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## **California Supreme Court Removes Obstacles to Holocaust-Era Litigation Ruling Settles Jurisdiction Question; Nothing Stands in the Way of Survivor Claims**

Shernoff, Bidart, Darras & Dillon announced today that the California Supreme Court has refused to hear Assicurazioni Generali's appeal of a ruling that California courts have jurisdiction to resolve Holocaust claims, under the Holocaust Victims Insurance Act which was signed into law last year.

The Supreme Court made its ruling late Wednesday against the large Italian-based insurer (Generali v. Superior Court, Case No. S078215).

Now that the jurisdictional battle is over, there are no more excuses for delaying payment to survivors. We are anxiously awaiting to start the new millenium with this trial, said plaintiffs' attorney William M. Shernoff, who represents the Stern family, (Stern v. Generali, Case No. BC185376).

The California Supreme Court ruling means that there is nothing standing in the way of the February 9, 2000, trial date previously set by Los Angeles Superior Court Judge Florence-Marie Cooper. In January, Judge Cooper ruled that California courts have jurisdiction to hear cases against European insurance companies if it can be proven that they do business or litigate in the state. Her ruling was subsequently upheld by the state appeals court in April.

We will aggressively commence discovery and preparation for trial. However, we expect Generali to stonewall us all the way since they do everything possible and seize on every technicality to defeat, deny or diminish these survivor claims, added Shernoff.

Generali has contended that time has long passed for any such cases to be heard and that even if they were heard, the proper venue is the European country where the policy was purchased. No court has agreed with Generali thus far.

The Stern family, some members of whom live in Los Angeles, filed their \$135 million breach of contract lawsuit in February 1998. It alleges Generali acted in bad faith when it refused to pay on Holocaust-era life insurance policies issued to Moshe Mor Stern, the family patriarch who died in the gas chambers of Auschwitz.