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The first hearing

Thursday 17 October 2019, at 11.20 am, in front of the judge Davide Paladino, the abbreviated rite subordinated to defensive productions for the Rutor plane crash of 25 January 2019.

Philippe Michel, 64, is accused of wrongful aviation disaster for having negligent and reckless conduct, taking off from France and flying over an Italian area without paying attention to the presence of others aircraft and without having communicated their flight plan to the Control Tower of Aosta or to any other Italian or French authority. He is also accused of having violated numerous articles of the decree concerning the liberalization of use of the landing areas and, in particular, of not having transmitted the information due to the airport management and public authority territorially competent security; not having tuned his own radio on the appropriate frequency by making periodic calls to the air for report your presence; not to have ENAC validated their own requirements for piloting on snow or icy surfaces.

Finally, the investigating magistrate Carlo Introvigne accuses him of manslaughter for causing the death of Frank Henssler, Christoph Jakob, Ingrid Jakob, Max Schierer, Arnaud Gof n, Bruno Marais, Maurizio Scarpelli and the wounding by Martin Werner.

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Relatives and lawyers of the victims of the Rutor plane crash awaiting the hearing of 17 October 2019

The relatives of the victims presented themselves at the hearing, accompanied by their own Legal. An interpreter also participated in the hearing, for good reason of the accused but also of all those who have constituted a civil party.

Page 2

In this regard, it cannot be excluded that the accused will propose compensation to the relatives of the victims to make them give up this role in the criminal proceedings and, perhaps, also to avoid a civil one.

Relatives of the victims of the plane crash on the Rutor glacier and their pending lawyers of the hearing of 17 October 2019

Much of the time of the hearing was devoted to a question raised by Michel's defense regarding the establishment of a civil party of Siat (company insurance). Judge Paladino has decided not to admit it.

Fall the other issue raised by the defense regarding the establishment of civil part of Werner (only survivor, in addition to the accused) for the injuries that has undergone.

The defense asked for a shortened conditional judgment on productions documents that he provided on the spot to the other parties.

The prosecutor did not object but asked for a trial term contrary, provided for by article 438 paragraph 5 of the Criminal Procedure Code.

The prosecutor's consultant is former Air Force Colonel Alfredo Caruso, in charge of drafting partisan advice.

The hearing was therefore postponed to January 8, 2020, for the probable discussion of the abbreviated judgment. However, the judge may decide to appoint one of his consultants. In this case the date may be postponed.

The second hearing

On Wednesday January 8, 2020, the parties came together.

The second hearing for the Rutor plane crash, Wednesday 8 January 2020

The public prosecutor has asked Michel for a sentence of seven years and two months of imprisonment, already deducted from the discount of a third of the sentence for adherence to the abbreviated rite.

The consultancy commissioned by the judge to a former colonel of the air force it allegedly confirmed that the aircraft had not communicated its own presence on Italian territory, he was proceeding to a non landing authorized and had a student not qualified to fly in the mountains.

Page 3

The hearing was updated on Wednesday 29 January 2020, for any prosecutor's replies and counter-replies from other parties. To the the sentence is expected.

The sentence

On Wednesday January 29 2020, the sentence was issued. The judge felt the accused Philippe Michel guilty and sentenced him to six years and eight months of imprisonment. He also banned him from practicing the profession of pilot for five years. Michel was also sentenced to pay the court costs and compensation for damages caused to civil parties, by liquidate in civil. Michel is obliged to pay a provisional of 400 thousand euros to each of the civil parties Birnbaum-Henssler, Barbieri and Gof n, Chiara Jacob (for a total of 2.8 million euros); of 250 thousand euros in in favor of the civil parties Paolo and Scarpelli, Clementi, Max Josef Schierer and Wilhelmine Schirer (total 1.25 million euros); of 1.2 million euros in favor of Martina Eschrat Schierer, on her own and in the exercise of power parenting on minors; of 150 thousand euros in favor of Sonja Maria Theresia Schierer.

The judge ordered the transmission of the documents to the public prosecutor for how much of competence regarding the position of Jean Roulland in his as president of the Aeroclub Megève Association.

The closing hearing on January 29, 2020