

**APPEALS COURT REVERSES ITSELF OVER ARMENIAN SUIT**

Brian Kabateck was quoted in a news story about a reversal in the federal court of appeals saying that heirs of Armenians killed in the Turkish Ottoman Empire can seek payment from companies that sold their relatives life insurance.

The 9th U.S. Circuit Court of Appeals in San Francisco said a California law labeling the killings as a "genocide" does not conflict with U.S. foreign policy, which the court said is unsettled on the issue.

"This was totally unexpected," said Brian Kabateck, a Los Angeles attorney who represents the Armenian heirs. "It's a great victory for the Armenia people."

The ruling was 2-1, the same vote the same judicial panel came to last year when it struck down the California law empowering the heirs to sue companies that sold life insurance policies to Armenians killed in Ottoman-era Turkey during World War I.

Last year, the panel concluded that the U.S. government had sided with the Turkish government and formally taken the position against labeling the killings as a genocide. Therefore, that panel concluded, California's calling the event a genocide conflicted with U.S. foreign policy, making the state law invalid.

But in a rare and stunning move on Friday, Judge Dorothy Nelson changed her mind and sided with Judge Harry Pregerson, which turned his 2009 dissenting view into law.

"We conclude that there is no express federal policy forbidding states to use the term 'Armenian Genocide,'" Pregerson wrote.