ELECTRONICALLY FILED HOGAN LOVELLS US LLP 1 Superior Court of California, Trenton H. Norris (CA Bar No. 164781) County of Alameda 2 David M. Barnes (CA Bar No. 318547) Four Embarcadero Center, 35th Floor 01/30/2025 at 03:51:02 PM 3 San Francisco, CA 94111-4024 By: Milagros Cortez, 415.374.2300 Telephone: Deputy Clerk 4 Facsimile: 415.374.2499 trent.norris@hoganlovells.com 5 david.barnes@hoganlovells.com 6 Attorneys for Settling Defendants 7 8 SUPERIOR COURT FOR THE STATE OF CALIFORNIA 9 10 FOR THE COUNTY OF ALAMEDA 11 12 CENTER FOR ENVIRONMENTAL Case No. RG-11-600721 HEALTH, 13 Hon. Somnath Raj Chatterjee Plaintiff, 14 DECLARATION OF PATRICK WADDICK IN SUPPORT OF v. 15 **DEFENDANTS' OPPOSITION TO** 16 AERODYNAMIC AVIATION, et al., MOTION TO ENFORCE AND MODIFY **CONSENT JUDGMENT** 17 Defendants. Date: February 4, 2024 18 Time: 1:30 p.m. Reservation Number: 690015831804 19 Complaint Filed: October 20, 2011 20 21 22 23 24 25 26 27 28

DECLARATION OF PATRICK WADDICK

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I am President, Innovation & Operations, for Cirrus Design Corp. ("Cirrus"). I

submit this declaration in support of Settling Defendants' Opposition to Plaintiff Center for Environmental Health's ("CEH") Motion to Enforce and Modify Consent Judgment in the abovecaptioned matter. I have personal knowledge of the matters set forth herein. If called and sworn

as a witness, I could and would testify competently thereto.

I, Patrick Waddick, declare:

2. On January 27, 2025, Cirrus dispatched technical representatives, Nicole Linder (Director, Engineering, Mechanical Systems & Propulsion) and Josh Hoskins (Manager, Field Services) to Reid-Hillview Airport, CA, to investigate a report from a Cirrus customer who owns and operates aircraft SR22T-0027 (tail number N155KM) ("N155KM"), which is powered by a Continental Motors TSIO-550 SER piston engine. The owner reportedly began using the General Aviation Modifications, Inc. ("GAMI") G100UL fuel under the GAMI Supplemental Type Certificate in early November 2024, when it was first introduced at Reid-Hillview Airport, in conjunction with continued use of the 100LL fuel she had previously used. The customer reported leaking and paint degradation on N155KM following the use of the G100UL fuel.

- Our company technical representatives took several preliminary photographs of the aircraft damage, which were provided to me on January 28, 2025. Attached hereto as Exhibits A though F are photographs of N155KM and the affected areas, which only depict exterior aircraft images.
- 4. I was also informed that the Federal Aviation Administration San Jose Flight Standards District Office was informed of the damage to the aircraft and is investigating. To the best of my knowledge, the FAA's investigation is still ongoing.
- Cirrus has not completed a full assessment yet regarding the full extent of N155KM's damage, to include its fuel system, engine, etc.—or the associated repair costs to return N155KM to an airworthy condition.

Cirrus has found it noteworthy that these adverse effects arose relatively soon after GAMI's G100UL was introduced to the affected airplane. Additionally, Cirrus' previous

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G100UL testing has repeatedly shown that it can have adverse effects on sealants, O-ring seals, paint, and other fuel system components in Cirrus aircraft. Because of these identified material incompatibility issues, Cirrus issued Service Advisory SA24-14R1 (Transition to Unleaded Fuel and Use of Non-Cirrus Approved Fuel in SR Series Aircraft) ("Service Advisory"). Cirrus issued this Service Advisory because of our company's testing and evaluation concerns, the commercial offerings of the G100UL fuel, and our responsibility to preserve a safe experience for our customers. Attached hereto as **Exhibit G** is the Cirrus Service Advisory.

I declare under penalty of perjury under the laws of the State of California that the oregoing is true and correct. Executed this 28th day of January 2025, in Duluth, MN.

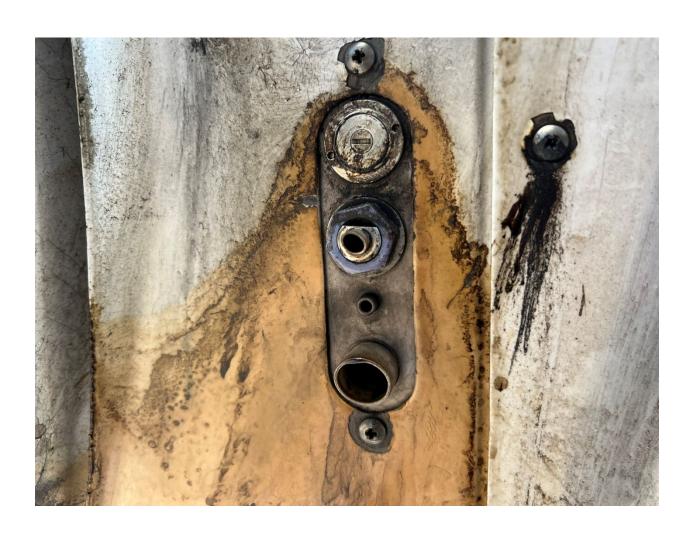
By: <u>Patrick Waddick</u> Patrick Waddick Cirrus Design Corp.

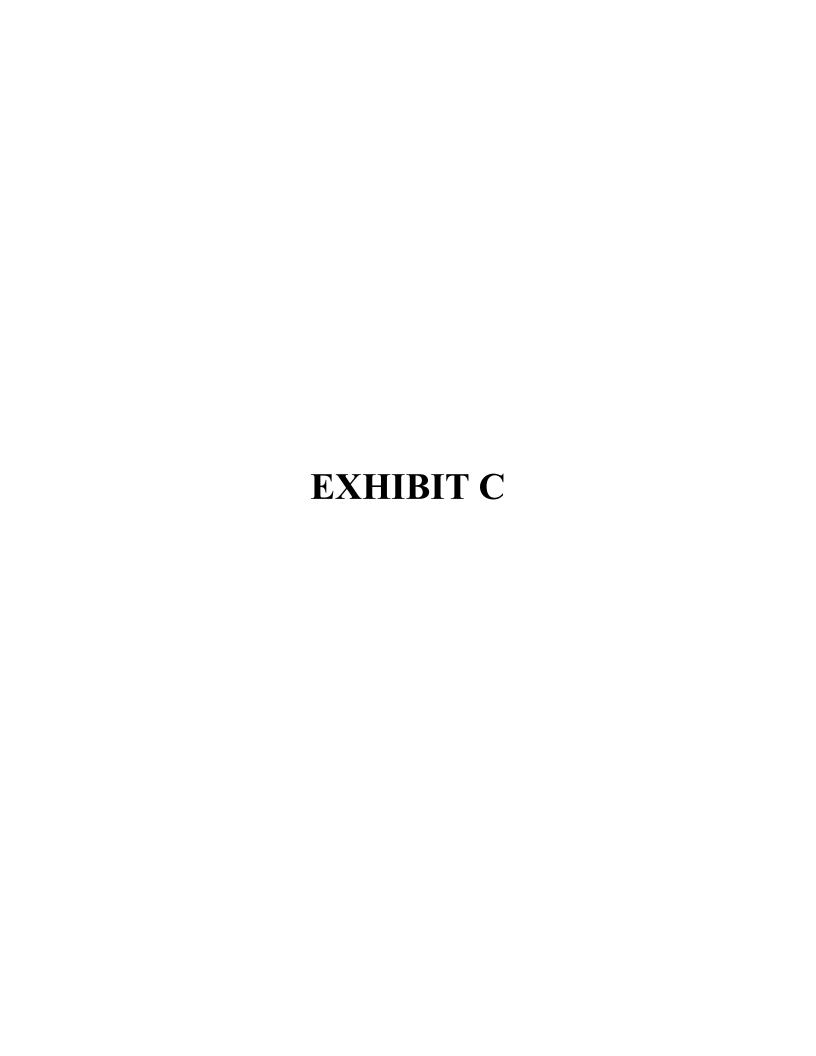
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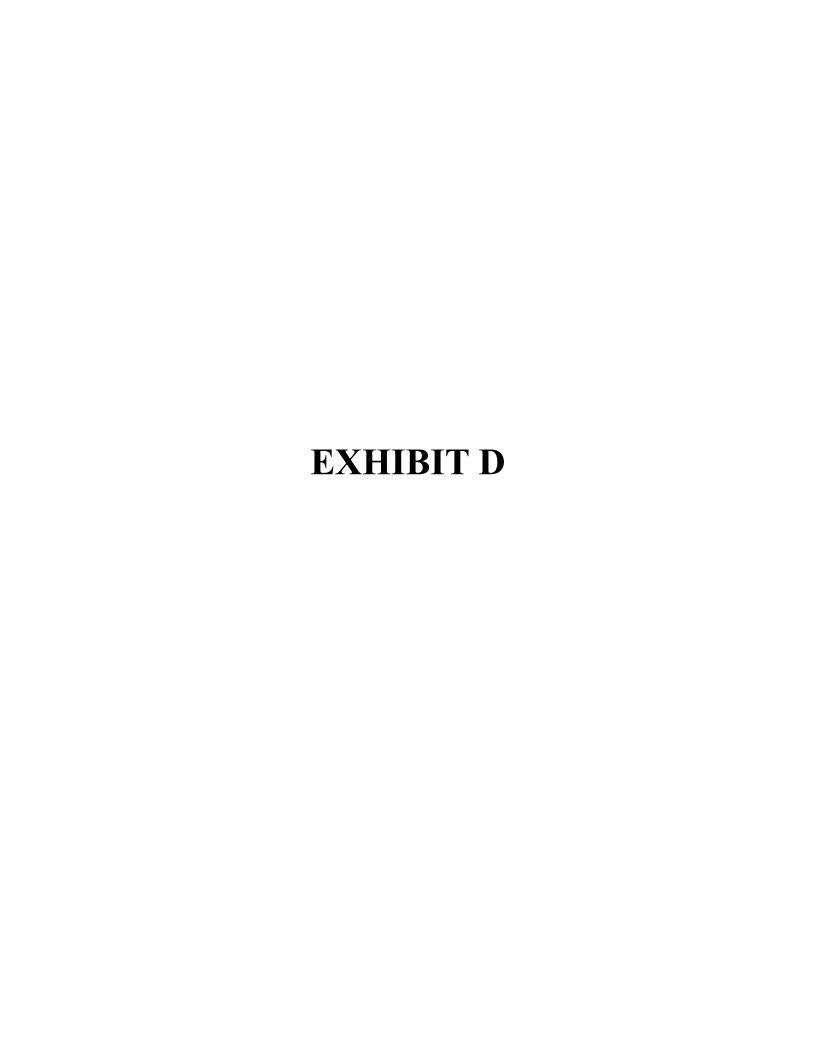




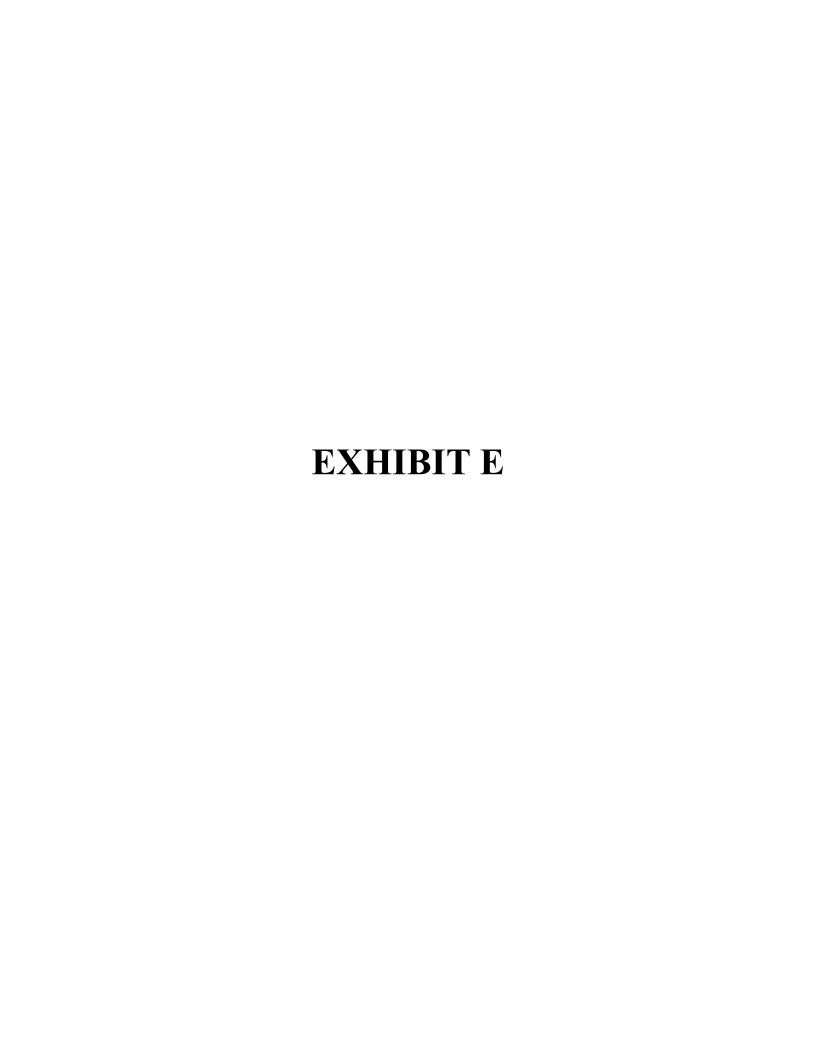




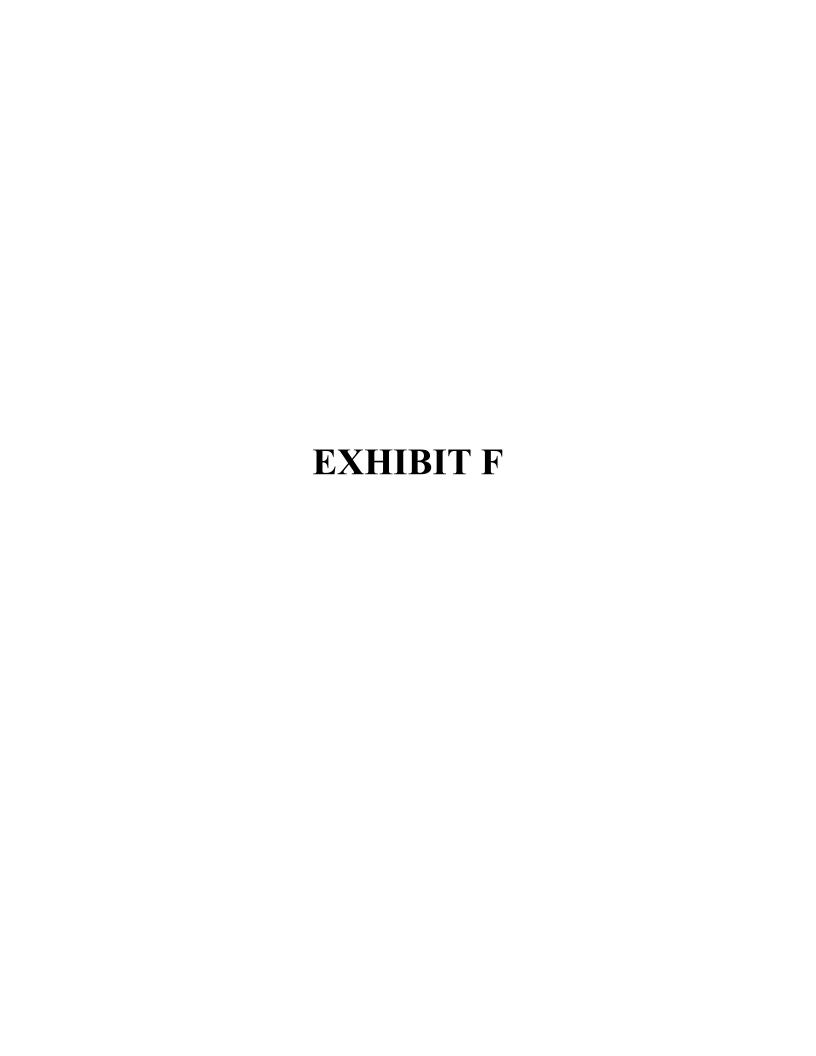


















SR2X Service Advisory

Number: SA24-14R1 Issued: 18 Jun 2024 Revised: 05 Nov 2024

SUBJECT: Transition to Unleaded Fuel and Use of Non-Cirrus Approved Fuel in SR Series Aircraft

As part of our proactive participation in the unleaded fuel initiative, Cirrus has been collaborating with potential fuel producers conducting materials compatibility and on-aircraft fuel performance testing for over a decade.

Cirrus is engaged in a comprehensive testing and evaluation program of the GAMI G100UL fuel. Working in coordination with GAMI, our key powerplant partners (Continental and Lycoming), and the FAA during this process, the goal is to ensure operational safety of both the powerplant and airframe fuel systems. While some aspects of the initial Cirrus testing of the GAMI G100UL fuel are encouraging, Cirrus has identified specific concerns regarding material compatibility. Lab and on-aircraft testing, in coordination with FAA representatives, revealed degradation of tank sealant when in contact with GAMI G100UL fuel that could result in airworthiness concerns. At this time, Cirrus does not approve the use of GAMI G100UL fuel in any Cirrus SR Series airplanes. Additionally, Cirrus currently does not warrant or represent in any way an operator's use of the GAMI G100UL fuel in SR Series airplanes.

Per Continental and Lycoming, only approved fuels may be used for an engine to be covered by warranty. As the GAMI G100UL fuel is a non-approved fuel per Continental and Lycoming, engines known to have run this fuel may not be covered by the current OEM engine warranty. For specific details, please refer to the respective Continental and Lycoming engine warranty documents.

Cirrus is dedicated to proactively addressing the evolving landscape of sustainability regulations, particularly the shift away from leaded aviation fuels. We continue to actively support industry efforts to develop, evaluate, and advance new fuels while supporting a safe industry transition to a future unleaded fuel environment.

These efforts include working directly with industry associations and all stakeholders including AOPA, GAMA, the FAA, and the FAA-Industry EAGLE program through the PAFI certification program. EAGLE is actively pursuing three potentially viable alternatives/replacements for 100LL: GAMI G100UL, LyondellBasell/VP Racing UL100E, and Swift 100R. Cirrus is dedicated to supporting all major fuel companies in their pursuit to bring alternative high-octane fuels to market.

Shell recently announced that 100VLL will be shipping to airports in Europe beginning in April 2024. Cirrus confirms this fuel can be used in all Cirrus SR Series airplanes as it complies with the ASTM D910 standard specification for leaded aviation gasoline. Please refer to FAA SAIB NE-11-55 "Grade 100VLL Aviation Gasoline," for additional details.

The continued safe operation of all Cirrus aircraft around the world remains our top priority. As progress continues, we will provide updates as soon as they are available. We look forward to ensuring a safe and smooth transition to unleaded fuel for all Cirrus SR Series owners.