



Managing Editor's Column

This is my first column as a member of the editorial board of *The Air & Space Lawyer*, and it's been more than 15 years in the making so it ought to be really good, right? Well, we'll see. For starters, I've thoroughly enjoyed working with my fellow board members, who are among some of the best lawyers in the aviation and space industries, as we have worked over the years to identify and discuss topics of interest to the Forum members and to find and assist talented and respected authors to draft articles that keep us on top of these important issues. I'm grateful for the confidence that Ken Quinn had in me when he first submitted my nomination to the editorial board. And, I'm now grateful for the opportunity to serve as Managing Editor to do what I can to assist our Editor-in-Chief, Dave Berg, and the other editorial board members as we piece articles together into an issue for our Forum members every quarter. I echo Dave's enthusiastic invitation in the last issue for anyone interested in publishing an article for *The Air & Space Lawyer* to reach out to us at any time.

In this edition of *The Air & Space Lawyer*, we have two articles on federal preemption and the turning points that may be in store for us in this area. The first discusses the market participant exception to federal preemption and the arguable expansion of that exception by the Ninth Circuit. The authors suggest that the court's decision undermines the clarity and scope of the exception and describe what that could mean to the airline industry. The second article addresses conflict preemption in the context of accident litigation involving a potential design defect. The authors explore a recent pharmaceutical case decided by the U.S. Supreme Court and explain its direct relevance to

aircraft accident cases. The authors then look at the ongoing *Sikkelee* case and whether the Supreme Court will grant certiorari and provide further clarity of the Court's view on conflict preemption or simply a view of its application in aviation-specific circumstances.

We also have an interview with Kyle Levine, General Counsel of Alaska Airlines. Kyle has been in Alaska's legal office since 2006, taking the helm in 2016, and he has been part of some significant changes at that airline and in the airline industry over the past 13 years. He brings passion and varied experience to the role, which has no doubt contributed to his success. Interestingly, when I was still at the FAA, I was fortunate to have Kyle come to work in our office as an intern, and I now am pleased to work with him as a colleague. Don't miss Kyle's suggestion of a not-to-miss opportunity when visiting Seattle.

This edition of *The Air & Space Lawyer* coincides with the Forum's Annual Meeting and Conference and a change in Forum leadership. The conference in Seattle promises to be a great opportunity to hear lively discussions on the current topics in aviation and space law, and the city of Seattle is a perfect setting to keep the enjoyment of aviation and space interests going after the presentations are over. We thank Andrea Brantner for leading the successful effort to prosper and grow the Forum over the last two years. And we look forward to Jennifer Trock's stewardship over the Forum's continued surge during the next two years. If you're wondering if we're having fun, we are!

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