

L'USC (Université de Californie du Sud) reçoit les archives de l'affaire "Marootian contre New York Life Insurance" liée au génocide des Arméniens





L'avocat californien Vartkès Yeghiayan vient de léguer toutes les archives de l'affaire "Marootian contre New York Life Insurance Company" (les assurances-vies non versées aux héritiers des victimes du génocide des Arméniens ,40 boîtes), à l'USC (l'Université de Californie du Sud) , à l'occasion du centenaire du Génocide des Arméniens en 1915.

"It's easy to see why Vartkes Yeghiayan thinks of *Martin Marootian et al. v. New York Life Insurance Company* as "his baby."

The class action lawsuit to collect life insurance policies owed to victims of the Armenian Genocide took five arduous years to settle and included 2,400 claimants. Marootian had to overcome a lack of traditional evidence and argue the novel idea that there was no statute of limitations on genocide. But in the end, it achieved what no other lawsuit had yet been able to accomplish: demand compensation for the damages caused by the Armenian Genocide. Therein, Yeghiayan said, lies its significance.

In 1987, Yeghiayan was reading the memoir of Henry Morgenthau, former U.S.

ambassador to Turkey, when he came across a passage about New York life Insurance Company. Apparently, thousands of Armenians had purchased policies from New York Life before the genocide began in 1915. But when family members of massacred policy holders attempted to collect their benefits, New York Life usually refused, saying they needed a death certificate or other documentation that families didn't have. Only about one third ever received the money they were owed.

For Yeghiayan, himself the son of an Armenian Genocide survivor, suing New York Life was a way to not only get these people the money that had been rightfully theirs for nearly 100 years, but also to demand recognition and justice for the 1.5 million victims of the Armenian Genocide on a large scale.

In order to file the suit, he needed a lead client who had original New York Life insurance documents proving that a policy had been purchased but never settled following the policy holder's death in the Armenian Genocide. Yeghiayan found the perfect candidate: Martin Marootian, who had his uncle Setrak Cheytanian's original papers plus documentation of how his family had tried for years to collect their benefits. Yeghiayan filed the class action lawsuit against New York Life in Los Angeles in November 1999.

Yeghiayan joined with attorneys Brian Kabatek, William Shernoff and Mark Geragos over the next 15 years to reach a settlement with New York Life. They seemed close to reaching a deal in 2001, when New York Life offered \$10 million, but Marootian refused. Finally, in 2004, California Insurance Commissioner John Garamendi met with New York Life CEO Seymour Sternberg and helped reach a deal: \$20 million, plus \$3 million to be paid to various Armenian church and charity groups.

Today, Yeghiayan says he is "more than satisfied" by the result of the case, especially because the clients themselves, as well as other experts in the field, approved of the settlement and felt it was fair.

He is a friend of the Armenian Film Foundation and J. Michael Hagopian, whose Armenian Genocide testimonies are currently being integrated into the Visual History Archive, and said he "highly approved" of the decision to partner with USC Shoah Foundation.

Similarly, preserving his own New York Life documents at the Center for

Advanced Genocide Research will keep the stories of the claimants alive.

“These records will be studied by scholars who wish to gain a glimpse of and understand Armenian life in the years before the Catastrophe struck,” Yeghiayan said. “They will behold the human aspect of the story of the Armenian Genocide – the professions they were in, the families they built, the lives they lived.”

Yeghiayan said he invited a friend to attend today’s ceremony at USC Shoah Foundation to mark the handing over of his 40 boxes of case files, but she couldn’t come because she would be in court adopting a baby. Yeghaiyan told her, “You’re getting a baby – and I am giving away mine.”

She agreed, but told Yeghiayan that he was not really giving away his baby, “but by giving it to the Shoah Foundation, entrusting it to the world.”

