



News Releases Articles Editorials Reports Books Maps Forums Letters Search Permissions Services Links Contact

## **Plaintiffs Score Early Victory Against Turkish Banks in Armenian Genocide Lawsuit**

Posted GMT 8-13-2011 1:29:24

Los Angeles -- On August 2, 2011, a U.S. federal district court in Los Angeles handed Armenian plaintiffs an early victory in what will surely be a difficult legal battle over reparations for land seized from Armenians in Turkey during the Armenian Genocide (Alex Bakalian et. al vs. Republic of Turkey, the Central Bank of Turkey, and T.C. Ziraat Bankasi et. al, Case Number 2:10-CV-09596, December 15, 2010). Nearly eight months after the complaint was filed, the court determined that all three defendants, in a first-of-its-kind lawsuit in the United States, had been lawfully served.

The lawsuit, filed by descendants of Armenian Genocide victims, accuses the defendants of stealing and then profiting from land that was illegally seized during the Armenian Genocide, when the Ottoman Turks drove Armenians from the Adana region of southern Turkey. The property at issue in the lawsuit is currently part of a strategic U.S. airbase in southern Turkey.

Representing the plaintiffs are the Yeghiayan Law Firm in Glendale, Schwarcz, Rimberg, Boyd & Rader, LLP in Los Angeles and Michael Bazylar from Chapman University School of Law in Orange.

The plaintiffs have spent recent months attempting to serve all the defendants, and then to have the court affirm their service efforts. In the August 2 order, the court denied Central Bank of Turkey and Ziraat Bank's motion to dismiss the complaint for insufficient service of process. The court acknowledged that the plaintiffs presented "credible evidence that their process servers made several attempts to serve the bank defendants at addresses in "New York City... [and] were repeatedly denied access to the buildings and [were even]...misdirected as to Ziraat Bank's actual location."

The court further found that the banks' security guards had "engaged in behavior apparently designed to thwart service of process." The banks did not deny having actual knowledge of the pending lawsuit, and thus the court ordered them to serve a responsive pleading to the complaint by August 19.

The court additionally recognize that the Republic of Turkey had also been recently served with the complaint through diplomatic channels--a lengthy process involving high-level contacts between the U.S. Embassy in Ankara, Turkey, and the Turkish Foreign Ministry--and must also file papers responding to the complaint by August 19.

"From the outset, the banks have sought to make it as difficult as possible to litigate this lawsuit," says Vartkes Yeghiayan with the Yeghiayan Law Firm. "Finally, after months of maneuvering and numerous attempts to evade service, the U.S. federal court has required all three defendants to respond to the Armenians' complaint."

By Diane Rumbaugh  
<http://your-story.org>

© 2011, Assyrian International News Agency. All Rights Reserved. [Terms of Use.](#)