportation to substantially alter their new consumer protection policy proposals so that they would be less onerous to the industry. The proposed policies would have seriously interfered with the airlines' ability to offer "public charter" operations.

Represented Versa Capital Management in connection with its acquisition of Silver Airways, a commuter air carrier based in Ft. Lauderdale, Florida and Seaborne Airlines, based in Puerto Rico. We handled the aviation regulatory portion of the transactions, including pre-acquisition due diligence, and represented Versa in the carriers' post-transaction fitness reviews before the Department of Transportation.

Represented two U.S. cargo airlines before the Office of Management and Budget in successful effort to exempt cargo carriers from the new FAA flight and duty time regulations.

Counseled participants in two major U.S. air carrier mergers on regulatory issues and procedures.

Represented helicopter manufacturer before the FAA in obtaining approval of increased operating

Practice Areas

- Aviation Regulatory
- Government & Regulatory
- Government Contracts
- Transportation & Trade

Industry Sectors

- Aviation

Education

- University of Southern California, J.D., 1978
- Loyola University Maryland, A.B., 1974

Bar Admissions

- California
- District of Columbia

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Tenth Circuit

Affiliations

- American Bar Association
- American Bar Foundation (Life Fellow)
- Inter-American Bar Association
- International Aviation Club

Awards & Honors

- Chambers & Partners USA: Nationwide, Transportation: Aviation: Regulatory 2015 - 2020
- JD Supra's Readers' Choice Awards Top Authors in the Airlines/Aviation Industry 2016-2017
- Expert Guides: Aviation

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weight.

Prepared study on open skies aviation bilaterals on behalf of major Asian government.

Continue to advise a number of U.S. and foreign-based clients in compliance with U.S. sanctions and import restrictions against Iran, and advises a large international relief organization on compliance with export restrictions.

Advised and represented group of investors in 2013 acquisition of Frontier Airlines.

Represented and advised trustee in bankruptcy in successful reorganization and sale of passenger air carrier.

Represented a pilot and flight instructor in connection with a five-year suspension of his medical license imposed by the FAA, based on an erroneous finding that a minor head injury affected his ability to safely pilot an airplane. Using extensive medical testimony, we persuaded the Federal Air Surgeon that the client should be cleared to fly, effective immediately.

Secured an unprecedented exception to the Federal Aviation Administration's ban on U.S. aircraft flying into Iraq, which required demonstrating to the FAA and the Transportation Security Administration that our client, international relief organization Samaritan's Purse, had in place the training, procedures, plans, and reliable intelligence needed to safely operate the proposed flights, for which a dedicated operating manual was drafted. This exception permits Samaritan's Purse to use its own aircraft to deliver essential provisions to the victims of the humanitarian crisis stemming from the battle for Mosul.

Represented a Pennsylvania State Trooper in an FAA proceeding to suspend his helicopter pilot certificate as a result of efforts to quell a riot at a Penn State football game