HINSHAW

Illinois Supreme Court to Consider Whether Illinois Has Jurisdiction Over a French Component Part Manufacturer

May 31, 2012
Hinshaw Alert

On May 30, 2012, the Illinois Supreme Court accepted a petition for leave to appeal in *Russell v. SNFA,* 2011 IL App (1st) 093012, a case in which a pilot died in a crash involving a helicopter he was flying in Illinois. Plaintiff's complaint alleged that the crash was caused by the failure of the helicopter's tail-rotator drive-shaft bearings, which were made by a French manufacturer. The helicopter was manufactured by an Italian company. The French manufacturer custom made the tail rotor bearings for the helicopter manufacturer.

The issue on appeal was whether Illinois has jurisdiction over the French manufacturer. The appellate court held that jurisdiction existed. The court reasoned that the French manufacturer knew that the Italian company's helicopters were sold in the United States and that the Italian company had a subsidiary for American distribution. The Italian manufacturer was the marketer and distributor to the consumer of the joint and ultimate product. The helicopter maker sold approximately 2000 parts made the French manufacturer over a seven-year period; during the same time, five helicopters with the French parts were sold in Illinois. The appellate court held that the French manufacturer made itself dependent on the Italian company's marketing and distribution network and that it was reasonably foreseeable that the French company would be haled into an American forum.

The appellate court's decision can be found at http://www.hinshawlaw.com/files/upload/Illinoisofficalreport.pdf

For more information, please contact Nancy G. Lischer or your regular Hinshaw attorney.

Download PDF

This alert has been prepared by Hinshaw & Culbertson LLP to provide information on recent legal developments of interest to our readers. It is not intended to provide legal advice for a specific situation or to create an attorney-client relationship.

Service Areas

Appellate