

MATTHEW TODD WINER

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EXPERIENCE:

Jet Management Associates, LLC (JMA)

Founder/Director

Miami, FL
2011 - Present

- Provide litigation support for owners in disputes with their aircraft management provider, disputes with aircraft manufacturers, insurance companies and disputes with outside service providers (ie: maintenance facilities)
- Provide real-time owner's proxy operations and charter sales oversight and aircraft operations accounting, including a full suite of financial statements/reports. Assist in the lease agreements negotiations
- Audit private flight department operations and financial data to ensure all costs are in line with industry standards

Written Works: Copyright 2010: Charter Broker's Bill of Rights (CBBR), **Blog:** Do You Know Your Aircraft Management Company, **White Paper:** How To Choose The Right Aircraft Management Company, **Publication Citings:** *Business and Commercial Aviation, Aviation International News, Aviation Week, Avinode, Business Jet Traveler, Business Air, Corporate Jet Investor, FlyCorporate, South Florida Business Journal, Wings Magazine, and Executive and VIP Aviation International.*

Executive Air Services, LLC (EAS Charter)

President/CEO (sold shares 9/1/12)

Opa-locka, FL
2010 - 2012

- Built fleet from 3 to 14 Part 91 and 135 Aircraft (Avanti II, Lear31/55/60, Excel, G3/4SP/550, 601/Global)
- drafted, negotiated, and published all mgmt contracts, operating agreements, and ex/non-exclusive leases
- Built staff from 6 to 19 employees and 8 to 25 pilots, opened offices in Ft. Lauderdale and NJ
- Obtained Wyvern Wingman, IS-BAO Stage I & II, Re-certified ARG/US Platinum, FAA Pilot SMS Program

(Revolution Air prior) Prudential Aviation, Inc.

Co-Founder (bought out partner in 2010/merged with EAS, sold shares 9/1/12)

Miami Beach/Opa-locka, FL

2005 - 2012

- Managed daily operations of a 3-4 person, \$6-8MM annual sales, charter brokerage firm
- Approved all sales and contracts, oversaw daily ops, all accounting/annual budgets and Part 91 mgmt.

LITIGATION AND PRIVATE OWNER DISPUTE EXPERIENCE (RECENT):

Insured Aircraft Title Service, Inc. v. Bernstein Services, Inc.; International Aviation Services (VIP) Corp.; Xtrordinair Aviation, Inc.; and Aero Taxis Metropolitanos S.A. de C.V. District Court of Oklahoma County, State of Oklahoma

Case No. CJ-2012-7740

Issues: Foreign purchaser of Gulfstream 550 traded in a Gulfstream V. The transaction was "back-to-back-to-backed". Multi-million dollar escrow dispute, interpled into the court in OKC. Questions of: aircraft valuation, diminution in value, fraud, EASA delivery conditions, industry standard back-to-back transactions.

Services Provided: Hired to provide strategic litigation support and publish an expert report and testify on back-to-back, and back-to-back-to-back transactions, standard aviation transactional contracts, and aircraft valuation.

Adrian Cervantes Covarrubias v. Gregory Ed. Dukes; Houston Aviation Technical Services Inc; Alliance Airparts, Inc; Carlos Ryerson; Ryerson and Associates, P.C.; Management by GT Services Inc.; Case no. NO.1:14-cv-00379-LY United States District Court for the Western District of Texas, Austin Division:

Issues: Foreign buyer of U.S. registered aircraft. Involved were issues of: Non-Citizen Owner Trust drafting, execution and FAA notice, Breach of fiduciary duty, Breach of Contract, Theft, Fraud, aircraft valuation at the time of the alleged theft/fraud.

Services Provided: Represented the Plaintiff Buyer, and wrote expert report relating to all of the above claims, based upon the weight of the evidence.

Arrowhead Aviation Purchase Dispute Against Neumeyr Fuggerate II GbR (No Action Filed):

Issues: Foreign owned/registered Citation Excel sold to American buyer, had airframe and engine corrosion issues beyond limits, which required extensive remediation, time and expense. Breach of contract claims by both parties

Services Provided: Represented the buyer with buyer's claim to the original aircraft deposit. Reviewed APA, inspection reports, email correspondence and legal representative official correspondence, and worked with Buyer's counsel to confirm strategy.

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JG Asset Management & GII-78 Holdings Insurance Claim Under Meadowbrook Insurance (No Action Filed):

Issues: Foreign registered aircraft ferried to the U.S. to be monetized by full sale, parts sale, different use. In-air incident causing damage to the aircraft. Diminution in whole aircraft value, diminution in engine value, potential fraud issues.

Services Provided: Originally hired by one party to protect ownership interests. Upon insertion, hired by both parties to re-draft all j.v. agreements, consolidate and coordinate docs, and represent their interests against insurance carrier and insurance agency (issues involving Errors & Omissions coverage).

ERDL Purchase Dispute Against Cessna Aircraft Co. and Authorized Sales Agent (No Action Filed):

Issues: Foreign ownership Entity purchased Cessna aircraft from an authorized Cessna agent. Issues of time of essence clause in the P&S Agreement, misuse of escrowed funds, dispute on sales finance charges, complex chattel finance.

Services Provided: Represented buyer in dispute with seller and Cessna—QB'd deal and liaised with both parties while working with buyer's counsel to draft all correspondence, amend P&S Agreement, interface with financial institutions and escrow agents.

Meyer Chatfield Aviation Services LLC vs. Cessna Aircraft Co; Penn Eastern District Court, Case:

2:2012cv03266

Issues: Damages as a result of lost charter revenue, Negligence, Diminution of Value, NY Lien Law, Conversion

Services Provided: Involved in the dispute for 23 months. Provided support to Plaintiff's counsel, relating to invoice padding, over-charging, customary aviation lien scenarios, aircraft damage and diminution in value, maintenance inspection contracts, industry standards of maintenance. Prepared experts on charter revenue damages and diminution of value, and provided real-time litigation support

Talon Air, Inc. v.s. DGC Air, Inc. and JAS Enterprises, Inc.; New York Eastern District Court, Case:

2:2013cv02491

Issues: Breach of Contract with funds in dispute, Counterclaim for malicious prosecution, overcharging fees

Services Provided: Full aircraft operations accounting audit, including part 91 aircraft operating expenses, Part 135 charter revenue and accounting, audit of all aircraft flight and maintenance logs. Assist in answer prep, motions, and counterclaim.

EDUCATION:

VERMONT LAW SCHOOL, Juris Doctor, May 2002

South Royalton, VT

BABSON COLLEGE, B.S. May 1994, Major: Finance & Investments, Minor: Sociology

Wellesley, MA