

USA : une décision de la Cour suprême dans l'affaire de plaignant contre Munich Re

Decision by Supreme Court  on Arzoumanian certiorari to be issued on June 10.

Every term, the Supreme Court receives several thousand petitions for certiorari, which ask for the Justices to review the previous proceedings and decisions made by lower courts, tribunals, or public authorities. In the United States, certiorari is most often seen as the "writ" that the Supreme Court of the United States issues in order to review a lower court's judgment for legal (reversible) errors and review, where no appeal is available as a matter of right.

Of approximately twelve of these, the Supreme Court does not initially grant or deny review but instead invites the Solicitor General to file a brief presenting the views of the United States government. The Solicitor General was invited to express its position on Arzoumanian v. Munich Re and on May 10, 2013, the office of the Solicitor General filed a brief asking that the court deny certiorari.

Petitioners subsequently filed a supplemental brief in response to the Solicitor General. Along with two other cases, the Justices are expected to consider review of Arzoumanian v. Munich Re at their June 6 conference. Four votes are required to grant review and the decision of the Justices will be known on June 10, at 9:30 AM EST.

By way of background, the Arzoumanian v. Munich Re case was filed by attorney Vartkes Yeghiayan, in 2003 and had for main concern Armenian-American claims for life insurance policies that their family purchased before the period known as

"the Armenian Genocide". However, these policies were never settled as the German insurance company failed to fulfill its responsibilities. Before this latest certiorari petition, the case included three separate and conflicting opinions from the Ninth Circuit Court of Appeals and a petition to the Supreme Court in June of last year.