

FOR IMMEDIATE RELEASE

June 5, 2023

**Bay Area Family Headed to Trial Against United Airlines, ExpressJet Airlines /
United Express and their Contractor, DAL Global Services
Son NJ Foster, a Disabled Young Man Now in Persistent Vegetative State
Following Deplaning Incident**

San Francisco, California

- NJ Foster suffered catastrophic injury on February 8, 2019, at the age of 21, while being deplaned at the Monroe Regional Airport (MLU). At the time, NJ was a ventilator-dependent quadriplegic young man attending college.
- Due to the injury, NJ Foster is now in a persistent vegetative state and is not expected to recover.
- The Foster family filed a federal court lawsuit in the Northern District of California, Case No. 3:19-cv-02530-JD, against United Airlines, ExpressJet Airlines dba “United Express,” and DAL Global Services, LLC, now doing business as “Unifi.”
- Trial has been set in this matter for August 7, 2023.
- Media and members of the public are permitted to attend.

In advance of purchasing airline tickets for her family, Plaintiff Pamela Foster called the United Airlines Accessibility Desk. In three separate calls totaling 37 minutes, two days prior to travel, Mrs. Foster disclosed her son’s quadriplegia, his dependence on a ventilator to breathe, and requested boarding and deplaning assistance for her son on their family’s trip from San Francisco to Monroe, Louisiana. Based on the repeated assurances provided by United Airlines of its ability to provide safe transportation for her son, Mrs. Foster purchased her family’s tickets.

Arriving in Louisiana, after a period of delay, agents were unprepared to handle the deplanement of NJ Foster. The complaint alleges that NJ was mishandled causing NJ to suffer a catastrophic brain injury.

NJ’s last words were, *“I can’t breathe.”*

NJ Foster remains in a persistent vegetative state today.

Mrs. Foster states, "What happened to our son, to our family, cannot be undone. We hope that through our loss, lessons present themselves so that no other family has to suffer." Attorney Jessica Juarez representing the Foster family with Albert G. Stoll, Jr. states, "Airlines and their contractors must do better to ensure safe and equal access to travel for all passengers with a disability requesting assistance."

Further information:

- Trial has been set in this matter for **August 7, 2023**. Members of the press and public may enter courthouse property, and may observe in-courtroom proceedings subject to the assigned judge's safety protocols and courtroom capacity limitations. For further information see: <https://www.cand.uscourts.gov/notices/access-to-court-hearings/>
- The Department of Transportation has a rule defining the rights of passengers and the obligations of airlines under this law. This rule applies to all flights of U.S. airlines, and to flights to or from the United States by foreign airlines. For further information, please see: <https://www.transportation.gov/airconsumer/passengers-disabilities>

Attorneys for the Foster Family:

Albert G. Stoll, Jr., A Law Corporation
Albert G. Stoll, Jr., Chairman
astoll@stoll-law.com

Jessica Juarez, Senior Partner
jessica@stoll-law.com

To arrange interviews:

Please contact Lee Kumutat (415) 553-0906