

## Cole Bombing Victims' Families Sue Sudanese Government

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Families of some of the 17 American sailors killed in the October 2000 attack on the USS Cole have sued the government of Sudan, arguing that the African nation is responsible for the bombing because it is linked to al Qaeda and harbored Osama bin Laden.

The lawsuit, filed in U.S. District Court in Norfolk on behalf of seven family members, is the first to emerge from the attack in Yemen that also injured more than 40 sailors, lawyers said. Two suicide bombers rammed the Cole with a small boat laden with explosives while it was refueling in Aden harbor. The blast tore a 40-foot hole in the hull.

Family members argued in the suit that al Qaeda carried out the bombing with training, funding and other support from Sudan. Bin Laden lived in exile in Sudan from 1991 to 1996, until Sudan yielded to international pressure to expel him and he fled to Afghanistan. Two suspected al Qaeda operatives have been indicted in New York in the bombing.

"Sudan did something terribly wrong. This is about justice for Americans, and it's the right thing to do," said James Cooper-Hill, an attorney for the plaintiffs. They include six widows of sailors and a brother. Six plaintiffs lived in Virginia when the Cole was bombed. One still lives in Richmond, another lives in Norfolk and one lives in Suffolk in the Hampton Roads area.

A spokesman for the Sudanese Embassy in Washington did not return telephone calls seeking comment.

The complaint, filed Friday, seeks \$100 million in damages from Sudan. It is the latest of dozens of lawsuits filed against foreign governments under a 1996 amendment to the Foreign Sovereign Immunities Act. The amendment allows for lawsuits to be filed in U.S. courts on behalf of citizens killed or injured by terrorist attacks against nations found to be sponsors of international terrorism.

But winning such cases -- and especially collecting money -- is tricky, lawyers say. Defendants often don't respond, and attorneys for successful plaintiffs have had difficulty isolating a foreign country's assets in the United States.

"They are very difficult cases. You are trying the case basically with an empty table for the other side," said Washington lawyer Steven Perles, who in 1998 won a \$247.5 million judgment against Iran on behalf of an American college student killed in a suicide bombing in Israel. Her family wound up collecting \$26 million from unfrozen Iranian assets.

The United States has designated Sudan as a state sponsor of terrorism since 1993. More than five years after bin Laden left the country, a senior associate of the al Qaeda leader, who was on President Bush's most-wanted list of international terrorists, was captured in Sudan in 2002.

But Secretary of State Colin L. Powell and other U.S. officials have praised Sudan's cooperation with the administration's war on terror since the Sept. 11, 2001, attacks.

Cooper-Hill said his concern that Sudan might be taken off the list of states that sponsor terrorism was one reason for filing the lawsuit now.

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