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US Judge OKs \$116M Ruling in Deadly Terror Attack

US judge refuses to overturn \$116M judgment against Palestinian Authority for terror attack

By **RAY HENRY** Associated Press Writer
 PROVIDENCE, R.I. May 14, 2009 (AP)

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The Palestine Liberation Organization and its governmental entity cannot overturn a court judgment forcing them to pay more than \$116 million for a Hamas terror attack that killed a U.S. citizen and his wife who were driving home from a wedding, a federal judge has ruled.

The case is among a handful in the country filed under the Anti-Terrorism Act of 1991, which seeks to hold terrorist organizations responsible for the killings of American citizens.

In a ruling Wednesday, U.S. District Court Judge Ronald Lagueux rejected a request from the Palestinian defendants asking they not be held responsible for the 1996 shooting deaths of Yaron Ungar and his Israeli wife, Efrat, near the West Bank.

The judge, who first ordered the Palestinian defendants to pay in 2004, blamed their loss on a legal strategy set by their late leader Yasser Arafat, who refused to recognize the jurisdiction of the U.S. court.

"These choices were the intentional, deliberate and binding decisions made by the PA's dictatorial leader," the judge wrote. "Defendants must now accept the consequences of these decisions."

Legal proceedings are under way in the United States, Israel and other countries to take

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money from the PLO and the Palestinian Authority, said David Strachman, an attorney for the estate of the Ungars, who had two children. Only a modest sum has been collected so far, he said, declining to be more specific.

"Judge Lagueux confirmed once again their culpability and their obligation to pay to the Ungar orphans and their family," he said.

It was unclear Thursday if the PLO and Palestinian Authority would appeal, said Deming Sherman, an attorney representing them. He declined to comment further on the case.

The lawsuit seeks compensation for a fatal attack on June 9, 1996, near the Israeli village of Beit Shemesh.

Ungar and his wife were driving home when another vehicle driven by three Hamas gunmen pulled alongside them and opened fire. The couple were killed, but their 9-month-old son survived; another son wasn't in the car.

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