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Contact: Darla Bea Smith  
Phone: 805-895-3400  
Email: darlabea@webmarketingtherapy.com



CLIFFORD LAW OFFICES

NEWS

## **Statement Released by Aviation Attorney from Clifford Law Offices on Malaysian Airlines MH-17 Crash**

***Robert A. Clifford of a top Chicago Law Firm made an official statement on the Malaysia Airlines Flight MH-17 that was shot down by a missile.***

**CHICAGO, IL (July 2014)** – Malaysia Airlines Flight MH-17, a Boeing 777 cruising at an altitude of approximately 33,000 feet and carrying 295 people including a report of 23 American passengers, was apparently shot down by at least one surface-to-air missile (SAM) in Ukrainian airspace near the Russian border today (July 17, 2014). On Monday a cargo airplane was shot down in the same area and yesterday two Ukrainian fighter jets were shot down in the same area by surface-to-air or air-to-air missiles (AAM). Reports indicate most believe that Russian ground forces and fighter jets are responsible for the downings, which Russia denies.

On April 23, 2014, the U.S. Federal Aviation Administration (FAA) issued a Notice To Airmen (NOTAM) that U.S. pilots were not allowed to fly over Crimea, the Black Sea or the Sea of Azov. The warning was made “due to the unilateral and illegal action by Russia to assert control over Crimean airspace,” according to a statement released by the FAA. “This creates the potential for conflicting air traffic control instructions from Ukrainian and Russian authorities and for the related potential misidentification of civil aircraft in this airspace,” read the statement.

The International Civil Aviation Organization (ICAO), a United Nations agency, issued a similar warning. However, that warning was for a different region of the country and advised “air operators of a potentially unsafe situation arising of presence arising from more than one air traffic services provider” in the Simferopol region of the Ukraine, according to the ICAO statement. An ICAO spokesperson confirmed the warning was due to both Ukraine and Russia claiming the same airspace in the region. An ICAO spokesperson told ABC News today that Malaysia Airlines Flight MH-17, appeared to be outside of the Simferopol region when it crashed.

ICAO and the FAA should issue notices prohibiting non-military flights over all portions of Ukraine and neighboring Russian areas. ICAO and FAA should also consider doing the same for any other international conflict/terrorism areas where SAMs and AAMs are a potential threat in the altitude ranges where commercial flights transit. The U.S. military and intelligence community should also use their assets to identify where the MH-17 SAM came from and then consider taking action with the United Nations to eliminate the SAM resources in those areas via military force. Shooting down civilian airplanes with military resources should not be tolerated or go without strong response.

**About Robert A. Clifford**

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Phone: 805-895-3400  
Email: [darlabea@webmarketingtherapy.com](mailto:darlabea@webmarketingtherapy.com)



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Robert A. Clifford was named by Chicago Magazine as one of the top 100 Most Powerful Chicagoans in 2013 and Crain's Chicago Business named Clifford once again as one of the "most influential people in Chicago" in 2013. Clifford remains committed to raising the quality of the practice of law in the state of Illinois and promoting civility. He was named the 2012 Chicago Lawyer Person of the Year. Based upon his trial accomplishments, and his contributions to the legal community and the Chicago area, his colleagues nominated him for the prestigious honor given to one person each year. He is the founder of Clifford Law Offices, a nationally recognized personal injury law firm in Chicago concentrating in aviation, transportation, personal injury, medical negligence, and product liability law. To learn more about Robert Clifford visit <http://cliffordlaw.com/attorneys/robert-a-clifford/>