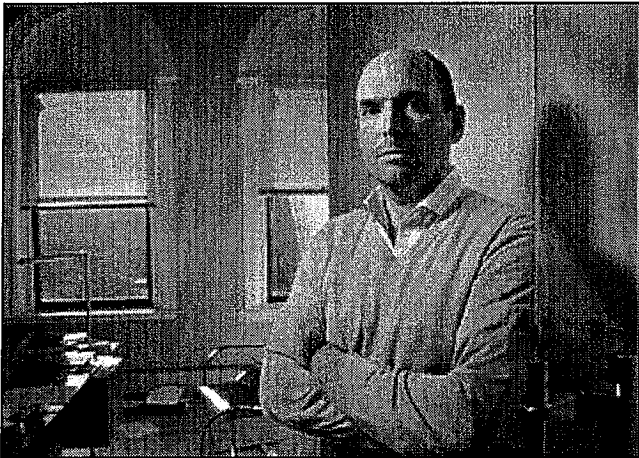


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Portland attorney wins \$25B terrorism judgment

By [Noel K. Gallagher](mailto:Noel.K.Gallagher@mainetoday.com)
Staff Writer

PORTLAND — A Portland attorney who specializes in representing American victims of terrorism has won a \$25 billion judgment against the Syrian government for attacks at airports in Rome and Vienna in 1985 that killed 19 people and injured 107.



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Portland attorney Ron Jenkins in his Portland office: "These lawsuits which target the state sponsors are putting pressure where it belongs."

John Ewing / Staff Photographer

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The judgment appears to be one of the largest in U.S. history. By comparison, the largest environmental judgment is the \$20 billion that BP agreed to pay to compensate victims of the Gulf oil spill in 2010.

"It's intended to punish and deter Syria and others from this kind of state-sponsored terrorism," said Ron Jenkins, owner of the Meridian 361 law firm. "If there is no state sponsorship, terrorist organizations can't exist. These lawsuits which target the state sponsors are putting pressure where it belongs."

Jenkins said he represented 25 people who were injured or whose family members died in the simultaneous attacks on Dec. 27, 1985, when four terrorists with machine guns opened fire at the airport in Rome and threw hand grenades into lines of passengers checking in at El Al and TWA

counters.

In Vienna, four terrorists attacked the airport in the same manner.

Jenkins said no one represented Syria at trial, and the award was a default judgment.

In his judgment Wednesday, which awarded \$1 billion to each plaintiff, Judge John M. Facciola cited evidence presented at trial that included testimony from family members of victims and confessions obtained by Jenkins and other lawyers from terrorists who were in prison in Rome and Vienna.

"The Rome and Vienna Airport attacks could not have taken place without Syria's direct support," Facciola ruled.

The \$1 billion-per-plaintiff figure includes punitive damages of \$150 million per plaintiff and 7 percent annual interest on that amount from 1985 to 2013.

Jenkins said he is confident that he will collect on the judgment, despite the civil war now raging in Syria and other challenges in such a case.

"Every time I've ever sued a foreign sovereign, I've collected," he said, including "hundreds of millions of dollars" from Libya in previous cases.

Jenkins, who also specializes in offshore asset protection, said he has identified Syrian assets outside of that country, but he would not comment further on how he plans to collect the judgment.

Jenkins said he got involved in the case at the request of the mother of one of the men who was killed in Rome. The man was studying in Italy and was on his way home for his father's birthday.

"He never made it," Jenkins said Friday. "Instead, his family got a call from the State Department."

In addition to the Syrian Arab Republic, the lawsuit named Syrian Air Force Intelligence and Gen. Muhammed Al-Khuli as defendants.

The Syrian government, Jenkins argued, sponsored and supported the Abu Nidal Organization, provided it with as much as \$700,000 a year for expenses, and provided housing and transportation.

"(The terrorists) were trained in camps with regular Syrian forces, put up in safe houses in Damascus, and they couldn't have come and gone without the knowledge and permission of the Syrian government," Jenkins said.

Jenkins and attorneys from two other law firms filed the lawsuit under a 1996 amendment to the Foreign Sovereign Immunities Act that allowed Americans to sue countries identified as sponsors of terrorism by the State Department. All cases under the law are tried in federal court in Washington, D.C.

The plaintiffs initially filed in 2006. The case was dismissed in 2007, when a judge ruled that because it was filed more than 10 years after the attacks, it was outside the statute of limitations.

Jenkins then persuaded Congress to amend the Foreign Sovereign Immunities Act again, after

visiting lawmakers with some of the victims' families.

The act was amended in 2008 to allow the 10-year period to begin in 1996, when the law first passed, and the suit was refiled.

Todd Buonocore, who lost his brother John in the attack in Rome, said: "While we are pleased with the judgment of the court, no compensation can bring John back or allow us to spend even another second together as a family. Bashar al-Assad has slaughtered 60,000 of his own people in the last two years. My thoughts and prayers are with the Syrian people."

Attorneys from Heideman Nudelman & Kalik, and the Perles Law Firm, both of Washington, D.C., were co-counsel on the case.

Richard D. Heideman, the lead trial counsel, said in a release, "This judgment is an important statement of the Court intended to punish Syria for its past acts and serve as a deterrent against future Syrian terrorism."

Asked whether such judgments deter terrorism, K. Alexa Koenig, executive director of the Human Rights Center at the University of California School of Law in Berkeley, said in an email: "While I'm skeptical as to whether the impact of such judgments could be measured in any meaningful way, certainly any tools that can be used to mitigate the threat of terrorism are laudable. At a minimum, such judgments send a strong symbolic message about the extent to which terrorist acts are condemned."

While noting the challenge of collecting on the judgment, Jenkins said there are advantages to suing sovereign nations.

"You know where they are, they have reputational and public relation concerns, and they typically have resources," he said. "In that sense, they are a bit of a sitting duck."

As for dealing with the Syrian leadership, he noted that President Bashar al-Assad is the son of Hafez al-Assad, who was in power at the time of the airport attacks.

"There has been a changing of the guard in that family, but it's a continuation of the regime," Jenkins said.

Jenkins said he got into his area of law in part from knowing several people who were killed in the Pan Am 103 Lockerbie bombing in 1988. It is satisfying work and acts as a deterrent to terrorism, he said.

"Here you have individuals and families asserting the rule of law against the lawlessness of terrorism," Jenkins said. "It's an almost uniquely American phenomenon."

Last year, Jenkins sued Syria and Syrian Military Intelligence in connection with the 2005 bombings of three hotels in Jordan, which killed more than 60 people and injured more than 300.

In 2010, he sued Syria in connection with the assassination of U.S. diplomat Laurence Foley in Amman, Jordan, in 2002, and for the kidnapping, torture and public executions of U.S. servicemen in Iraq.

Jenkins said he has several lawsuits under way representing other victims of the 1985 airport attacks whose family members came forward after the first case was filed.

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