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Areas of Practice

Aviation
 NEPA Infrastructure
 Projects
 Rail Transportation
 Surface Transportation
 Transportation
 Transportation of
 Hazardous Materials (DOT,
 IMO)

Education

Georgetown University
 Law Center, J.D., 1976,
 Editorial Staff, *Law and
 Policy in International
 Business*

Brandeis University, B.A.,
 1973, Phi Beta Kappa

Bar & Court Admissions

District of Columbia

David H. Coburn

David H. Coburn is a partner in Steptoe & Johnson LLP, where he is a member of the Regulatory & Industry Affairs Department. He has concentrated on transportation and administrative law for his entire career and has an extensive transportation practice with the firm, with a focus on aviation and surface transportation law and litigation.

Aviation Matters

Mr. Coburn handles all types of litigation and regulatory proceedings before the Department of Transportation, Department of Homeland Security, and the federal courts. His DOT experience encompasses contested international route proceedings, airline citizenship issues, exemption and permit applications, charter operations and code sharing, and wet leasing issues. Mr. Coburn regularly advises clients on a range of aviation security matters, including matters before the Transportation Security Administration and other units of the Department of Homeland Security. Mr. Coburn also counsels a large CRS vendor on litigation, regulatory, and commercial matters and is conversant in the range of issues relating to the marketing of airline services, including privacy and e-commerce issues. At the FAA, he has represented clients in matters involving drug/alcohol testing of aviation workers, the carriage of hazardous materials, aircraft noise rules, security issues, and Anti-Head Tax and passenger facility charge matters, among many others.

International Aviation Law Issues

In recent years, the United States has more aggressively sought to regulate the activities of foreign airlines operating to and from the United States. Mr. Coburn frequently advises foreign clients on air political issues arising from US laws sought to be applied to international airlines and on related treaty issues arising under the Chicago Convention and aviation bilateral agreements. He also advises with respect to facilitation and tax matters of interest to airlines, and he successfully litigated a federal court proceeding on behalf of numerous airlines to recover millions of dollars in detention charges from the Immigration and Naturalization Service.

Litigation of Commercial Matters

Mr. Coburn represents airline and other aviation clients in their dealings with government agencies, vendors, travel agents and consolidators, business consultants, airports, and ground handling firms. He has represented aviation clients in a variety of cases in federal and state courts arising from disputes with these and other entities.

Surface Transportation Matters

Mr. Coburn regularly represents clients in connection with motor carrier and rail cases involving regulatory and commercial issues. In the motor carrier area, where he has over 25 years of experience, he has been actively involved in drafting and reviewing transportation contracts for shippers of freight. He also

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regularly advises shippers on matters relating to cargo and freight claims and on other matters of commercial interest to entities that utilize motor carriers. Mr. Coburn also represents clients in regulatory proceedings involving motor carriage before the Surface Transportation Board and Federal Motor Carrier Safety Administration, including proceedings relating to motor carrier safety, operating authority, and the preemption of state laws. He also represents a major bus holding company in connection with regulatory and other matters of interest to motor passenger carriers, including compliance with the transportation—related requirements of the Americans with Disabilities Act. In the rail area, Mr. Coburn has been extensively involved in several rail merger proceedings before the Interstate Commerce Commission and, in more recent years, the Surface Transportation Board, as well as in litigation arising from such mergers. His practice has focused on intermodal rail transportation issues and on addressing the environmental aspects of major rail proceedings, including merger and construction proceedings. Mr. Coburn has done a considerable amount of work in the application of the National Environmental Policy Act to rail proceedings and has been extensively involved in the process in which environmental impact statements and other environmental documents have been prepared in connection with major rail construction proceedings.

Hazardous Materials Transportation

Mr. Coburn regularly advises clients, including associations of entities that transport chemicals, on matters pertaining to the transportation of hazardous materials, including compliance with the US Department of Transportation hazardous materials regulations. He has worked on the preparation of regulatory exemption applications addressed to the Department and has participated in rulemaking proceedings on behalf of several clients. Mr. Coburn also has represented surface and air carriers, as well as shippers, in administrative enforcement proceedings arising from the transportation of hazardous materials.

Mr. Coburn is former President of the Association of Transportation Law, Logistics and Policy and also serves as Vice Chair of the Transportation Committee of the ABA Section of Administrative Law and Regulatory Practice.

Select Seminars & Events

Hot Topics in Transportation Seminar, March 20, 2006, *(A Steptoe-Hosted Event)*

Selected Publications

Transportation Safety Update
Planned Opening of Border to Mexican Truck Remains a Hot Safety Topic
Spring 2007