

Miami Attorney Gets \$12.6M Payout for USS Cole Bombing Victims

Celia Ampel, Daily Business Review | April 25, 2017



Victims of the 2000 USS Cole bombing received their first round of awards from a federal government fund, a \$12.6 million payment that follows years of litigation and lobbying from their Miami attorney Andrew C. Hall.

Hall's clients include 37 injured sailors and the families of 17 who died when alQaida suicide bombers attacked the ship, which was refueling at a Yemeni port. A federal judge in 2007 found the Sudanese government liable for helping the terrorists carry out the attack.

The U.S. Victims of State Sponsored Terrorism Fund, administered by special master Kenneth Feinberg, allocated about \$9.8 million to the injured sailors and about \$2.7 million to the families of those who died. Hall's clients will all receive their checks in the next few weeks. Further payments are expected, but Hall said it's impossible to know the amounts or the timing.

The Hall, Lamb & Hall managing partner said the payments will make a world of difference to these clients.

"These are sailors and their families," he said. "The ones who died paid the ultimate sacrifice for service to their country. The ones who are hurt are profoundly disabled and they need this money for basic survival."

The fund was established by a 2015 law with a goal of compensating American victims of terrorism who hold court judgments against foreign governments recognized as state sponsors of terrorism. Those include Cuba, Iran, Iraq, Libya, North Korea, Sudan, Yemen and Syria.

"It's terrific because the money that funds it comes from assets that were forfeited from financial institutions that cooperated with Sudan, Iran, Cuba, in terms of violations of the sanctions," Hall said.

On top of the forfeited assets, Congress also appropriated \$1.025 billion to the fund for the 2017 fiscal year. Hall's clients were part of an application process last year that included about 2,800 submitted claims. Of those, about 2,300 claims were approved, according to a January report from Feinberg, who is also known for serving as special master of the September 11th Victim Compensation Fund.

Hall's clients' claims were accepted based on federal judgments he won on their behalf, amounting to \$98 million in compensatory damages. The first round of awards to the USS Cole victims is about 13 percent of the judgment amount, the attorney said, and the stated goal of the fund is to compensate the victims at 30 percent of their judgments.

The New York federal appellate court in September authorized turnover orders in the case, ruling against Sudan in an argument about whether the government was properly served. "The hard part of the case was winning the judgments in the first place and fighting the appeals," Hall said. Winning a federal judgment against a state sponsor of terrorism was not possible until 1996, when Hall helped lobby Congress to amend the Foreign Sovereign Immunities Act. Hall, a Jewish lawyer whose family escaped Warsaw through the sewers shortly after his birth in 1944, has dedicated his career to representing terrorism victims.

Contact Celia Ampel at campel@alm.com. On Twitter: [@CeliaAmpel](https://twitter.com/CeliaAmpel)

Copyright 2017. ALM Media Properties, LLC. All rights reserved.