



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

Enforcement Division
Midwest Team
2300 E. Devon Avenue
Des Plaines, IL 60018

U.S. CERTIFIED MAIL, RETURN-RECEIPT REQUESTED
and FIRST-CLASS MAIL

April 28, 2016

CopterMobi, Ltd.
c/o Mr. Mical Caterina



RE: **CopterMobi, Ltd., Case No. 2015-GL-15-0096**

AMENDED

Dear CopterMobi, Ltd., c/o Mr. Mical Caterina:

Based upon the following facts and circumstances, it appears that CopterMobi, Ltd. has violated the regulations of the Federal Aviation Administration for the following reasons:

- 1) On or about August 15, 2015, CopterMobi, Ltd. operated an Unmanned Aircraft System (UAS) in the vicinity of the Conway Community Recreational Center, St. Paul, Minnesota (the flight).
- 2) The civil aircraft referenced above is an Unmanned Aircraft System as defined in Section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95) (FMRA).
- 3) The flight was being operated to provide aerial photography for an event related to the late Cecil the Lion.
- 4) The flight was not being operated for hobby or recreational purposes.
- 5) You operated the flight within 3 miles from St. Paul Downtown Airport (KSTP) in Class D airspace, and did not provide the airport operator and KSTP Air Traffic Control (ATC) with prior notice of your operation.
- 6) You did NOT establish two-way communication with ATC before operating the aircraft in Class D airspace
- 7) During the flight you flew within 100 feet of a Robinson R22 helicopter, registered as N7195E.

- 8) The aircraft CopterMobi, Ltd. operated during the flight was not registered with the Federal Aviation Administration and did not have a valid U.S. registration certificate.
- 9) The aircraft CopterMobi, Ltd. operated during the flight did not have an appropriate and current airworthiness certificate.
- 10) The flight was conducted at an altitude that in the event of a power failure, the aircraft may cause undue hazard to persons or property on the surface.
- 11) CopterMobi Ltd's operation, as described above, endangered the National Airspace System.
- 12) CopterMobi Ltd's operation, as described above, constituted careless or reckless conduct so as to endanger the life or property of others

By reason of the foregoing, it appears that CopterMobi Ltd. failed to comply with the following Federal Aviation Regulations:

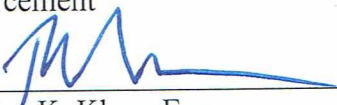
- a) **14 C.F.R. § 47.3(b)**, which states in relevant part that no person may operate an aircraft that is eligible for registration under 49 U.S.C. 44101-44104, unless the aircraft—(1) Has been registered by its owner; (2) Is carrying aboard the temporary authorization required by §47.31(c); or (3) Is an aircraft of the Armed Forces;
- b) **14 C.F.R. § 91.13(a) (non-residual)**, which states in relevant part that no person may operate an aircraft in a careless or reckless manner so as to endanger the life or property of another;
- c) **14 C.F.R. § 91.119(a)**, which states in relevant part that except when necessary for takeoff or landing, no person may operate an aircraft below the following altitudes: (a) Anywhere. An altitude allowing, if a power unit fails, an emergency landing without undue hazard to persons or property on the surface.
- d) **14 C.F.R. § 91.129(c)(1)**, which states in relevant part that each person operating an aircraft in Class D airspace must establish two-way radio communications with the ATC facility providing air traffic services prior to entering that airspace and thereafter maintain those communications while within that airspace.
- e) **14 C.F.R. § 91.203(a)(1)**, which states in relevant part no person may operate a civil aircraft without an appropriate and current airworthiness certificate within it

Pursuant to 49 U.S.C. § 46301(a)(5), CopterMobi, Ltd. is subject to a civil penalty not to exceed \$11,000 for each violation of the Federal Aviation Regulations. Under 49 U.S.C. § 46301(a)(2), a separate violation occurs for each flight involving the violation. After careful consideration of all available information, we are willing to accept **\$55,000** in settlement of this matter.

We will take no further action for a period of 30 days after your receipt of this letter to afford CopterMobi, Ltd. an opportunity to submit the suggested amount in settlement or furnish additional information pursuant to the procedures described in the enclosure. Please direct all communications to Brian K. Khan, 2300 E. Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7652, fax (847) 294-7498.

Peter J. Lynch
Assistant Chief Counsel
for Enforcement

By:



Brian K. Khan, Esq.
Federal Aviation Administration
Enforcement Division, Midwest Team
2300 E. Devon Ave.
Des Plaines, IL 60018
Email: brian.k.khan@faa.gov
Telephone: (847) 294-7313 (main)
(847) 294-7652(direct)
(847) 294-7498 (fax)

Enclosures: Information Sheet and Reply Form
Instructions for Electronic Payment