

**PUBLISH**

**IN THE UNITED STATES COURT OF APPEALS**

**FOR THE ELEVENTH CIRCUIT**

No. 95-8459	<b>FILED</b> U.S. COURT OF APPEALS ELEVENTH CIRCUIT 09/25/98 THOMAS K. KAHN CLERK
D.C. Docket Nos.    1:91-CV-2399-ODE 1:91-CV-2400-ODE 1:91-CV-2401-ODE	

STACY C. GRAY, individually and as Surviving Spouse  
of Lt. Douglas G. Gray, and as Personal Representative of  
Lt. Douglas G. Gray, deceased,

Plaintiff-Appellee, Cross-Appellant,

versus

LOCKHEED AERONAUTICAL SYSTEMS COMPANY,  
a division of Lockheed Corporation,

Defendant-Appellant, Cross-Appellee,

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GRACE M. SCHUMACHER, individually and as Surviving  
Parent of Lt. John T. Hartman, and as Personal  
Representative of Lt. John Hartman, Deceased,

Plaintiff-Appellee, Cross-Appellant,

versus

LOCKHEED AERONAUTICAL SYSTEMS COMPANY,  
a division of Lockheed Corporation,

Defendant-Appellant, Cross-Appellee,

-----

WILMA J. JENNINGS, individually, and as Surviving Parent  
of Lt. David S. Jennings, and as Personal Representative  
of Lt. David S. Jennings, Deceased,

Plaintiff-Appellee, Cross-Appellant,

versus

LOCKHEED AERONAUTICAL SYSTEMS COMPANY,  
a division of Lockheed Corporation,

Defendant-Appellant, Cross-Appellee,

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Appeal from the United States District Court  
for the Northern District of Georgia

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**(September 25, 1998)**

ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before HATCHETT, Chief Judge, TJOFLAT, Circuit Judge, and CLARK, Senior Circuit Judge.

PER CURIAM:

This case is before the court on remand from the United States Supreme Court for further consideration of our earlier opinion in light of Dooley v. Korean Air Lines Co., Ltd., 118 S. Ct. 1890 (1998). In accord with the Court's opinion, we reverse our previous holding that appellees may recover damages for pain and suffering on their survival action claims based on general maritime law in conjunction with the Death on the High Seas Act, 46 U.S.C. App. §§ 761-768. See Gray v. Lockheed Aeronautical Sys. Co., 125 F.3d 1371, 1381-86 (11th Cir. 1997). We affirm the remainder of our decision that does not touch such survival action claims, and remand to the district court for further proceedings consistent with our decision and Dooley.

**REVERSED IN PART and REMANDED.**