

Stealth Trans-Border Aircraft Repossessions

How to Best Recover that Asset in a Foreign Jurisdiction through
Planning, Persuasion and Perseverance

**Some Case Studies, both Humorous and a little Scary
(and Lessons to be Learned)**

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- I. Basic rules & guidelines
 - A. Good lending/leasing documentation (jurisdiction, self-help, hangar access, treaties, record copying and insurance, all included)
 - B. Invoke treaties (Rome, Geneva & Cape Town) regardless of location of aircraft
 - C. Keep good representations of books, logs and records
 - D. Mandate stealth insurance with open pilot warranty
 - E. Give copy of documents to civil aviation authority
 - F. Have good worldwide resources
- II. Our rules today
 - A. If you are out of business, or you give me permission, we name names
 - B. Illustrative vs. self-deprecation
- III. First repossession – “*Be prepared Boy Scouts, airplanes move*”
 - A. Security Pacific Bank & the case of the MU-2-in-hiding
 - B. US-Mexico border jumping
 - C. Best \$200 I ever spent in Tijuana
 - D. Lesson – Take advantage of borrower’s ego & your resources
- IV. Be careful who you enlist, and who you pay – “*Don’t let the mordita bite you*”
 - A. OEM Lender’s jet vs. Foreign Corrupt Practices Act
 - B. Location – Guadeloupe (and that country dislikes self-help)
 - C. The guard who was more & \$10,000 richer

- D. Lesson – Be careful who you hire to help

- V. Rome, Geneva and Cape Town Conventions – *“The treaty can be meaty; even if you are seedy”*
 - A. First Chicago Bank vs. Dominicana B727 in the DR (Geneva)
 - B. Dodson Aviation vs. Freedom Airlines in Nigeria (Geneva & Cape Town)
 - C. Lesson – Civil Aviation folks are not treaty experts until you help them look smarter

- VI. Fleet repossessions – *“The more the hairier”*
 - A. LFC vs. National Commuter Airlines Nord 262’s
 - B. Five aircraft hidden in the Bahamas
 - C. Team (10 pilots, six mechanics & yours truly)
 - D. Lesson – might makes right, but still, do it at night

- VII. Have worldwide contacts to locate that asset – *“WWW can also stand for ‘we will win’ using the world wide web”*
 - A. London bank vs. Gibraltar borrower’s Challenger 601
 - B. NDJ is where?
 - C. Lesson – technology is truly your friend (but can be your enemy)

- VIII. Do all your research before travel – *“Two more ‘Out of Africa’ examples”*
 - A. OEM’s turbo-prop aircraft in Dakar & the gold bullion wackos of Senegal
 - B. Cops on the ground & help in the tower
 - C. US Lender vs. Nigerian Airways B747 (thank you Barcelona)
 - D. Lesson 1 - Someone will find out everything you need to know if you take the time to research & plan
 - E. Lesson 2 – you can still get burned

- IX. Have those records before you go – *“The logs, and their bark”*
 - A. Gateway American Bank vs. former PBA YS-11’s
 - B. You can fall behind quickly in record keeping
 - C. Lessons – (a) aircraft depreciate, but (b) wow, that depreciation is nuts when you don’t have the logs

- X. Conclusions (see I above)