



September 14, 2026

Carolyn A. Dubay, Secretary
Committee on Rules of Practice and Procedure
Administrative Office of the United States Courts
One Columbus Circle, NE, Room 7-300
Washington, D.C. 20544

Re: Disclosure of Third-Party Participation in Litigation

Dear Ms. Dubay:

On behalf of Robinson Helicopter Company, Inc. (“Robinson”), we write in support of the proposal submitted by Lawyers for Civil Justice and the U.S. Chamber Institute for Legal Reform to amend Rule 26(a)(1)(A) of the Federal Rules of Civil Procedure to require disclosure of third-party litigation funders and associated funding agreements. Although Robinson has already joined a broader industry letter supporting the proposal, we felt it important to separately express our strong support for the amendment because of the unique risks that undisclosed third-party litigation funding presents to aviation manufacturers and other companies whose litigation frequently involves sensitive technical and proprietary information.

Courts and litigants should know when nonparties have a financial interest in litigation and whether that interest may affect the conduct or resolution of a case. Basic transparency regarding the stakeholders behind litigation promotes fairness, informed decision-making, and confidence in the judicial process. It also helps ensure that courts and litigants understand who may have access to confidential information and who has the power to influence litigation strategy.

Robinson is a California-based aviation manufacturer and one of the world’s leading producers of civil helicopters.¹ As a general aviation manufacturer, Robinson regularly participates in complex litigation involving aircraft design, certification, manufacturing, and accident investigation. These cases often require the production of highly sensitive engineering, testing, certification, manufacturing, and other proprietary materials developed through decades of American investment and innovation. The production of those materials necessarily requires Robinson to entrust valuable intellectual property and technical information to participants in the litigation process. Robinson is particularly concerned that third-party funding arrangements may permit undisclosed non-parties to gain access to confidential discovery materials, thereby undermining the ability of producing parties and courts to assess who may receive proprietary information and whether existing protections are sufficient to safeguard it.

Robinson therefore has a significant interest in ensuring that courts and litigants understand whether third-party funders may have access to, influence over, or a financial interest in litigation involving such information. Disclosure is particularly important where Robinson has produced

¹ *About*, ROBINSON HELICOPTER COMPANY, INC., <https://www.robinsonheli.com/about> (last visited Sept. 4, 2026).



the same sensitive engineering and technical materials across multiple matters, each potentially involving different undisclosed funders. Without disclosure of third-party litigation funders, Robinson cannot meaningfully assess the risks associated with repeated productions of sensitive technical information across multiple matters. That lack of transparency also leaves Robinson with no practical means of determining whether already-produced proprietary information has been accessed, shared, or otherwise exploited by persons or entities whose involvement in a litigation was never disclosed. In an era of increasing concern regarding economic espionage and the protection of critical domestic industries, transparency concerning nonparty funders is important not only to protect intellectual property, but also to safeguard the technological and industrial capabilities that underpin American competitiveness and national security.

Robinson is additionally concerned that the persistence of undisclosed third-party litigation funding may further transform civil litigation into a speculative investment vehicle. The civil justice system exists, in part, to resolve legitimate disputes and compensate genuine injuries, not to create opportunities for outside investors, whose interests might be different from the named parties, to influence lawsuits while remaining hidden from the parties and the court. At a minimum, when a third-party funder acquires a financial stake in a case and may influence litigation strategy or settlement decisions, that involvement should be disclosed. The same principles that require disclosure of insurance agreements support disclosure of litigation funding arrangements so that litigation decisions are made based on knowledge rather than speculation.

A straightforward federal disclosure rule would promote transparency, protect confidential information, improve the administration of justice, and ensure that courts and litigants are aware of the stakeholders with a financial interest in a case. Robinson therefore respectfully urges the Advisory Committee and its TPLF Subcommittee to propose amending Rule 26(a)(1)(A) of the Federal Rules of Civil Procedure to require disclosure of third-party funders and applicable agreements.

We appreciate the Committee's attention to this important matter.

Respectfully,

A handwritten signature in blue ink, appearing to read "David Smith".

David Smith
President & Chief Executive Officer
Robinson Helicopter Company, Inc.

A handwritten signature in blue ink, appearing to read "Tim A. Goetz".

Tim A. Goetz
Senior Vice President & Chief Legal Officer
Robinson Helicopter Company, Inc.