

## Judge won't dismiss friendly fire suit

*by UPI*

BOSTON -- A Raytheon executive says the military knew of problems with the Patriot Missile system before a U.S. Navy pilot was shot down by friendly fire. Nathan White died in April 2003 during the invasion of Iraq when a Patriot Missile hit his fighter jet. His family has sued Raytheon, the defense company based in Massachusetts that manufactures the Patriot. Raytheon's motion to dismiss the lawsuit was denied Dec. 19 by a federal judge in Massachusetts. The statement by Daniel Kirby, Raytheon's combat development director, was included in the motion, the Salt Lake City Tribune reported. The newspaper suggested that Raytheon hopes to shift legal liability to the military, which is immune from lawsuits. A military spokesman said the Patriot remains "the best anti-aircraft system in the world." He said the Defense Department has acknowledged for several years that the system is not 100 percent reliable about distinguishing enemy aircraft from others.

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