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CARRANZA VERDICT UPHELD

Memphis, Tenn., March 17, 2009 – The U.S. Court of Appeals for the Sixth Circuit has upheld the jury verdict holding Memphis resident Colonel Nicolas Carranza liable for crimes against humanity. Carranza, the former vice-minister of defense of El Salvador, was held liable for overseeing torture and extrajudicial killings in that country during the early 1980s.

The plaintiffs are hopeful that the upheld verdict will encourage the United States Justice Department to bring proceedings to revoke Carranza's citizenship based on his responsibility for gross human rights violations. Carranza came to the United States in 1985 and settled in Memphis. He became a U.S. citizen in 1991.

In a decision issued this morning, the federal appeals court rejected Carranza's argument that U.S. courts should defer to a Salvadoran amnesty law that would likely immunize him from suit in that country. The court held that "as a citizen and resident of the United States," Carranza is "subject to civil liability for his violations" of United States human rights laws. The court also rejected Carranza's arguments that the lawsuit was not timely filed, as well as his challenge to several evidentiary rulings by the trial court.

Five plaintiffs went to trial in federal court in Memphis, Tennessee, in October 2005. On November 18, 2005, after two weeks of testimony, the jury found Carranza responsible for overseeing the plaintiffs' torture and the killing of their family members. The jury awarded four of the five plaintiffs a total of \$2 million in compensatory damages and an additional \$4 million in punitive damages. In deciding to award punitive damages, the jury found that Carranza was not only responsible for the atrocities committed against the plaintiffs, but that his actions were intentional, reckless, malicious, or wanton. The jury could not reach a unanimous decision for the fifth plaintiff.

The verdict represents the first time that a U.S. jury in a contested case has found a commander liable for crimes against humanity. This means that violations were committed as part of a widespread or systematic attack against the civilian population of El Salvador.

The suit was jointly brought by the Center for Justice & Accountability (CJA) and the law firm of Bass, Berry & Sims.

"We are very pleased with the court's decision," said David Esquivel, counsel for the plaintiffs and attorney at Bass, Berry & Sims. "It affirms our clients' steadfast commitment, over the course of three decades, to make sure justice was done." Pamela Merchant, Executive Director of the Center for Justice and Accountability, noted that the decision "also sends a strong message that the United States will not be a safe haven for human rights violators."



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About CJA is a San Francisco-based human rights organization dedicated to deterring torture and other severe human rights abuses around the world and advancing the rights of survivors to seek truth, justice and redress. CJA uses litigation to hold perpetrators individually accountable for human rights abuses, develop human rights law, and advance the rule of law in countries transitioning from periods of abuse. www.cja.org