

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Tavantzis v. American Airlines, Inc.

Tavantzis · No. 23-cv-05607-NW · Decided September 15, 2025

SUMMARY

The United States District Court for the Northern District of California denied American Airlines' Rule 50(a) motion for judgment as a matter of law in a jury trial involving alleged violations of airline policies and Article 17 of the Montreal Convention. The court held that conflicting testimony regarding a flight attendant's response to a passenger's stroke symptoms could allow a reasonable jury to find for the plaintiffs.

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
ANA MARIA MARCELA TAVANTZIS, et Case No. 23-cv-05607-NW al., 8 Plaintiffs, ORDER
DENYING DEFENDANT'S 9 MOTION FOR JUDGMENT AS A v. MATTER OF LAW 10
AMERICAN AIRLINES, INC., Re: ECF No. 180 11 Defendant. 12 13 Since September 8, 2025,
the Court has been presiding over the jury trial of the above 14 referenced action.

On September 10, 2025, Plaintiffs Tavantzis and Plasencia ("Plaintiffs") rested, 15 and American Airlines filed this motion for judgment as a matter of law. Mot. for J. as a Matter of 16 Law ("JMOL"), ECF No. 180. The allegations and legal questions at issue in this matter are well 17 known to the court and the parties, so the court does not recite them now.

18 Before a case is submitted to the jury, a party may move for judgment as a matter of law if 19 the parties that there is no legally sufficient evidence to support the opposing party's claim or 20 defense. Fed. R. Civ. P. 50(a). "When the jury is the trier of fact, judgment as a matter of law is 21 appropriate only if no reasonable jury could find in favor of the non-moving party." Smith v. Cty.

22 of Riverside, 2019 WL 2902504, at *4 (C.D. Cal. May 28, 2019). "[T]he court must draw all
23 reasonable inferences in favor of the nonmoving party, and it may not make credibility 24
determinations or weigh the evidence." Reeves v. Sanderson Plumbing Prod., Inc., 530 U.S. 133,
25 150 (2000) (citation omitted). "Credibility determinations, the weighing of the evidence, and
the 26 drawing of legitimate inferences from the facts are jury functions, not those of a judge." Id.
27 (quotation and citation omitted). "[T]he court should give credence to the evidence favoring
the] unimpeached, at least to the extent that that evidence comes from disinterested witnesses." 2
|| Reeves, 530 U.S. at 151 (quotation and citation omitted).

3 American Airlines’ motion contends that Plaintiffs failed to demonstrate that American 4 ||
Airlines acted in violation of its manual during the course of Flight 68. According to American 5 ||
Airlines, “a failure to provide adequate medical assistance to a passenger, without more, such as a
6 || substantial deviation from the airline’s policies and procedures or industry standard, is not an 7
‘accident’ under Article 17 of the Montreal Convention.” JMOL at 16.

Even assuming American 8 || Airlines is right—and the dearth of law on the Montreal Convention
makes that impossible to 9 || confirm—the Court is not convinced that Plaintiffs failed to provide
evidence that American 10 || Airlines acted outside the scope of its policies and procedures.

As has been discussed frequently 11 during the trial, American Airlines’ in-flight manual included
various stroke symptoms that flight 12 || attendants were expected to know. Conflicting testimony
was presented to the jury regarding 13 || whether Flight Attendant Eccles failed to properly act on
that knowledge, either at the beginning 14 || of the flight or an hour and a half in.

That testimony could lead a reasonable jury to find that 3 15 || American Airlines violated its
policies and procedures. The Court will not take the decision out of a 16 || the jury’s hands on
those grounds. 17 Defendants’ Rule 50(a) motion is DENIED. 18 IT IS SO ORDERED. 19 ||
Dated: September 15, 2025 Noël Wise 2] United States District Judge 22 23 24 25 26 27 28