

THE CENTER FOR JUSTICE & ACCOUNTABILITY
Bringing Human Rights Abusers To Justice.



ANNUAL REPORT JULY 1, 2014 - JUNE 30, 2015

OUR MISSION

THE CENTER FOR JUSTICE & ACCOUNTABILITY

Bringing Human Rights Abusers To Justice.

The Center for Justice and Accountability is an international human rights organization dedicated to deterring torture, war crimes, crimes against humanity and other severe human rights abuses around the world through litigation, policy advocacy and outreach in pursuit of truth, justice and redress for victims and survivors.



MESSAGE FROM THE CHAIR AND EXECUTIVE DIRECTOR

We are pleased to present you with our fiscal year 2014-2015 annual report.



C. Dixon Osburn
Executive Director

In 1992, Bosnia endured a wave of ethnic violence as Serbian and Bosnian Serb armed forces launched a campaign of terror against the nation's Muslim population. The Bosnian War, which ended in 1995, claimed the lives of as many as 100,000 people, and displaced more than 2.2 million others. The majority of those that perpetuated violence and aided in the massacre of their fellow citizens went unpunished. They were able to continue living and traveling freely, some joining the 1,900 suspected war criminals living in the United States.

In 1998, the Center for Justice and Accountability (CJA) filed its first case. The defendant, Nikola Vuckovic, was a criminal living in the United States who tortured and killed his Muslim neighbors during the Bosnian War. The court found Vuckovic liable for torture, war crimes and other humanitarian abuses, and ordered him to pay his victims \$140 million in compensatory damage.



Wilma Wallace
Board Chair
Fiscal Year 2014- 2015

Since then, CJA has continued to leverage the fullest extent of the law to comprehensively and unequivocally ensure that perpetrators are held accountable for their horrific actions. Actively representing torture survivors in 19 countries from Somalia to El Salvador, Haiti to Colombia, Sri Lanka to Chile, CJA is relentless in our efforts to hold accountable perpetrators of some of the most egregious human rights crimes known to man.

We are undaunted by the decades it may take to secure justice, or the legal and political obstacles that we must navigate. More than a decade later, we have won favorable judgments in all of our cases that have gone to trial.

In every one of our cases, CJA builds a network of partners that includes in-country human rights defenders, survivors, refugee groups, other non-governmental human rights organizations, medical professionals, military and forensic experts, and law school clinics. In addition, CJA partners with pro bono law firms to litigate cases with us. During the 2014-2015 fiscal year, CJA worked with 24 law firms, human rights clinics and legal consultants that donated services valued at approximately \$3 million.

This annual report is a testament to the critical role that CJA plays in building a future where the rule of law prevails, a future where all countries have the capacity, capability and political will to address past human rights crimes, and where all nations leverage their laws to deny safe haven to perpetrators who seek refuge within their borders.

We believe that our approach is uniquely suited to pursuing justice in the 21st century—it involves working within broad networks of organizations and individuals to serve the most marginalized among us—survivors of torture and other severe human rights abuses. Progress is not automatic or guaranteed. But working together for justice and accountability, it can be achieved.

With deep appreciation,

A handwritten signature in cursive that reads "C. Dixon Osburn".

C. Dixon Osburn
Executive Director

A handwritten signature in cursive that reads "Wilma Wallace".

Wilma Wallace
Board Chair

CJA uses the fullest extent of the law – often in savvy and innovative ways – to bring human rights abusers to justice. We use a unique combination of tools – litigation, transitional justice, and policy – to hold these perpetrators accountable.



Litigation

CJA prosecutes human rights abusers. Our cases address some of the world's worst atrocities—from the genocide in Guatemala to the campaign of terror led by Pol Pot's regime in Cambodia. We are relentless in the pursuit of justice and truth for those who have endured the horrors of torture, crimes against humanity and other severe human rights abuses.



Transitional Justice

CJA has pioneered efforts in post-conflict countries to hold human rights abusers criminally accountable in national courts. We have worked on historic trials – including the Ríos Montt trial in Guatemala and the Accomarca Massacre trial in Peru. CJA believes that global justice requires a multi-layered approach, and we are proud to partner with NGOs worldwide in building the rule of law.



Policy

CJA has played a significant role in developing human rights policy in the United States, including testifying before Congress in support of the Child Soldiers Accountability Act and the Genocide Accountability Act. Working with policymakers and civil society groups, CJA crafts and supports policies that ensure the effective prosecution of atrocity crimes, deny safe haven to their perpetrators, and protect and rehabilitate their victims.

BOLIVIA

AMICUS BRIEF

The Killing of Indigenous Protesters

Mamani v. Berzain

In 2003, former Bolivian President Gonzalo Daniel Sanchez de Lozada Sanchez Bustamante and former Defense Minister Carlos Sanchez Berzain ordered military forces to suppress popular anti-government protests with force. More than 67 people, the majority of whom were from indigenous minority communities, were killed, and more than 400 others were injured. The survivors and families of the victims filed U.S. civil suits under the Alien Tort Statute and the Torture Victim Protection Act in 2007, seeking justice for these human rights violations.

In March 2015, CJA filed its second amicus brief in the case. We argue that the exhaustion of domestic remedies in Bolivia does not prevent claims under the TVPA.





LITIGATION

Atrocities Committed under the Khmer Rouge

The Khmer Rouge Trials

Cambodia experienced its most violent history during the short lived rule of Pol Pot and the Khmer Rouge regime. From 1975 to 1979, the Khmer Rouge emptied cities and placed the population into forced labor camps. Those perceived to be loyal to the former Republic were executed. Nearly 2 million civilians died during the Khmer Rouge regime, and as many as 800,000 of these deaths were violent deaths. The crimes left the country and its survivors destabilized, traumatized, and in need of justice.

CJA represents 45 Cambodian Americans in a case against two former Khmer Rouge leaders accused of genocide, crimes against humanity, and other atrocities. In August 2014, CJA helped to obtain a historic verdict which found Nuon Chea and Khieu Samphan guilty of crimes against humanity.

In October 2014, a second and final trial convened in Cambodia covering the remaining charges of genocide, forced marriage, war crimes and crimes against humanity. The ECCC is conducting five impact hearings throughout the trial, one for each crime-based segment of the trial. The impact hearings focus on the material, emotional, and physical harm of the civil parties.

In August 2015, CJA traveled to Cambodia and participated in and contributed to a training on how to prepare civil parties for the second impact hearing related to the forced labor camps.

CHILE

LITIGATION

Pinochet Coup and the Murder of Víctor Jara

Jara v. Barrientos

In 1973, Víctor Jara, a world-renowned folksinger and theater director, was one of Chile's most notable social icons, famous for his outspoken messages of social equality and the plight of the working class. In the wake of the coup which placed Augusto Pinochet in power, Jara was among those taken to Chile Stadium, notoriously the first mass detention center run by the new dictatorship. Víctor Jara was interrogated and tortured before being shot 44 times: a warning to those who challenged Pinochet's authority.

Representing Víctor Jara's widow and daughters, CJA and pro bono co-counsel Chadbourne & Parke, LLP filed a civil suit in 2013 against Lieutenant Pedro Pablo Barrientos Nuñez (Barrientos), for the torture and extrajudicial killing of Víctor Jara. Barrientos is alleged to have been at Chile Stadium and to have been responsible for Jara's torture and murder.

The Court awarded a default judgment to the Jara family after Barrientos did not make a single appearance in the case against him. In January 2015, Barrientos appeared in court for the first time to file a motion to set aside the default judgment. Knowing the importance of litigating these claims in court, in a fully defended case, CJA agreed with our clients to not oppose the motion and the court lifted the default judgment.

"It has been tough to keep fighting for 40 years," said Joan Jara, Víctor Jara's widow, "but Víctor's case is so important not just for us, but for all the families that are still suffering because of the brutality and the terrible crimes committed in those years." CJA and pro bono co-counsel traveled to Chile in 2015 to meet with eyewitnesses, experts, and our clients. The case will be brought to trial in Orlando, Florida on June 13, 2016.



"It has been tough to keep fighting for 40 years, but Víctor's case is so important not just for us, but for all the families that are still suffering because of the brutality and the terrible crimes committed in those years."

LITIGATION

Narco-Trafficking and Attacks on Human Rights Defenders

Cabrera v. Jimenez Naranjo

One of Colombia's most violent paramilitary commanders, known as "Macaco," confessed to the murder of 4,000 civilians during the country's long-running civil war. Yet, when he was extradited to the United States and sent to prison in 2008, it wasn't for the heinous crimes under his command, but for drug trafficking charges. CJA is suing Macaco for torture, extrajudicial killing, crimes against humanity and war crimes so his victims can finally see justice served.

CJA brought the suit on behalf of the estates and surviving family members of Alma Rosa Jaramillo, a human rights lawyer, and Eduardo Estrada, a community activist, who were among those killed by forces under Macaco's command. The court has dismissed claims by the Jaramillo family and we are evaluating next steps. The Estrada family's claims are continuing, and we are currently in discovery.

TRANSITIONAL JUSTICE

Peace Accords and Accountability Strategies

Colombia has endured the longest-running internal armed conflict in the Western Hemisphere, lasting over 50 years. In the last 20 years alone, an estimated 70,000 civilians have been killed in a triangulated war between guerrillas, paramilitaries and government forces. Peace accords between the government and the Revolutionary Armed Forces of Colombia (FARC), Colombia's main and oldest guerrilla group, have yet to be finalized. CJA has been closely following the peace negotiations, which began in 2012, and has advised key civil society players on justice for the victims in the transitional justice process that should follow the signing of the peace accord.

More recently, CJA has been invited to participate, along with local civil society partners, to help develop a strategy to pursue accountability for human rights violations committed during the armed conflict. It is hoped that this strategy will be part of a broader implementation of the transitional justice component of the peace accords in the years to come.



EL SALVADOR

LITIGATION

Murder of Jesuit Priests and Civilians

The Jesuits Massacre Case

In November 16, 1989, the world awoke to horrifying news from San Salvador. The Salvadoran Army had entered the grounds of the Jesuit University of Central America and acted upon orders to kill Father Ignacio Ellacuria. Six Jesuit priests, a house keeper and her daughter were brutally murdered.

In correlation with the 40th anniversary of this tragic event, CJA filed criminal charges in Spain against the former President of El Salvador and 14 former military personnel. The suit charged the former military members with state terrorism and crimes against humanity, and former President Alfredo Cristiani for aiding in the covering up of murders in cold blood.

In 2011, the Spanish National Court issued indictments against all of the accused. All defendants resided in El Salvador and were protected by an amnesty law. All but one – Colonel Inocente Montano who lived outside Boston, Massachusetts, making a living as a candymaker. The Spanish National Court ordered that Colonel Inocente Montano be extradited to stand trial. As a result of CJA's advocacy, the U.S. government filed a request seeking Montano's extradition for his role in the Jesuits Massacre.

Reflecting on decades of seeking redress for the Salvadoran people, Almudena Bernabeu, CJA's lead counsel on the Jesuits Massacre Case, said: "The extradition request for Col. Montano and the trial to follow will be the final effort to consolidate all that has been investigated and reported over the last 25 years - to unfold and reconstruct the story of the murders in a way that tells the complete truth and secures criminal accountability. This is simultaneously the beginning and the end of the hard work, tenacity, and hope of so many. We will be honored and humbled to have the opportunity to try such a historic case."



LITIGATION

Human Rights Violations during the Salvadoran Civil War

U.S. Removal Proceedings Against Vides Casanova

As former defense minister of El Salvador, General Carlos Eugenio Vides Casanova presided over the disappearance, killing, and torture of over 75,000 civilians during the Salvadoran Civil War. In 2002, CJA won a civil case against him and another former defense minister, General Jose Guillermo Garcia, holding him accountable for war crimes committed under their leadership.

Since the landmark ruling that awarded \$54.6 million in damages to our clients, General Cassanova has been removed from the United States because of CJA's advocacy efforts. The Board of Immigration Appeals ruled in March 2015 that General Vides Casanova was removable from the United States due to his role in the torture and murder of Salvadoran citizens, establishing a precedent that a top-ranking foreign military commander can be deported based on human rights violations.

As Vides Casanova arrived in El Salvador, he was met by families holding photos and stories of those who were tortured, killed, and disappeared under his command. We commend the courage, tenacity, and commitment of all our Salvadoran clients for testifying about their experiences.



(L-R) Rev. William Wipfler, Nico van Aelstyn, Almudena Bernabeu, Jim Green, Camilo Artiga-Purcell, Peter Stern, Vice President Óscar Ortiz, Peter Sanders, Susana Solis, Joey Neugart, Lokelani Devone, Nancy Clark

DELEGATION

CJA human rights delegation traveled to El Salvador in November 2014 to commemorate the 25th anniversary of the Jesuits Massacre. The delegation met with El Salvador's Vice President Óscar Ortiz with justices of the Constitutional Chamber of the Supreme Court, and participated in events honoring the victims of the massacre.

PERU

LITIGATION

Civil War Atrocities: The Struggle for Accountability 30th Anniversary of Accomarca Massacre

From 1980 to 2000, some 70,000 Peruvians, the majority of them indigenous, died in fighting between government forces and guerillas. Both sides of the civil war committed systematic human rights atrocities. The number of dead and disappeared surpasses the casualties of all other wars in modern Peruvian history.

On August 14, 1985, sixty-nine innocent men, women and children were lined up, herded into houses and repeatedly shot by the Peruvian army who raided their homes in the highland village of Accomarca. The Accomarca Massacre marked the beginning of the military repression against civilians, specifically the indigenous population.

CJA and pro bono co-counsel Morgan Lewis and Bockius LLP filed cases against two of the commanders responsible for the Accomarca Massacre, Lieutenant Juan Rivera Rondón and Second Lieutenant Telmo Hurtado Hurtado, who had sought safe harbor in the United States.

Inspired by our clients, Teófila Ochoa and Cirila Pulido, who hope to see criminal accountability in their home country, CJA supported the development of the criminal case in Peru and in the overall litigation strategy, which helped set the stage for the prosecution.

CJA's civil cases led to the extradition and deportation of the defendants to Peru and the beginning of a criminal trial that started in 2010. Without our cases in the United States and the subsequent removal of the key perpetrators of the Accomarca Massacre, the trial in Peru could not have gone forward.

Thirty years after the massacre, trial proceedings are finally over in Peru and we are waiting for a verdict.



ORAL ARGUMENTS

Mass Atrocities in Northern Somalia

Warfaa v. Ali

As the head of the Somali army's Fifth Brigade in the 1980s, Colonel Yusuf Abdi Ali (nicknamed "Tukeh") terrorized the Isaaq clan in the northwestern region of Somalia, known today as Somaliland. One of his victims, Farhan Warfaa, was nearly killed by Tukeh but miraculously survived. Decades later, CJA, on behalf of Warfaa, continues to fight to bring his torturer to justice in U.S. courts.

In September 2015, CJA and pro bono co-counsel DLA Piper presented oral argument to the U.S. Fourth Circuit Court of Appeals regarding CJA client Farhan Mohamoud Tani Warfaa's case against Colonel Yusuf Abdi Ali (nicknamed "Tukeh"). Colonel Tukeh's attorney sought to reverse more than three decades of legal precedent that had allowed victims of human rights abuses to bring lawsuits under the Alien Tort Statute (ATS) in U.S. courts against their tormentors - when they are found in this country - for mass atrocities such as war crimes and crimes against humanity committed abroad. He also claimed sovereign immunity under the common law.

CJA is grateful for prior support provided by Akin Gump Strauss Hauer & Feld LLP and Cooley LLP.

LITIGATION

War Crimes Committed Under Somali Dictator

Yousuf v. Samantar

General Mohammed Ali Samantar, Somalia's former prime minister and minister of defense, presided over the killings and torture of countless civilians in the 1980s under the brutal dictatorship of Siad Barré. In 2004, CJA filed a civil suit against Samantar on behalf of Somali survivors. Samantar, who has lived in the United States since 1997, was found liable for human rights atrocities and ordered to pay \$21 million in damages to our clients.

After several attempts over the past decade to appeal his conviction and have the case dismissed, the U.S. Supreme Court declined certiorari over Samantar's petition, making the \$21 million judgment against him final. This ensured that no court would overturn his liability for actions by subordinates in the Somali armed forces who committed torture, crimes against humanity, war crimes, and other human rights abuses in violation of international law during the Barré dictatorship.

"I truly rejoice to know that Samantar cannot escape the pronouncement of the court of law," said CJA client Aziz Deria. "My late father, Mohamed Iid; my younger brother, Mustafa; and my cousin, Yusuf, were pulled from our family's home and murdered under General Samantar's orders just because of their clan. The Supreme Court's decision today gives me hope that justice for all Somalis is possible."

"I truly rejoice to know that Samantar cannot escape the pronouncement of the court of law."



SOMALILAND

TRANSITIONAL JUSTICE Seeking Justice through Forensic Evidence

After more than 10 years of CJA's involvement in seeking accountability and redress for the victims of Somali dictator Siad Barré, the Minister of Justice of the Republic of Somaliland requested our assistance in formulating a transitional justice plan for the country as the region emerged from civil war and massive human rights violations.

CJA continues to partner with the Somaliland War Crimes Investigation Commission and the Peruvian Forensic Anthropology Team (EPAF) to support ongoing forensic training in Somaliland. CJA is presently assisting EPAF's efforts to identify victims from a set of mass graves at a former military base known as Lag Barako. Exhumations commenced in March 2015. These graves are associated with one of our defendants, Col. Tukeh, since they are believed to contain the remains of people killed in public mass executions he ordered.

In March 2015, CJA travelled to Somaliland to facilitate communications with family members of those believed to be buried at the site.

Also in March 2015, Somaliland President Ahmed Mohamed Mahamoud Silanyo presented CJA with the Special Presidential Commendation for the organization's extraordinary commitment to human rights and outstanding achievements on behalf of victims and survivors of grave human rights violations committed under the Siad Barré dictatorship.



Pictured (L-R): Somaliland President Ahmed Mohamed Mahamoud Silanyo, CJA Legal Director Kathy Roberts, CJA Client Aziz Deria, CJA Staff Attorney Nushin Sarkarati, Sharkarati.

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Ahmed Mohamed Mahamoud
Silanyo presented CJA with
the Special Presidential
Commendation for the
organization's extraordinary
commitment to human rights
and outstanding achievements
on behalf of victims
and survivors of grave
human rights violations
committed under the
Siad Barré dictatorship.*

TRANSITIONAL JUSTICE

Holding Perpetrators Accountable for Civil War Crimes

CJA continues to support accountability efforts for war crimes and crimes against humanity committed in Sri Lanka during the final months of the 26-year civil war, which ended in May 2009, leaving upwards of 40,000 civilians dead during the final months alone.

CJA supported the U.N.'s OHCHR Investigation on Sri Lanka (OISL), whose findings were published in September 2015, through several projects. CJA traveled to Bangkok, Thailand, in July 2015 to map out accountability options following the release of the report. Civil society organizations in Sri Lanka shared their proposals for a hybrid accountability mechanism, a truth-seeking process, and a unit for tracing the disappeared, each with significant international oversight and technical assistance.

After the release of the OISL report in September 2015, CJA organized and moderated a congressional briefing before the Senate Human Rights Caucus and the Tom Lantos Human Rights Commission. The briefing, entitled Sri Lanka: The Path Forward for Accountability, Peace, and Reconciliation, discussed findings from the OISL report and explored new strategies for the U.S. to support transitional justice in Sri Lanka. CJA also organized a teleconference briefing which connected Senate Foreign Relations Committee staff with leading advocates for Sri Lankan civil society.



UNITED STATES

U.S. Advocacy

CJA has played a lead role in identifying gaps in U.S. civil and criminal law that let the worst international human rights criminals slip through the cracks. Working with policymakers and civil society groups, CJA crafts and supports policies that ensure the effective prosecution of atrocity crimes, deny safe haven to their perpetrators, and protect and rehabilitate their victims.

This year, CJA convened a Mass Atrocities Working Group (MAWG) to identify gaps in U.S. law for the prosecution of human rights crimes. The MAWG included leading thinkers and litigators who supported the 2009–2010 effort to enact a Crimes Against Humanity Act, which would have made this core international crime a federal offense. The MAWG identified numerous loopholes in the U.S. penal code which limit the federal government's ability to hold perpetrators accountable, even when they are found in U.S. territory or custody.

The Working Group concluded that the most critical loopholes in U.S. legislation are the lack of codified definitions of human rights crimes, which make them difficult to prosecute. Areas of particular concern include a need for a crimes-against-humanity statute, the lack of a codified definition of command responsibility, the limited jurisdictional reach of the War Crimes Act, and the inability of the Torture Act to apply to non-state actors. Through model legislation and educational efforts, CJA is leading a campaign to close these gaps and ensure that the U.S. legal system is effective in the fight to end impunity for mass atrocities.



17th Anniversary Dinner

CJA's Anniversary Dinners give us an opportunity to recognize and honor individuals or organizations for their outstanding contribution to the movement for global justice.



Paul Sack and Jonathan Sack



Board Members Lokelani Devone, Mina Titi Liu, and Farah Brelvi with CJA Executive Director Dixon Osburn



CJA Board Chair Wilma Wallace



George Sarlo presents a video greeting from Nuremberg prosecutor Benjamin Ferencz



CJA Client Joan Jara presents the Partner in Justice Award to Chadbourne & Parke LLP



CJA client Bashe Yousuf, Aminah Jireh, Pamela Merchant, and Omar Yousuf



Toby Cadman presents Navi Pillay with CJA's Champion of Justice Award

MEDIA AND OUTREACH

CJA in the News

“V́ctor Jara’s murderer and the thousands of crimes committed during Pinochet’s regime ought to be named as what they are: crimes against humanity,”

– CJA’s Almudena Bernabeu, *El Pais*, April 17, 2015

“I was lucky to survive, but many others didn’t, and this ruling represents some relief for them, too...”

– CJA client Dr. Juan Romagoza, *The Washington Post*, March 13, 2015, commenting on the deportation of Gen. Vides Casanova.

“We use a variety of tools that we try to marshal to be part of this worldwide movement to end impunity for human rights abusers.”

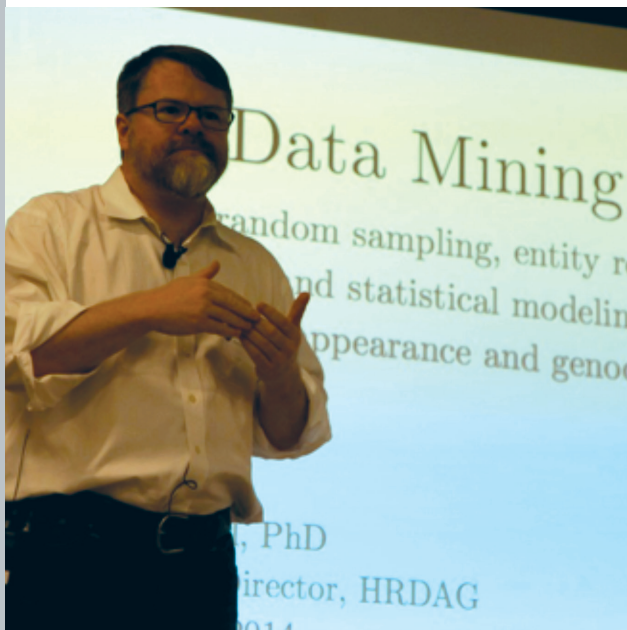
– CJA Senior Legal Advisor Carolyn Patty Blum on The Kojo Nnamdi Show, March 25, 2015, discussing accountability for suspected war criminals.

“To honor the 70th anniversary of the liberation of Auschwitz, Burchenwald, and Dachau, Congress should take up a crimes against humanity bill and ensure the United States will never again be a safe haven for human rights violators.”

– CJA’s Scott Gilmore, *The Hill*, April 16, 2015

“A world without accountability encourages crime to be committed without fear, which is the face of El Salvador today.”

– CJA’s Dixon Osburn, *The Miami Herald*, May 21, 2015



Young Professionals’ Committee for Human Rights

CJA’s Young Professionals’ Committee for Human Rights organized events year-round on cutting edge human rights issues.

Photo: Patrick Ball, Executive Director of Human Rights Data Analysis Group, discussed how data mining can be used to bring human rights abusers to justice at one of YPCHR 2014-2015 events.

ORGANIZATIONAL SUPPORT 2014-2015

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International Human Rights Law Clinic, UC Berkeley School of Law

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Richard Weir

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NON-LEGAL INTERNS

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Mytili Bala, Legal Consultant
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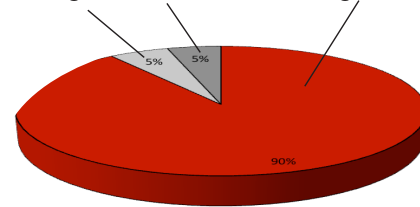
OPERATING REVENUE & EXPENSES* July 1, 2014 - June 30, 2015

OPERATING REVENUES

Foundation Grants**	\$1,129,880
UN Voluntary Fund for Victims of Torture	20,500
Individual and Corporate Contributions	540,489
In-Kind Contributions***	3,000,522
Investment Income	4,418

TOTAL OPERATING REVENUES: \$4,695,809

Fundraising Administration Program



OPERATING EXPENSES

Program	\$3,991,817
Administration	230,920
Fundraising	206,196

TOTAL OPERATING EXPENSES: \$4,428,933

PROGRAM EXPENSES

Program	90%
Administration	5%
Fundraising	5%

*Based on audited figures for July 1, 2014 - June 30, 2015. An audited financial statement is available upon request.

**This figure includes \$858,091 in temporarily restricted grants.

***CJA partners with outside law firms and investigation firms to investigate and litigate cases on behalf of its clients. Twenty-three firms and individual attorneys provided almost 6,000 hours of pro bono services valued at \$2,880,203. In addition, nine firms made contributions of \$67,815 to cover out of pocket expenses. The total donated pro bono legal and other services was \$3,000,522.



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