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CENTRAL DISTRICT OF CALIFORNIA
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16
17 **UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

CV10-09596 STO (JENK)

18 Alex BAKALIAN; Anais)
19 HAROUTUNIAN; and Rita)
20 MAHDESSIAN,)
21 Plaintiffs,)
22 vs.)

23 REPUBLIC OF TURKEY; CENTRAL)
24 BANK OF THE REPUBLIC OF)
25 TURKEY; T.C. ZIRAAT BANKASI;)
26 DOES 1-100,)
27 Defendants.)

Case No. _____
COMPLAINT FOR
1. UNLAWFUL
2. UNJUST ENRICHMENT;
3. VIOLATION OF CAL. CIVIL
CODE § 1708;
4. CONSTRUCTIVE TRUST;
5. ACCOUNTING;
6. DECLARATORY RELIEF;
DEMAND FOR JURY TRIAL

1 Alex BAKALIAN, Anais HAROUTUNIAN, and Rita MAHDESSIAN
2 (collectively, "Plaintiffs"), on information and belief, hereby allege as follows:
3

4 **NATURE OF THE ACTION**

5 1. This is an action seeking fair market rents and other relief for Plaintiffs, the
6 rightful owners and their heirs of approximately 122.5 acres of property located in
7 the Adana region of Turkey, whose real property assets were unlawfully taken
8 from their ownership or control by theft, forced transfer, or exploitation during the
9 Armenian Genocide of 1915-23 which was perpetrated by the Ottoman Turkish
10 Empire, to which the Republic of Turkey ("Turkey") is a successor state.

11 2. Plaintiffs are the lawful heirs of Armenian landowners who owned real
12 property and other assets in and around the city of Incirlik in the Adana region of
13 Turkey, approximately 250 miles southeast of Turkey's capital city of Ankara. A
14 prosperous region on the Mediterranean coast encompassing the old principality of
15 Cilicia, Adana was an independent Armenian state between the eleventh and
16 fourteenth centuries, for nearly 300 years. Until the Armenian Genocide in the
17 early part of the 20th century, Adana was home to a large and prosperous
18 commercial class of Armenians living under Ottoman Turkish rule. The Adana
19 region, including the city of Incirlik, has a long and popular history as a center
20 where Armenians had lived and owned property for centuries. The word "incirlik"
21 in Turkish means "place of fig trees" and is widely known in Turkey as an area
22 where Armenians lived and cultivated fig trees.

23 3. Between 1915 and 1923, as part of the Armenian Genocide that took place
24 in the Ottoman Turkish Empire, these Armenian landowners in Adana were
25 murdered or deported or were forced to flee the country. The genocide survivors,
26 known today as the Armenian Diaspora, ultimately settled all around the world,
27 including in the United States. One of the largest communities of survivors is
28

1 located within this Judicial District, with the largest concentration in the cities of
2 Glendale and the East Hollywood area of Los Angeles.

3 4. Beginning in 1915, the government of the Ottoman Turkish Empire began
4 ordering the collection of real and personal property and deportation of Turkish
5 Armenians. A series of discriminatory regulations, directives, and decrees issued
6 by the Ottoman Turkish Empire between 1915 and 1923, collectively known as the
7 “Abandoned Property Laws”, sought to provide legal cover for the unlawful
8 expropriation of the property and assets of Turkish Armenians, including that of
9 Plaintiffs. For example, Article 2 of the May 16, 1915, Regulation on the
10 Confiscation and Redistribution of the Armenians’ Goods Said “Abandoned” By
11 the Ministry of the Interior (“May 16, 1915 Regulation”) provides that “After a
12 village or a city are deported, the houses and all real properties belonging to the
13 deported population, including the items they contain, shall be closed and
14 immediately put under seal by the employees authorized by the Administrative
15 Commissions and shall then be taken under protection.” A true and correct copy of
16 the May 16, 1915 Regulation is attached as Exhibit A to this Complaint.

17 5. In response to the outrage expressed by the international community over the
18 large-scale deportations, murders, and expropriation of property from Turkish
19 Armenians by the Ottoman Turkish government, government telegrams posted in
20 1916 demonstrate that proceeds from the sale of properties left behind by deportees
21 were deposited with Defendant T.C. Ziraat Bankası (“Ziraat Bank”) – which was
22 founded by the Ottoman state in 1863 as an agricultural financial institution and is
23 operated with a state guarantee – and upon information and belief were held in
24 trust and for safekeeping on behalf of the rightful Armenian owners in accordance
25 with other Abandoned Property Laws. *See, e.g.*, Telegrams from the Directorate of
26 Ottoman Prime Ministry Archives, Code numbers 272.0.0.12 relating to “Tasfiye
27 Komisyon”s; 272.0.0.74 relating to Konya; 272.0.0.74 relating to Bursa;
28 272.0.0.74 relating to Afyon (Karahisar); 272.0.0.74 relating to Sivrihisar;

1 272.0.0.74 relating to Sivas; 272.0.0.74 relating to Yozgat; 272.0.0.74 relating to
2 Izmit; *see also* Prime Ministry Directorate of Dissemination of Decisions, Decision
3 No. 2/11873. True and correct copies of the Telegrams and Decision 2/11873 are
4 attached as Exhibit B to this Complaint.

5 6. In 1923, Turkey became the successor state to the Ottoman Turkish Empire.

6 7. In 1928, new laws came into effect transferring all “abandoned” real and
7 personal property to the Turkish Treasury. Since its establishment in 1856, the
8 Imperial Ottoman Bank acted as the state Treasurer and was responsible for
9 collecting state revenues. Defendant Central Bank of the Republic of Turkey
10 (“Turkish Central Bank”) was established in its present format in 1931 as the
11 successor to the Imperial Ottoman Bank. Today, one of the primary duties of the
12 Turkish Central Bank is its execution of Treasury operations.

13 8. As a result, Plaintiffs’ property not sold by the Ottoman Turkish Empire or
14 Turkey is currently in the possession and use of Defendant Turkey.

15 9. Plaintiffs allege that Defendant Ziraat Bank profited from its possession of
16 their property between 1915 and 1928, including but not limited to the lease and/or
17 sale of their property or other commercial banking activities based on Plaintiffs’
18 property, and that Ziraat Bank is still in possession of those profits. In addition,
19 Ziraat Bank violated its fiduciary duties to Plaintiffs as holder of property on their
20 behalf.

21 10. Plaintiffs additionally allege that, since at least 1928, Plaintiffs’ real property
22 and assets in Adana that were not sold have been continuously wrongfully owned
23 and controlled by the Turkish government and used for commercial activities by
24 Turkey and the Turkish Central Bank in conjunction with numerous private
25 commercial enterprises operating both in the United States and elsewhere. Income
26 earned from those properties, including rental income being paid by the United
27 States Government to lease Plaintiffs’ property, flows continuously into the
28 Turkish Central Bank. Thus, Defendants Turkey and the Turkish Central Bank are

1 profiting from and being unjustly enriched by their possession of and /or use of
2 proceeds from such stolen property belonging to Plaintiffs.

3 11. International law forbids the taking of property of a state's own nationals
4 when such taking is based on racial, ethnic, or religious grounds, and arises out of
5 a genocide of the kind perpetrated against the Jews of Europe or the Armenians in
6 Ottoman Turkey.

7 12. Defendants, despite knowing, or reasonably having reasons to know, that
8 Plaintiffs' properties in Adana were unlawfully taken from Armenians pursuant to
9 a campaign of genocide against them based on ethnic and religious grounds, have
10 nevertheless engaged, and continue to engage, in commercial activities using such
11 genocide-taken properties and/or proceeds from the possession or sale of such
12 properties.

13 13. In summary, Defendants Ziraat Bank, Turkey, and the Turkish Central Bank
14 have been profiting, and continue to unjustly profit, from the possession and
15 commercial use of Plaintiffs' property and/or its proceeds, and all such unlawful
16 profits have a commercial nexus with the United States. Plaintiffs bring this action
17 against Defendants who have been unjustly enriched by their continuing
18 possession and use of proceeds from stolen real property arising out of a genocide
19 that rightly belongs to Plaintiffs.

20

21

PARTIES

22 14. Plaintiff Alex Bakalian is a resident of Washington, D.C., and lawful heir of
23 three relatives, each of whom owned property in Turkey. Alex Bakalian's first
24 relative is his paternal grandfather, Dikran Bakalian, who was born in 1868 in
25 Adana and died in June 1950 in Beirut, Lebanon. Dikran Bakalian and his family
26 were forced to flee in 1921, leaving behind all their possessions and properties.
27 Dikran Bakalian was the owner of **Property 1**, a 95-donum property consisting of
28

28

1 arable fields located in Adana. One donum is approximately 1000 square meters or
2 approximately ¼ acre (1 acre = 4046.86 square meters).

3 15. Plaintiff Alex Bakalian's second relative is his paternal grandmother, Kalina
4 Hatun (Gulenia) Shamassian. Kalina Shamassian was the owner of **Property 2**, a
5 90-donum parcel of arable land located in Adana. Born in 1892 in Adana, she
6 married Dikran Bakalian in 1903. She died in Beirut, Lebanon, in 1978.

7 16. Plaintiff Alex Bakalian's third relative is Ahsapet Shamassian (born
8 Bouldoukian), the sister-in-law of his paternal grandmother. Ahsapet Shamassian
9 was the owner of **Property 3**, a 130-donum parcel of arable land located in Adana.
10 She was born in Adana, married Hovsep Shamassian (the brother of Kalina Hatun
11 (Gulenia) Shamassian), and eventually settled in Damascus, Syria.

12 17. Plaintiff Alex Bakalian also possesses the deed to **Property 4**, a three-
13 bedroom building with one unit storefront on the ground floor, located in Adana.

14 18. The Bakalian family left their homes and lands in 1921. At that time, the
15 remaining surviving Armenians in Adana and other regions feared that their lives
16 were in danger. The French army – which had been overseeing all of Cilicia,
17 including Adana, as a mandate since the British forces turned over protection of
18 the region in 1919 – withdrew in 1921 leaving the Armenians in Cilicia
19 unprotected. Plaintiff Bakalian's family first moved south to Mersine, then to Izmir
20 (Smyrna) in the far west of Turkey. They left Izmir in 1922 for Greece, escaping
21 the massacres in Izmir and settling in Piraeus. In 1924 they moved to Beirut,
22 Lebanon, to be with the large group of Armenians that settled there under the
23 French protectorate.

24 19. True and correct copies of the deeds to Properties 1, 2, 3, and 4 are attached
25 hereto as Exhibits C, D, E, and F to this Complaint.

26 20. Plaintiff Anais Haroutunian is a United States citizen and resident of
27 Pasadena, California. Anais Haroutunian is the granddaughter and lawful heir of
28 Apraham Geovderelian. Apraham Geovderelian was a wealthy farmer who owned

1 four pieces of property in Adana described here as Properties 5, 6, 7 and 8.

2 **Property 5** consists of 65 donums, **Property 6** consists of 52 donums, **Property 7**
3 consists of 40 donums, and **Property 8** consists of 3 donums. The four properties
4 consisted of arable fields.

5 21. In 1915, Apraham Geovderelian and his wife Sara were killed, because they
6 were Armenian Christians. The Geovderelians had seven children. Three of their
7 children were also massacred. The remaining four children, 3 sisters and 1 brother,
8 including Plaintiff Anais Haroutunian's mother, were marched across the desert
9 without food or water and eventually became refugees without parents in Beirut,
10 Lebanon. These four children are now deceased.

11 22. True and correct copies of the deeds to Properties 5, 6, 7, and 8 are attached
12 as Exhibits G, H, I, and J to this Complaint. The estimated locations of Properties
13 5, 6, 7, and 8 have been plotted on a recent satellite image of Adana. A true and
14 correct copy of the satellite image with the estimated locations of Properties 5, 6, 7,
15 and 8 is attached as Exhibit K to this Complaint.

16 23. Plaintiff Rita Mahdessian is a United States citizen and resident of La
17 Crescenta, California, and lawful heir of Mihran Boyadjian, Sr. Mihran Boyadjian
18 Sr. and Plaintiff Rita Mahdessian's paternal grandfather, Onnig Madhessian, were
19 cousins. Mihran Boyadjian, Sr., owned two parcels of arable land in Adana:
20 **Property 9** consisting of 12 donums, and **Property 10** consisting of 9 donums.

21 24. Mihran Boyadjian, Sr., also owned a large general goods store and was the
22 representative agent of the "ROSSIA" Insurance Company. He and his family
23 were deported from their home in Adana in 1915. Being wealthy, educated, and
24 well-connected, they were able to avoid many of the dangers of the roads and
25 eventually stayed in Hama, Syria. When the province of Adana was given to
26 France as a mandate under the protection of the French army at the end of World
27 War I, Mihran Boyadjian, Sr., returned to Adana to reclaim his home and
28 properties. However, when the French withdrew in 1921 and the region returned to

1 Turkey, surviving Armenians fled again in order to avoid a second wave of
2 deportations and massacre. Mihran Boyadjian, Sr., had to escape from Adana
3 again, with his family, and relocate to Hama-Homs, Syria. The family then moved
4 to Cyprus. Plaintiff Rita Mahdessian was born in Cyprus and is a cousin to Mihran
5 Boyadjian, Jr., the son of Levon Boyadjian, one of the five children of Mihran
6 Boyadjian, Sr.

7 25. True and correct copies of the deeds to Properties 9 and 10 are attached as
8 Exhibits L and M to this Complaint. A true and correct copy of the certificate of
9 translation for the deeds referred to as Properties 1-10 is attached as Exhibit N.

10 26. Defendant Republic of Turkey, as successor to the Ottoman Turkish Empire,
11 currently operates numerous state-owned commercial enterprises in the United
12 States, including business within this Judicial District. For example, Turkish
13 Airlines, a state economic enterprise, has been operating services into the United
14 States since 1988 and announced in July 2010 that Los Angeles is its “West Coast
15 gateway” and that it will begin running nonstop service from Los Angeles
16 International Airport to Turkey in early 2011. Additionally, the Turkish Culture
17 and Tourism Office, a division of the Ministry of Tourism, operates a Tourism
18 Information Office in Los Angeles and advertises throughout the United States for
19 travel to Turkey.

20 27. The Turkish Central Bank is an agency or instrumentality of Turkey with its
21 principal place of business in Ankara, Turkey. The law creating the Turkish
22 Central Bank was passed in 1930; prior to that time, the Imperial Ottoman Bank
23 acted as the Treasurer of the state, collecting state revenues and making payments.
24 According to the 1930 Law on the Central Bank of the Republic of Turkey No.
25 1715, one of the duties of the Central Bank was to execute Treasury operations,
26 and according to the 1986 amended Article 41 of the Law on the Central Bank of
27 the Republic of Turkey No. 1211, “The [Central] Bank shall be the treasurer of the
28 government.” (<http://www.tcmb.gov.tr/yeni/eng/>, “History” and “CBRT Law”).

1 Defendant Turkish Central Bank is a joint-stock company with the majority of
2 shares belonging to the Turkish Treasury. It operates a representative office in New
3 York, from which it coordinates investment and commercial activity throughout
4 the United States. The Turkish Central Bank also distributes state funds to
5 government entities, including the Ministry of Tourism. Defendant Turkish Central
6 Bank does extensive business in the United States, including business within this
7 Judicial District.

8 28. Plaintiffs are informed and believe and thereon allege that Ziraat Bank is an
9 agency or instrumentality of Turkey with its principal place of business in Ankara,
10 Turkey. Ziraat Bank operates U.S. correspondent banking services and offers retail
11 banking to its U.S. customers. Any individual may apply for and open an account
12 with the Ziraat Bank U.S. branch in New York. According to the Ziraat Bank
13 website, the U.S. branch "was established in 1983 with the purpose of enhancing
14 financial services for the Turkish community in the United States."
15 (www.ziraatnewyork.com). On its website, Defendant Ziraat Bank makes available
16 applications for standby and import letters of credit, which are aimed at soliciting
17 business from U.S. corporate banking customers and which can be accessed on the
18 Internet in Los Angeles, California. Defendant Ziraat Bank does extensive business
19 in the United States, including business within this Judicial District.

20 29. As a result of their possession and use of Plaintiffs' property, the proceeds
21 from rent collected and/or the sale of Plaintiffs' property, and their business and
22 other commercial relationships, including parents, affiliates, and subsidiaries,
23 Defendants Turkey and the Turkish Central Bank have been unjustly enriched by
24 the unlawful expropriation and use of Plaintiffs' property. As a result of Defendant
25 Ziraat Bank's possession and/or use of Plaintiffs' property from 1915-1928, and its
26 business and other commercial relationships, including parents, affiliates, and
27 subsidiaries, Ziraat Bank has been unjustly enriched by the unlawful expropriation
28 and use of Plaintiffs' property.

1 30. Plaintiffs are informed and believe and thereon allege that there are other
2 Defendants holding proceeds derived from or benefiting from the expropriation
3 and use of Plaintiffs' property. The true names and capacities of Defendants
4 named herein as DOES 1 through 50, inclusive, whether individual, corporate,
5 associate, or otherwise, are unknown to Plaintiffs, who therefore sues such
6 Defendants by such fictitious names. Each of the Defendants designated herein as
7 DOE is negligently or otherwise legally responsible in some manner for the events
8 and happenings herein referred to and caused injuries and damages proximately
9 thereby to Plaintiffs, as herein alleged. Plaintiffs will amend this Complaint to
10 show true names and capacities when they have been ascertained.

11
12 **JURISDICTION AND VENUE**

13 31. This Court has subject matter and personal jurisdiction over Defendants
14 Turkey, the Turkish Central Bank, and Ziraat Bank pursuant to 28 U.S.C. § 1330
15 and §§ 1604 and 1605 of the Foreign Sovereign Immunities Act ("FSIA").
16 Defendants Turkey, the Turkish Central Bank, and Ziraat Bank are not entitled to
17 sovereign immunity in this suit pursuant to the sovereign immunity exceptions
18 found in 28 U.S.C. § 1605(a)(2) and (3) of the FSIA. Defendants have purposely
19 availed themselves of this forum.

20 32. Plaintiffs' action is based upon the commercial activities carried out by
21 Defendants Turkey, the Turkish Central Bank, and Ziraat Bank and DOES 1-50 in
22 connection with Plaintiffs' property. Plaintiffs are informed and believe and
23 thereon allege that Defendants Turkey, the Turkish Central Bank, and Ziraat Bank
24 and DOES 1-50 are aware, or with reasonable diligence should have been aware,
25 that they are engaging in commercial activities both inside and outside the United
26 States, in connection with commercial activity carried on by Defendants in Turkey,
27 and that their acts cause a direct effect in the United States. Defendants thereby
28

1 have unjustly profited and continue to unjustly profit from the unlawful use and
2 possession of Plaintiffs' property.

3 33. Plaintiffs' property in Turkey is occupied in whole or in part by the Incirlik
4 Air Base, which leases the property from Turkey. The air base is operated by the
5 Army & Air Force Exchange Service, a commercial and financially self-sustaining
6 instrumentality of the United States Department of Defense receiving no funds
7 from the federal government, with its principal place of business in Dallas, Texas.
8 The air base in Incirlik has been in continuous operation since at least the 1950s
9 pursuant to periodic lease renewals. The air base contains a food court with
10 American restaurants including Baskin-Robbins, Taco Bell, Pizza Hut, and
11 Starbucks. Thus, as a result of Defendants' unlawful acts in the Adana region,
12 Americans pay rent to Defendants and spend money at commercial establishments
13 operating on an undivided improvement which sits atop property that rightfully
14 belongs to Plaintiffs. Defendants Turkey and the Turkish Central Bank are
15 therefore receiving profits and benefits directly from U.S. sources which are
16 generated by their commercial use of Plaintiffs' property. Defendants use the
17 proceeds derived from their unlawful use and possession of Plaintiffs' property to
18 engage in commercial activities in the U.S., including but not limited to solicitation
19 of business from the Army & Air Force Exchange Service.

20 34. Defendant Ziraat Bank engaged in regular commercial banking activities
21 involving Plaintiffs' property during the entire period it held such property
22 pursuant to the Abandoned Property Laws. Plaintiffs are informed and believe and
23 thereon allege that the proceeds from such activities became commingled with
24 general bank funds and thus continue to form part of Ziraat Bank's stream of
25 revenue and proceeds.

26 35. The expropriation of Plaintiffs' property in Turkey has resulted in a windfall
27 to Defendants through the commercial activities of leasing, issuing mortgages on
28 or otherwise using the land as collateral, and/or selling the land. As the rightful

1 owners of the land, Plaintiffs are suffering harm from the loss of use and proceeds
2 from their property. Defendants Turkey and the Turkish Central Bank's continued
3 unlawful use of the property causes a direct effect in the United States because a
4 U.S. commercial entity pays money to Defendants Turkey and the Turkish Central
5 Bank to lease the Incirlik Air Base and is engaged in a long-term business
6 arrangement with Defendants or from which Defendants benefit regarding
7 Plaintiffs' property.

8 36. In addition, Defendant Ziraat Bank uses funds derived from its unlawful acts
9 in carrying out its banking and solicitation activities in the U.S. The expropriation
10 of Plaintiff's property in Turkey has resulted in unjust enrichment of Defendant
11 Ziraat Bank through the commercial activities and benefits associated with the
12 continued retention of proceeds from the initial unlawful sales of Plaintiffs'
13 property.

14 37. Plaintiffs' action is additionally based upon their rights in property
15 unlawfully expropriated by Defendant Turkey in violation of international law,
16 pursuant to a Turkish campaign of genocide based on racial, ethnic and religious
17 grounds. Proceeds from the possession, use, and/or sale of Plaintiffs' property are
18 currently present in the United States in connection with Defendants' commercial
19 activities carried on in the United States. Defendants are all currently engaged in
20 commercial activities in the United States.

21 38. International law prohibits the taking of property when it is done in a
22 discriminatory way or pursuant to gross violations of human rights. Plaintiffs'
23 property was taken pursuant to the genocidal campaign of the Ottoman Turkish
24 Empire to destroy, in whole or in part, Armenian Christians in Turkey. The
25 Turkish Armenian population was singled out from other Turkish citizens and was
26 subjected to deportation, abduction, torture, massacre, and starvation. According to
27 the website of the Armenian National Institute (www.armenian-genocide.org), "the
28 great bulk of the Armenian population was forcibly removed from Armenia and

1 Anatolia to Syria, where the vast majority was sent into the desert to die of thirst
2 and hunger. Large numbers of Armenians were methodically massacred
3 throughout the Ottoman Empire. Women and children were abducted and horribly
4 abused. The entire wealth of the Armenian people was expropriated.”

5 Approximately 1.5 million people died during the genocide. These acts, which
6 were part of widespread and systematic attacks on the Armenian population, also
7 constituted crimes against humanity. The expropriation of Plaintiffs’ property
8 pursuant to such acts violated *jus cogens* norms forbidding systematic racial
9 discrimination and genocide and fell entirely on Armenians, and, as such, was
10 unlawful and in violation of international law.

11 39. As alleged herein, the property taken from Plaintiffs during the Armenian
12 genocide, and the proceeds from such property, are currently held by Defendants.
13 In the first years after the initial taking, Defendant Ziraat Bank was required under
14 the Abandoned Property Laws to hold the property or proceeds from property of
15 Armenians in trust on behalf of the rightful owners. In 1928, new Turkish laws
16 authorized Defendant Ziraat Bank to turn over to the Treasury all the Armenian
17 property it held. Plaintiffs believe that their property was not held in the name of
18 the rightful Armenian owners, and thus has been commingled with other property
19 of Defendants. Additionally, the property itself has been sold and/or leased and
20 what were once arable fields are now part of the Incirlik Air Base. Proceeds from
21 the lease of Plaintiffs’ land are held by Defendants Turkey and the Turkish Central
22 Bank. All three Defendants –Turkey, the Turkish Central Bank, and Ziraat Bank –
23 are currently engaged in commercial activities in the United States using
24 commingled funds from Plaintiffs’ property.

25 40. Venue is proper within this Court because Defendants do business in Los
26 Angeles County and/or because Defendants transact business with consumers who
27 reside in Los Angeles County and the State of California. Additionally, Plaintiffs
28 Anais Hartounian and Rita Mahdessian are residents of Los Angeles County.

1 Venue is also proper because no adequate alternative forum with any remedy exists
2 for Plaintiffs' claims, and any claim brought in the Republic of Turkey would be
3 futile.

4
5 **FACTS COMMON TO ALL COUNTS**

6 41. In the late nineteenth and early twentieth centuries many ethnic Armenians
7 living in the Ottoman Turkish Empire enjoyed prosperity. Many Armenians owned
8 real property and other assets within and around the province of Adana. In 1909,
9 Adana was the site of an infamous "Adana massacre," a precursor of the Armenian
10 genocide, where 30,000 men, women and children of Armenian descent living in
11 Adana were slaughtered.

12 42. In approximately 1910, shortly after having gained power, a regime in the
13 Ottoman Turkish Empire known as the "Young Turks," along with a clique of
14 officers and technicians, secretly began to plan for the cleansing of all non-Turks,
15 including ethnic Armenians, from the Ottoman Turkish Empire.

16 43. The Young Turks resolved to "deport and relocate" Armenians away from
17 population centers and into the deserts of Syria, then part of the Ottoman Turkish
18 Empire. By 1915, the "relocation" of Armenians served as a ruse for the genocide.
19 Using the fighting and bloodshed from the battles of World War I as a cover, the
20 government of the Ottoman Turkish Empire launched a systematic campaign to
21 destroy ethnic Armenians through a process of massacre and deportation, which is
22 now recognized as the Armenian Genocide. As a result of this premeditated state-
23 sponsored campaign of genocide between 1915 and 1923, the ethnic Armenian
24 population of Ottoman Turkey was annihilated and only a small number survived
25 to reach Syria and elsewhere.

26 44. As part of this genocidal campaign, the Young Turks instigated the
27 systematic transfer of Turkish Armenian-owned businesses, factories, shops,
28 farms, and all other economic enterprises into Turkish Muslim ownership. In May

1 1915, the Young Turks issued a regulation stating that all real property belonging
2 to Armenians was to be considered abandoned property. Further, on November 24,
3 1915, the Minister of the Interior sent an encrypted message to the Commission of
4 Clearance and Settlement of Adana, among others, where he “ordered that special
5 companies be formed for the real and temporal Armenian properties left behind by
6 the deportees in order to give their ownership to Muslims under color of law.” A
7 true and correct copy of the November 24, 1915 encrypted message is attached as
8 Exhibit O to this Complaint.

9 45. A circular letter dated January 11, 1916, from the Turkish Minister of
10 Commerce and Agriculture, Director-General of Commerce, specified 31 localities
11 throughout Turkey where Armenians resided and directed that all Armenian assets
12 in those localities were to be catalogued and administered by “Liquidation
13 Commissions” (Turkish Commissionou). In fact, the Liquidation Commissions
14 provided legal cover to give Turkish Muslims properties far below market rates,
15 assign immigrants to live in former Armenian houses, take over Armenian
16 factories, distribute Armenian crops to the military, and even use proceeds derived
17 from the sale of Armenian property to fund their deportation.

18 46. Among the real property and other assets expropriated by the Ottoman
19 Turkish Empire as part of these Liquidation Commissions was Plaintiffs’ property
20 in Adana. The families of the Plaintiffs were all landowners of properties situated
21 in the Adana region, Turkey. Their properties were confiscated by the Turkish
22 government after the families were removed from their homes. The expropriation
23 of property of Plaintiffs Haroutunian and Mahdessian occurred in 1915 when their
24 relatives were murdered and/or deported. The expropriation of property of Plaintiff
25 Bakalian occurred in 1921, when his grandparents were forced to flee after the
26 withdrawal of French troops from Cilicia.

27 47. After World War I, resolutions were passed facially permitting Armenians to
28 return to Turkey, but the government actively blocked Armenian efforts to reclaim

1 the property that was allegedly held in trust on their behalf. Most were not able to
2 return to their original homes. Turkey also treated Armenians as non-citizens,
3 sending them out of the country and prohibiting their return by stamping their
4 passports "Return interdit" (return prohibited). A true and correct copy of a
5 cancelled Armenian passport is attached as Exhibit P to this Complaint.

6 48. By 1921, the newly established nationalist government in Ankara was
7 looking to complete the vision of the Young Turks to expel the Armenians.
8 Armenians that returned were quickly run out of the country again. Without the
9 protection of foreign or Allied powers, it was impossible for Armenians to try to
10 reclaim their homes and property.

11 49. In 1923, Turkey became the successor state of the Ottoman Turkish Empire.

12 50. From the time Plaintiffs' property was expropriated until the present the
13 property has been designated by Turkey as state-owned property, and leased and/or
14 sold. The property and proceeds derived from the property were deposited first
15 with Defendant Ziraat Bank, which continues to benefit from the proceeds it
16 earned during the time of its possession, then turned over to Defendants Turkey
17 and the Turkish Central Bank, who continue to possess Plaintiffs' property and/or
18 the proceeds derived from the use and possession of such property.

19 51. Restitution of the property is Plaintiffs' rightful remedy in international law
20 for an unlawful taking. In lieu of restitution, Plaintiffs are entitled to damages,
21 including replacement value. Plaintiffs' property totals approximately 122.5 acres,
22 or 496 donums. In Turkey, one donum equals approximately 1,000 square meters.
23 According to the United States Department of Defense Base Structure Report for
24 fiscal year 2009, the plant replacement value (PRV) for the 3,337 acres that
25 comprise Incirlik Air Base is USD \$1.74 Billion.
26 (<http://www.defense.gov/pubs/pdfs/2009baseline.pdf>, p. 93). Plaintiffs' 122.5
27 acres of property equals roughly 3.671% of the air base's total acreage and is
28 therefore estimated to be worth at least \$63,875,000.

1 52. The facts and substance of this claim are not governed by any superseding
2 international agreement or treaty between Turkey and the United States.

3 53. Plaintiffs have no legal remedy or judicial forum within the Turkish legal
4 system. Laws passed in 1928 and 1929 formally ended Turkey's disingenuous
5 attempt at the restitution of immovable property to its rightful Armenian owners,
6 and any funds transferred to the Treasury in relation to immovable property were
7 recorded as revenue in the state budget. Only the value of the property as assessed
8 in 1915 would be paid to verified landowners. Turkish courts have consistently
9 ruled in favor of Turkey in quiet title actions involving former Armenian property.
10

11 LEGAL AND EQUITABLE TOLLING

12 54. No statute of limitations has begun to run on the Defendants' actions or on
13 the Plaintiffs' legal right to seek compensation for properties taken as a result of
14 the Armenian Genocide.

15 55. Plaintiffs' claims are equitably tolled due to the extraordinary circumstances
16 outside of their control that has made bringing suit for recovery of unlawfully
17 expropriated property impossible until now. During and after World War I, the
18 families of each of the Plaintiffs were forced to flee the Ottoman Turkish Empire –
19 modern-day Turkey – leaving behind murdered family members and all of their
20 movable and immovable property. The Abandoned Property Laws enacted by the
21 Turkish government had the cumulative effect of preventing the return of
22 Armenians as well as preventing any claim for compensation for the unlawful
23 expropriation. In the decades following the genocide, the surviving Armenians
24 were scattered throughout the world as refugees. Given the loss of home, family,
25 belongings, and resources as a result of the genocide, and the hostile political and
26 legal climate for Armenians in Turkey, it was impossible for Plaintiffs'
27 predecessors to seek compensation for their stolen property or focus on anything
28 but rebuilding their lives. Therefore, the extraordinary circumstances associated

1 with being diaspora heirs of Armenian Genocide survivors equitably tolls the
2 statute of limitations for Plaintiffs' claims.

3 56. California *Code of Civil Procedure* § 354.45 also provides that any action by
4 a victim of the Armenian Genocide residing in California seeking payment for or
5 the return of assets deposited with and held by a bank, or looted assets such as real
6 property, may file an action on or before December 31, 2016. Plaintiff Anais
7 Hartounian resides in Pasadena, California, and Plaintiff Rita Mahdessian resides
8 in La Crescenta, California, and therefore additionally benefit from the extended
9 statute of limitations provided in § 354.45.

10
11 **FIRST CAUSE OF ACTION**

12 **UNLAWFUL EXPROPRIATION**

13 57. Plaintiffs reallege and incorporate by reference, as though fully set forth
14 herein, each and every allegation set forth in paragraphs 1 through 56 above.

15 58. Plaintiffs are informed, believe, and thereon allege that Defendants, prior to
16 the commencement of this action, wrongfully expropriated Plaintiffs' property
17 with the knowledge of Plaintiffs' lawful claim of ownership over the property in
18 violation of international law. Specifically, the unlawful expropriation was made
19 pursuant to a state-sponsored campaign of genocide, the purpose of which was to
20 exterminate in substantial part Armenians living in Ottoman Turkey and to drive
21 those that did not perish out of Turkey, as part of a campaign to create an
22 ethnically pure Turkish state. Such genocidal acts are violations of *jus cogens*
23 norms, which are universally accepted and are non-derogable.

24 59. Defendants continue to wrongfully and knowingly use, profit from, transfer,
25 convey, improve upon, and acquire Plaintiffs' property acquired through the
26 genocide in a manner which is adverse and inconsistent with Plaintiffs' lawful
27 rights of ownership.

1 60. Any demand made by Plaintiffs for return, possession, restitution, and
2 compensation would be futile, since Turkish law and Turkish government policy
3 prevents heirs of Armenian genocide victims from obtaining the return of their
4 properties.

5 61. As a result of Defendants' unlawful expropriation of the Plaintiffs' property,
6 Plaintiffs are entitled to recovery of the current fair market replacement value of
7 the properties plus the accrued reasonable rental value.

8
9 **SECOND CAUSE OF ACTION**

10 **RESTITUTION FOR UNJUST ENRICHMENT**

11 62. Plaintiffs reallege and incorporate by reference, as though fully set forth
12 herein, each and every allegation set forth in paragraphs 1 through 56 above.

13 63. As alleged herein, Defendants have received the benefits of Plaintiffs'
14 property and assets as set forth above.

15 64. Defendants have been unjustly enriched, and further, it would be inequitable
16 for Defendants to be allowed to retain the proceeds from the use of Plaintiffs'
17 assets and property without being ordered to disgorge the profits from the use of
18 those assets and property.

19
20 **THIRD CAUSE OF ACTION**

21 **VIOLATION OF CALIFORNIA *CIVIL CODE* § 1708**

22 65. Plaintiffs reallege and incorporate by reference, as though fully set forth
23 herein, each and every allegation set forth in paragraphs 1 through 56 above.

24 66. Defendants violated California *Civil Code* § 1708, which states: "Every
25 person is bound, without contract, to abstain from injuring the person or property
26 of another, or infringing upon any of his or her rights."

27 67. As a direct and legal cause of Defendants' violation of *Civil Code* §1708,
28 Defendants have been unjustly enriched at Plaintiffs' expense and have caused

1 Plaintiffs to incur damages and injuries to their rights and property resulting from
2 Defendants' wrongful conversion and use of Plaintiffs' property. Accordingly,
3 Plaintiffs seek all legal and equitable remedies to compensate them for Defendants'
4 violation of *Civil Code* § 1708, including without limitation actual damages and/or
5 restitution.

6
7 **FOURTH CAUSE OF ACTION**

8 **CONSTRUCTIVE TRUST**

9 68. Plaintiffs reallege and incorporate by reference, as though fully set forth
10 herein, each and every allegation set forth in paragraphs 1 through 56 above.

11 69. Plaintiffs are informed and believe that Defendants have taken title and/or
12 come into possession of various assets which belonged to Plaintiffs. As a result of
13 Defendants' acquisition, control and use of Plaintiffs' property, without Plaintiffs'
14 consent, Defendants have been unjustly enriched as alleged herein.

15 70. As a result of Defendants' unjust enrichment arising from its use and
16 possession of Plaintiffs' property described herein, a Constructive Trust exists
17 wherein Defendants are the constructive trustees of all property and assets
18 belonging to Plaintiffs and Defendants are therefore under a duty to convey said
19 property to Plaintiffs as the beneficiaries of the constructive trust. Accordingly, a
20 Constructive Trust exists as to all of Plaintiffs' property.

21
22 **FIFTH CAUSE OF ACTION**

23 **ACCOUNTING**

24 71. Plaintiffs reallege and incorporate by reference, as though fully set forth
25 herein, each and every allegation set forth in paragraphs 1 through 56 above.

26 72. Plaintiffs are informed and believe and thereon allege that Defendants have
27 wrongfully taken title and/or possession to certain assets and property belonging to
28 Plaintiffs and have been unjustly enriched as alleged herein. Claimants' property

1 totals approximately 122.5 acres (496 donums), and based on the DOD's plant
2 replacement value, it is estimated to be worth at least \$63,875,000 (Sixty Three
3 Million Eight Hundred and Seventy Five Thousand Dollars) plus the accrued
4 reasonable rental value. However, due to the complicated nature of Defendants'
5 accounts and businesses, which are known to Defendants and unknown to
6 Plaintiffs, and to avoid manifest injustice by preventing Plaintiffs from recouping
7 those profits unlawfully converted by Defendants, Plaintiffs are entitled to an
8 accounting to determine the amount of restitution and/or damages owed to
9 Plaintiffs by Defendants.

10 73. The exact nature and extent of the assets and property of the Plaintiffs and
11 the amounts which are due to the Plaintiffs cannot be ascertained without an
12 accounting of all records, books, and accounts regarding all of the Plaintiffs'
13 property and the profits obtained by Defendants from their use and conversion of
14 Plaintiffs' property.

15
16 **SIXTH CAUSE OF ACTION**

17 **DECLARATORY RELIEF**

18 74. Plaintiffs reallege and incorporate by reference, as though fully set forth
19 herein, each and every allegation set forth in paragraphs 1 through 56 above.

20 75. There is a real dispute between the parties as to whether Defendants are
21 unjustly profiting from property belonging to Plaintiffs and as to the amount of the
22 unjust enrichment and the nature and value of the assets and property belonging to
23 the Plaintiffs. Consequently, Plaintiffs seek a judicial declaration that they are the
24 owners of certain real property and other assets, the proceeds of which are
25 presently in Defendants' use, possession, and/or control and that Plaintiffs are
26 entitled to restitution based on Defendants' unjust enrichment and profits arising
27 from Defendants' use, possession, and/or expropriation of Plaintiffs' property.

PRAYER

Wherefore, Plaintiffs pray for judgment and relief against Defendants as follows:

1. For compensatory and punitive damages in an amount within the jurisdictional limits of this Court according to proof;
2. For the current fair market replacement value of their expropriated property, estimated to be at least \$63,875,000 plus the accrued reasonable rental value.
3. For an accounting of profits, as ordered by this Court;
4. For loss of profits, according to proof;
5. For restitution based on Defendants' unjust enrichment, according to proof;
6. For the imposition of a constructive trust;
7. For declaratory relief as requested herein;
8. For costs of suit;
9. For costs expended by Plaintiffs in pursuit of their property pursuant to California *Civil Code* § 3336;
10. For injunctive relief to prevent Defendants' continuing unjust enrichment; and
11. For such other and further relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a jury on all issues to which they are entitled to have tried by jury.

Dated: December 14, 2010

TODD, FERENTZ, SCHWARCZ & RIMBERG, LLP

By: K. Lee Boyd /RLS

K. LEE BOYD
Attorney for Plaintiffs

EXHIBIT A

May 16 1915 Regulation on the confiscation and redistribution of the Armenians' goods said "abandoned" by the Ministry of the Interior (34 articles).

Article 1 "The commissions on abandoned goods constituted under the above-mentioned articles shall act according to the instructions pertaining to properties and real properties abandoned by the deported Armenians."

Article 2 "After a village or a city are deported, the houses and all real properties belonging to the deported population, including the items they contain, shall be closed and immediately put under seal by the employees authorized by the Administrative Commissions and shall then be taken under protection."

Article 3 "The quality, the quantity and the estimated price of the items taken under protection as well as the names of their owners shall be inscribed in details in a register; then the things shall be transported to church, to school, to Khan, and in the warehouses, and will be preserved separately in such a way that the owner of each item will not be confused. A report shall be written about the owners as well as the goods to verify their origin and destination. The original of this report must be given to the local authorities and the exact certified copy to the Administrative Commissions of Abandoned Goods."

Article 5 "The mobile goods that, with time, deteriorate, or the domesticated animals shall be sold at public auctions through the mediation of under-commissions designated by the Commission and the profits shall be remitted to, in deposits, the Treasury of the Ministry of Finance, in the name of the owners, if they are known, or in the name of the village or the city where those sales occur if the owners are unknown. The quality, the quantity, the value, the name of the owner, the clients, name, the purchase price, shall be registered in details in a register and approved by the commission that directed the auctions. A police report shall be prepared and the original submitted to the local government and to the administrative commission on abandoned goods."

Article 6 "The objects found in churches, the images and sacred books shall be registered at the registrar. A police report shall be drafted and kept locally. Then, when the deported population shall be installed in whichever location, the objects having belonged to each village shall be restored to them."

Article 7 "The quality and quantity of each property and of each unrefined good shall be registered in a registrar, with their value in the name of the owners and a list of the abandoned real properties shall be drafted in each village and city and remitted to the administrative commission."

Article 8 "In the event perishable harvests and articles of food are found in the properties and buildings, they shall be sold at public auctions through the mediation of authorized persons and the profits made shall be deposited, as commitments, at the Treasury of the Ministry of Finance, in the name of the owners, and a police report will be drafted. The original shall be remitted to the local authorities and a copy to the Administrative Commission."

Article 9 "In the event where there would be no purchasers for the harvest goods and for the vine-growing productions, an agreement shall be concluded on the basis of which the merchandises shall be sold to the claimants by means of adjudication. The profits hence made by the sale of the goods shall be remitted, ten per cent, to the treasurers of the Ministry of Finance in the name of the owners."

Article 10 "No transaction shall take place under power of attorney if the deported Armenian owners have given this power of attorney to sell those goods after the date of their deportation."

Article 11 "Turkish Mouhadjirs (refugees) shall be installed in the houses and on the lands of the deported Armenians. Depending on their agricultural abilities a receipt shall be delivered to them."

Article 12 "The registration of the settled Mouhadjirs (refugees) shall be detailed and regular. The names, the age, the arrival date of those who receive homes shall be transcribed in a registrar. They shall be given a receipt indicating the quantity and size of the properties and lands entrusted to them."

Article 13 "The mouhadjirs shall be solely responsible for the protection of the houses and trees in the villages, the amount of damages occasioned shall be cashed from the entire village population and those who have done these damages shall be estranged and deprived of the advantages granted to the mouhadjirs."

Article 14 "After having distributed the houses to the mouhadjirs, the nomad tribes shall be housed in the surplus homes and formalities shall be done for them like for the mouhadjirs."

Article 15 "While housing the mouhadjirs in the houses of the deported Armenians from the cities and villages, priority shall be given to the inhabitants of cities and districts, in regards to their economic conditions and their constructive abilities, they shall be given lands in sufficient quantity."

Article 16 "Boutiques, commercial houses, khans, public baths, consignments and buildings of that sort) that are not suitable for the installation of the mouhadjirs, as well as the surplus buildings and other buildings left out of usage and mouhadjirs houses, shall be auctioned, according to article 18 by the Administrative Commission, where, under its control, through the means of an organum constituted by state employees and representatives of the Ministry of Finances."

Article 17 "The mouhadjirs installed in the cities and districts shall be registered in a registrar for an official statistic. In those registrars will be consigned their names, the quality of the land given to them, their size and value."

Article 18 "In the event where we shall meet specialists capable of purchasing and basing the value of the vines, the gardens, the olive fields or similar real estate located in the cities and villages, distribute to them under guarantee, according to their needs, abilities, as many real estate goods and lands as necessary and deliver to the interested documents. All real estate goods of this kind that have not been given to the mouhadjirs shall be sold at public auctions, according to the article 16."

Article 19 "Apart from the mouhadjirs that are in the districts that came with a permit with an authorization delivered by the local authorities, or by the Ministry of the Interior, it is necessary to require the official papers of those who wish to live in the nomad of the Armenian cities and villages."

Article 20 "Those who wish to purchase houses or lands must take care of it, and if they feel their engagements or occasion damages, they must offer a guarantee to repair the damages; it is possible to give those lands and those houses for rent for a period not exceeding two years."

Article 21 "Lists must be set up of all the buildings and lands acquired either by purchase or by rental, or by adjudication, of their quality, their size, their location, their purchase or rental price with detailed information of the clients and tenants."

Article 22 "The profits realized by the sale or rental of the properties shall be remitted into deposits to the Treasury of the Ministry of Finance, in the name of the owners and then shall be remitted to the owners according to ulterior regulations."

Article 23 "The remittance and the administrative arrangements of all the goods of the deported Armenians of cities and villages shall take place according to these rules. Those formalities are under the direct competence of the Administrative Commission on abandoned goods."

Article 24 "These administrative commissions, for all that concerns the administrative arrangements of the abandoned goods refer solely and directly to the Ministry of the Interior and act according to the orders they receive and execute, they inform it to the local authorities."

Article 25 "Will be formed as many commissions as necessary to execute the stipulations of these orders and after authorization of the Minister of the Interior, the designated state employees shall operate according to those directives. Under the shield of the Ministry of the Interior, regulations and explanations shall be elaborated by the administrative commissions of abandoned goods and copies shall be sent to the Ministry of the Interior and to the local authorities."

Article 26 "It is the duty of the state employees of the administrative commissions on abandoned goods to do diverse formalities to house some individuals in the homes of the deported Armenians. To fasten these formalities must be designated inspectors in order to establish investigations and take with consulting the local authorities, executive decisions. It is part of the attributes of the Administrative Commission on abandoned goods."

Article 27 "The commissions were required to present, at least once every fifteen days, a brief report of their activities with their observations, their conclusions, their decisions to the Ministry of Interior and to the Government."

Article 28 "The Administrative Commissions on abandoned goods during the exercise of their functions, shall abide to these orders and given rules."

Article 29 "The members of the Administrative Commission on abandoned goods are jointly and severally liable during the time of their activities for the financial operations of the administration and the preservation of the abandoned goods and lands."

Article 30 "The Administrative Commission on abandoned goods is composed of a president specially designated and of two members one of which is designated among the civil state employees of the city and the other, among the state employees of finances (Statists of Finance)."

Article 31 "The President of the Administrative Commission on abandoned goods or a person designated by him manages the correspondence in the name of the President."

Article 32 "The President of the Administrative Commission on abandoned goods can if he judges it necessary, assign one of the member of the commission, according to these rules, to conduct an investigation or undergo a control or else exercise a full form of executive power."

Article 33 "The President of the Administrative Commission on abandoned goods carries on a daily basis a pound and a half and the members, a pound, deducted on the sums allotted to the moondjirs; they shall receive travelling expenses, if they go to other localities."

Article 34 "In the districts where no commission is designated, the local central authority has the duty to designate somebody according to those instructions."

EXHIBIT B

10

DIRECTORATE OF OTTOMAN PRIME MINISTRY ARCHIVES

Date: March 24, 1916

Code: 272.0.0.12

Place Code: 36.12.17

Informing the "Tasfiye Komisyon"s [Sale Commissions, dealing with the property belonging to those deported] that the Ziraat bank branches will provide lists and that work should be done commensurate to those lists provided by the bank branches.

10

[Page 1]

Ziraat bank has informed the General directorate of Tribes and Immigrants on February 4, 1916 (1331) that the Commissions will receive lists [of properties left behind by deportees] through the bank's branches, and that those lists should be used by the commissions in order to complete their work.

272-12-36-12-17

EXHIBIT B
27

11

DIRECTORATE OF OTTOMAN PRIME MINISTRY ARCHIVES

Date: February 4, 1916

Code: 272 0.0.74

Place Code: 64.2.19

The sums deposited at the coffers of Konya from the sale of properties left behind by deportees had been transferred to Ziraat bank.

11

[Page 1]

Telegram sent by the Konya Commission dealing with the properties left behind by deportees. The sums deposited at the coffers Konya from the sale of properties left behind by deportees had been transferred to Ziraat bank.

272-74-64-2-19

EXHIBIT B
29

12

DIRECTORATE OF OTTOMAN PRIME MINISTRY ARCHIVES

Date: February 4, 1916

Code: 272.0.0.74

Place Code: 64.2.19

Regarding the sums deposited at the coffers Bursa from the sale of properties left behind by deportees had been transferred to Ziraat bank.

12

[Page 1]

Telegram sent by the Bursa Commission dealing with the properties left behind by deportees. The sums deposited at the coffers Bursa from the sale of properties left behind by deportees had been transferred to Ziraat bank.

272-14-64-2-16

EXHIBIT B
31

13

DIRECTORATE OF OTTOMAN PRIME MINISTRY ARCHIVES

Date: January 1, 1916

Code: 272.0.0.74

Place Code: 64.2.17

Regarding the sums deposited at the coffers Afyon [Karahisar] from the sale of properties left behind by deportees had been transferred to Ziraat bank.

13

[Page 1]

Telegram sent by the Afyon [Karahisar] Commission dealing with the properties left behind by deportees. The sums deposited at the coffers Afyon [Karahisar] from the sale of properties left behind by deportees had been transferred to Ziraat bank.

272-74-64-2-17

EXHIBIT B
33

14

DIRECTORATE OF OTTOMAN PRIME MINISTRY ARCHIVES

Date: January 1, 1916

Code: 272.0.0.74

Place Code: 64.2.15

Regarding the sums deposited at the coffers Sivrihisar from the sale of properties left behind by deportees had been transferred to Ziraat bank.

14

[Page 1]

Telegram sent by the Sivrihisar Commission dealing with the properties left behind by deportees. The sums deposited at the coffers Sivrihisar from the sale of properties left behind by deportees had been transferred to Ziraat bank.

272-74-64-2-15

EXHIBIT B
35

15

DIRECTORATE OF OTTOMAN PRIME MINISTRY ARCHIVES

Date: January 29, 1916

Code: 272.0.0.74

Place Code: 64.2.13

Regarding the sums deposited at the coffers Sivas from the sale of properties left behind by deportees had been transferred to Ziraat bank.

15

[Page 1]

Telegram sent by the Sivas Commission dealing with the properties left behind by deportees. The sums deposited at the coffers Sivas from the sale of properties left behind by deportees had been transferred to Ziraat bank.

272-74-64-2-13

EXHIBIT B
37

16

DIRECTORATE OF OTTOMAN PRIME MINISTRY ARCHIVES

Date: January 28, 1916

Code: 272.0.0.74

Place Code: 64.2.12

Regarding the sums deposited at the coffers Yozgat from the sale of properties left behind by deportees had been transferred to Ziraat bank.

16

[Page 1]

Telegram sent by the Yozgat Commission dealing with the properties left behind by deportees. The sums deposited at the coffers Yozgat from the sale of properties left behind by deportees had been transferred to Ziraat bank.

272-74-64-2-12

EXHIBIT B
39

17

DIRECTORATE OF OTTOMAN PRIME MINISTRY ARCHIVES

Date: January 28, 1916

Code: 272.0.0.74

Place Code: 64.2.11

Regarding the sums deposited at the coffers Izmit from the sale of properties left behind by deportees had been transferred to Ziraat bank.

17

[Page 1]

Telegram sent by the Izmit Commission dealing with the properties left behind by deportees. The sums deposited at the coffers Izmit from the sale of properties left behind by deportees until the end of 1331 (1916) had been transferred to Ziraat bank.

272-74-64-2-11

EXHIBIT B
41

19

Regarding the Coton [Circir] manufacturing facility which had been reverted to the ownership of Ziraat Bank in Adana, and not being assigned to private ownership as an establishment.

Republic of Turkey

Prime Ministry

Directorate of Dissemination of Decisions

Decision No.: 2/11873

DECISION

In a note written by the Ministry of Commerce, dated August 28, 1939, and bearing the serial number 4893/10627, the two Circir manufacturing facilities in [the city of] Adana, [the Ministry makes it clear that since the establishments [in question] being unable to pay what they owe and thus [their ownership] having been reverted to the above mentioned bank [Ziraat Bank, Adana Branch], and, furthermore, having been outside the purview of normal enterprises, and thus, having operated with loss, which makes the bank unable to deal with them, the bank had informed that it had sold one of the facilities and is in the process of selling the other [second]. The bank had informed the pertinent authorities about this. Since the second facility has not yet been sold, the bank informs that in accordance with article 26 of law number 3460, the establishment under question will cost a lot to bring it to an operating condition.

This issue has been meticulously discussed during the meeting of the Cabinet on September 4, 1939. The cabinet decided to consider the establishment in question to be exempt from the dictates of point 1 of article 26 of law number 3460, in accordance with and commensurate to the content of section 2 of the same law.

Signatures

EXHIBIT C

Bakalian 004

In the Presence of your Majesty's Illustrious Provincial Protector

Request from your humble servant,

Gentlemen, in light of the fact that I was unable to successfully acquire the deed for ninety seven *dönüms* [1 *dönüm* = approx. ¼ acre] of land from one sector in the village of Incirlik, that I purchased last year from Kalosyan Avidis *Efendi*, it is my humble request that with this application an order of dispatch be presented to the office of imperial instruments, for a certified copy [of said deed], exchangeable with the original, to be delivered to me from the directorship of Imperial Registrar. 18 October 1919

Bakkâlyan

Dikran

To the Directorship office of Tax and Imperial Registrar, 19 October 1919

Dönüm: 95

Public : 8451

[To] Dikran *Efendi*, son of Bakkâl Kiragos Ağa of the village of Incirlik, the registration of the referenced land inserted above exactly as indicated, has been tendered to the office of Imperial Registrar.

(ink stamp and signature)

Bakalian 005

DATE	VILLAGE	TYPE	DÖNÜM [1 dönüm = approx. ¼ acre]
20 July 1918	Incirlik	Arable field from formerly State-owned land	95

BOUNDARY	GRANTOR	CONSIDERATION OF TRANSFER
Eastward, public road;	Absolute transfer from	12000
Westward, Mihâil's heirs;	Avadis <i>Efendi</i> , son of Kalusyan	(Gold stamped coin)
Northward, Zaruhî;	Haji Asadur Ağa	
Southward, land owned by Süleyman Ağa		

POSSESSOR

Dikran Efendi, son of Bakkâl Kiragos Ağa

In accordance with the July 1918 registration, row number 25, of 95 *dönüms* of land from a sector in the village of Incirlik in the name of Dikran Efendi, son of Bakkâl Kiragos Ağa, the boundaries of which are identified above, in exchange for the receipt of a 190 *kurush* sum that is owed and filed in the land register, as calculated by the tax office from the value of 95,000 *kurush*, the receipt stamp registered below is linked and [debt is] canceled and [proof] given to petitioner. 23 October 1919.

(paper stamps and signature)

BAKALIAN 004

Huzur-ı Sâmi-i Cenâb-ı Vilâyet-penâhîye

Ma'rûz-ı bendeleridir,

Kalosyan Avidis Efendiden geçen sene İncirlik karyesinden iştıra eylediğim bir kıtada doksan yedi dönüm tarlanın tapu senedinin ahzına muvaffak olamadığımdan sened-i hâkânî makamına kâim olmak üzere aslından suret-i musaddakının işbu istidama ihracıyla tarafıma itası hususunun Defter-i Hâkânî müdüriyetine emr ü havale buyurulması müsterhimdir efendim. 18 Teşrîn-i evvel 337.

Bakkâlyan

Dikran

Vergi ve Defter-i Hâkânî müdüriyetlerine, 19 Teşrîn-i evvel 337.

Dönüm: 95

Umumîsi: 8451

İncirlik karyesinde Bakkâl Kiragos Ağa mahdumu Dikran Efendi mezkûr tarlanın kaydı aynen bâlâya derc edilerek Defter-i Hâkânî idaresine tevdi kılındı.

(mühür ve imza)

BAKALIAN 005

TARİH	KARYESİ	CİNSİ	DÖNÜMÜ
20 Temmuz 336	İncirlik	Arazi-i emîriyeden tarla	95

HUDUDU	CİHET-İ İTASI	BEDEL-İ FERAĞI
Şarkan tarîk-i âmm	Kalusyan Hacı Asadur	12000
Garben Mihâil veresesi	Ağa mahdumu Avadis	(sikke-i madeniye-i altın)
Şimâlen Zaruhi	Efendinin katiyen	
Cenuben Süleyman Ağa	ferağından	
Tarlası		

MUTASARRIFI

Bakkâl Kiragos Ağa

mahdumu Dikran Efendi

Hudut kaydı aynen bâlâyı derc edilen İncirlik karyesinde bir kıtada doksan beş dönüm tarla Bakkâl Kiragos Ağa mahdumu Dikran Efendi namına Temmuz 336 tarih ve 25 sıra numaralı kayıt mucibince mukayit olup maa-tahrir-i vergi idaresinden çıkarılan 95000 kuruş kıymetten alınması lazım gelen 190 kuruş resm-i kaydiye bi'l-ahz mukabilinde zire kaydiye ilmühaber pulu ilsak ve iptal edilerek müstedi yedine ita kılındı. 23 Teşrin-i evvel 337

(pullar ve imza)

EXHIBIT C

46

EXHIBIT D

Bakalian 002

Imperial Document

Ledger Month : November 1908
 Volume number : 45
 Page number : 33
 Provincial Subdivision : Adana
 Provincial District : Adana
 Village : Incirlik
 Category : Arable field
 Type : From formerly state-owned land
 Boundary : Eastward Kürkçüler, Westward Mazur Ağa's heirs, Northward bridge (?), Southward public road
 Amount : Ninety *dönüm*-*l atik* only (*dönüm* = approx. 1/4 acre, 'atik' = 'old'), thirty three *dirhem-i şinik* [*dirhem* = drachma=1/400 of an okka. *şinik*=1/4 bushel of grain]
 Granting instrument : The children of the late *Musullu* Mihaıl, Osep and Krikor and *** and Rakil and Miss Kilina, acting on their own behalf, and in accordance with an executorship dated 15 September 1910 given by Osep in a court of law, his mother Miss Azabet acting with the firm consent of the parties, upon the modification of the instrument dated November 1907.
 Possessor : Miss Kilina, daughter of Mihaıl Ağa
 Nationality : Ottoman
 Charge (Value) : 1910

Whereas the land, which is identified in details and registration written above, has been registered in the name of Miss Kilina, daughter of Mihaıl in the Imperial Registrar for the sum of one thousand nine hundred and ten *kurush*, on the condition that the annual legal fees are paid to the appropriate authority, therefore this imperial instrument has been set forth and granted.

August 1908

(ink stamp and signature)

EXHIBIT D
47

Bakalian 006

Imperial Instrument

Row Number : 196/185

Ledger Month : November 1908

Volume Number : 45

Page Number : 37

Provincial Subdivision : Adana

Provincial District : Adana

Township :

Village : Incirlik

Category : Arable field

Type : From formerly state-owned land

Boundary : Eastward, Kürkçüler; Westward Mazur Ağa heirs; Northward, from *kefiye* (??), Southward, public road.

Amount : Ninety *dönüm-i atik* [1 *dönüm*=approx. ¼ acre, 'atik'= 'old']; thirty three dirhem [dirhem = drachma= 1/400 of an okka] two *evlek-i cedid* [1 *evlek* = ¼ *dönüm*, 'cedid' refers to 'modern']

Former Owner :

Granting Instrument : The children of the late *Musullu* Mihaîl Ağa, Osep and Krikor and *** and Rakil and Miss Kilina, acting on their own behalf, and in accordance with an executorship dated 15 September 1910 given by Osep in a court of law, his mother Miss Azabet acting with the firmⁱⁱ consent of the parties, upon the modification of the instrument dated November 1907.

Possessor : Miss Kilina, daughter of Mihaîl Ağa

Nationality : Ottoman

Charge (Value) : 1910

THE WRITING IS TOO FADED IN THIS PART, MAKING IT ILLEGIBLE.

November 1908

(ink stamp and signature)

EXHIBIT D

48

BAKALIAN 002

SENED-İ HÂKÂNÎ

DEFTER-İ ŞEHR : TEŞRİN-İ SÂNÎ 1326
CİLT NUMARASI : 45
SAYFA NUMARASI : 33
LİVA : Adana
KAZA : Adana
KARYE : İncirlik
CİNSİ : Tarla
NEV'İ : Arazi-i mîri
HUDUDU : Şarkan Kürkçüler, garben Mazur Ağa veresesi, şimalen köprü(?), cenuben tarîk-i âmm.
MİKTARI : Yalnız doksan dönüm-i atîk, otuz üç dirhem-i şinik(?)
CİHET-İ İTA-YI SENET : Müteveffa Musullu Mihâil evlatları Osep ve Kirkor ve *** ve Rakil ve Kilina Hatuna asaleten ve Osep tarafından mahkeme-i şer'iyeden verilen 15 Eylül 328 tarihli vesayet mucibince validesi Azabet Hatunun bi'l-vesâye beyn-el-şüreka rıza-yı nezd-i tasnim(?) Teşrîn-i sâni 325 tarihli senetlerinin tebdiliyle
MUTASARRIFI : Mihâil Ağa kızı Kilina Hatun
TABİİYETİ : Tebaa-i Osmaniye
BEDELİ (KIYMETİ) : 1910

Bâlâda evsaf ve suret-i kaydı muharrer bin dokuz yüz on kuruş kıymetli tarla Defter-i Hâkânî idaresince Mihâil Ağa kızı Kilina Hatun namına kayıt olunmakla her sene aşâr-ı şer'iyesi memurine eda etmek üzere işbu sened-i hâkânî tanzim ve ita kılındı.

Ağustos 326

(mühür ve imza)

EXHIBIT D

49

BAKALIAN 006

SENED-İ HÂKÂNÎ

SIRA NUMARASI: 196/185

DEFTER-İ ŞEHR : TEŞRİN-İ SÂNÎ 326

CİLT NUMARASI : 45

SAYFA NUMARASI : 37

LİVA : Adana

KAZA : Adana

NAHİYE :

KARYE : İncirlik

CİNSİ : Tarla

NEV'İ : Arazi-i emîriye

HUDUDU : Şarkan Kürkçüler, garben Mazur Ağa veresesi, şimalen kefiyeden(?), cenuben tarîk-i âmm.

MİKTARI : Yalnız doksan dönüm-i atîk, otuz üç dirhem iki evlek-i cedîd.

SAHİB-İ EVVELİ :

CİHET-İ İTA-YI SENET : Müteveffa Musullu Mihâil Ağa evlatları Osep ve Kirkor ve *** ve Rakil ve Kilina Hatuna asaleten ve Osep tarafından mahkeme-i şer'iyeden verilen 15 Eylül 328 tarihli vesayet mucibince validesi Azabet Hatunun bi'l-vesâye beyn-el-şüreka rıza tasnim(?) Teşrîn-i sâni 325 tarihli senetlerinin tebdiliyle

MUTASARRIFI : Mihâil Ağa kızı Kilina Hatun

TABİİYETİ : Tebaa-i Osmaniye

BEDELİ (KIYMETİ) : 1910

BU BÖLÜM ÇOK SİLİK OLDUĞUNDAN OKUNAMADI

Teşrîn-i sâni 326

(mühür ve imza)

EXHIBIT E

Bakalian 003

Imperial Instrument

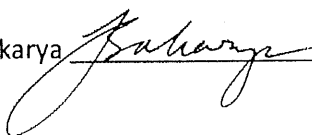
Row Number : 114
 Ledger Month : September 1903
 Volume Number :
 Page Number :
 Provincial Subdivision : Adana
 Provincial District : Adana
 Township : Üreğir
 Village : Incirlik
 Category : Arable field
 Type : From formerly state-owned land
 Boundary : Eastward, the heirs of Salif Efendi; Westward, son of Civur; Northward, public roads; Southward, wall [? *Setm?*]
 Amount : 130 *dönüm* only [1 *dönüm* = approx. ¼ acre]
 Former Owner : The sons of Terdikyan Agop Ağa, citizen of the Ottoman Empire, Boğos, Terkiya and Dikran Efendis.
 Granting instrument : As required in accordance with identification presented from both parties, and the instrument dated January 1895, ****that set out clearly that abandonment and suspension had not occurred.
 Possessor : Miss Ağsabet, daughter of Avavid Ağa, son of Molidlu
 Nationality : Ottoman
 Charge (Value) : 4850

Whereas [the property] whose identifying details and registration are written above has been registered in the name of Ağsabet, daughter of Avavid Ağa, son of Molidlu, in the Imperial Registrar for the sum of four thousand eight hundred and fifty, only, on the condition that the annual legal fees ****of 81 *kurush* are paid, therefore this imperial instrument has been set forth and granted.

August 1908

EXHIBIT E

51

Translated document by Fatima Sakarya  Sept. 13, 2010

[~~Bakalia~~ Bakalian 003, page two]

(ink stamp and signature)

Issued as required, based upon an affidavit, dated 24 May 1918 stating the imperial instrument had been destroyed by accident and an order dated 29 December 1911 and numbered 339/379 from the illustrious office.

EXHIBIT E
52

BAKALIAN 003

SENED-İ HÂKÂNÎ

SIRA NUMARASI: 114

DEFTER-İ ŞEHR : EYLÜL 321

CİLT NUMARASI :

SAYFA NUMARASI :

LİVA : Adana

KAZA : Adana

NAHİYE : Üreğir

KARYE : İncirlik

CİNSİ : Tarla

NEV'İ : Arazi-i emîriyeden

HUDUDU : Şarkan Salif Efendi vereseleri, garben Civur oğlu, şimalen tarîk-i âmm, cenuben setm(?).

MİKTARI : Yalnız yüz otuz dönüm

SAHİB-İ EVVELİ : Tebaa-i devlet-i âliyeden Terdikyan Agop Ağa mahdumları Boğos ve Terkiya ve Dikran Efendiler

CİHET-İ İTA-YI SENET : Tarafeynden vürud eden ilmühaber ile Kanun-ı sâni 313 tarihli senet mucibince *** terk ve tatil olunmadığı tebyin eyledikleri cihetle

MUTASARRIFI : Molidlu oğlu Avavid Ağa kerimesi Ağsabet Hatun

TABİİYETİ : Osmanlı

BEDELİ (KIYMETİ) : 4850

Bâlâda evsaf ve suret-i kaydı muharrer yalnız dört bin sekiz yüz elli Defter-i Hâkânî idaresince Molidlu oğlu Avavid Ağa kerimesi Ağsabet namına kayıt olunmakla her sene aşâr-ı *** 81 kuruş etmek üzere işbu sened-i hâkânî tanzim ve ita kılındı.

Ağustos 326

(mühür ve imza)

24 Mayıs 336 tarihli ilmühaberinde kazaen sened-i hâkânîyi zayi eylediği makamât-ı celilenin 339/379 numaralı ve 29 Kanun-ı evvel 329 tarihli emirnamesi mucibince verilmiştir.

EXHIBIT E

53

EXHIBIT F

Bakalian 001

Imperial Registrar

Official Instrument of Sale and Transfer of Property

September 1908

Row Number : 16
 Provincial Subdivision : Adana
 Provincial District : Adana
 Town and Village : Adana city center
 Quarter : Karataş
 Number of sectors : One sector
 Row Number : 163
 Monthly Ledger : August 1908
 Offer pertaining to : Simple Real Property
 Type of real property : Three room building with one unit storefront on ground floor
 Boundary : As detailed in the register.
 Debtor : Representative agent***** of Miss Katrina, daughter of Mihâil, her creditor,
 the aforesaid Davud Ağa
 Creditor : Haji Davud Ağa, butcher Davudlaryan
 Term : One year starting 4 September 1908
 Amount of debt : 7182, seven thousand one hundred eighty two *kurush*, only

This official instrument sets forth the settlement of a account for a building with single storefront located on the ground floor as depicted on a deed which describes the boundaries [of said property] as mentioned above, which by the individuals aforementioned, who by legal methods and in true performance, sell and take into possession [said property] for a sum equivalent to seven thousand one hundred eighty *kurush* . The obligation shall be met during a term of one year. The seller shall deliver to and take delivery from Miss Katrina, daughter of Mihâil and upon acknowledgment and confirmation, in the course of the aforementioned term, after payment and delivery by the debtor of the entire sum of the aforementioned amount due, and also upon the release of the building and storefront, the duties and obligations of the agreement **** will have thus been fulfilled and the aforementioned sale will have thus been realized.

August 1908

(ink stamp and signature)

EXHIBIT F

54

BAKALIAN 001

DEFTER-İ HÂKÂNÎ

BEY' VE FERÂGA MAHSUS SENED-İ RESMÎDİR

EYLÜL 1326

SIRA NUMARASI : 16

LİVA : Adana

KAZA : Adana

KASABA VE KARYE : Nefs-i Adana

MAHALLE : Karataş

ADED-İ KITAAT : Bir kita

SIRA NUMARASI : 163

DEFTER-İ MÂH : Ağustos 326

NEV-İ ARZ : Sırf mülk

CİNS-İ EMLÂK : Üç odalı hane ve tahtında bir bâb dükkân

HUDUDU : Defterinde muharrer olduğu vech üzere

MEDYUN : Mihâil kerimesi Katrina Hatun, mezburun vekili *** dayin-i merkum Davud Ağa olduğu

DAYİN : Davudlaryan Kasap Hacı Davud Ağa

MÜDDET : 4 Eylül 326 tarihinden itibaren bir sene müddetle

MİKTAR-I DEYN : 7182, Yalnız yedi bin yüz seksen iki kuruş

Ber-vech-i bâlâ bir kita tapu senet mantukunca bâlâda mübeyyinü'l-hudud mâlik olduğu hane ve tahtında bir bâb dükkân mezkûru her birerleri vech-i şer'i üzere yedi bin yüz seksen iki kuruş mukâbilinde bir sene müddetle vefâen bey' edip ve dahi vefaen iştirâ' ve kabz etmekle bâyi Mihâil kerimesi Katrina Hatuna teslim ve tesellüm edip ol vechile ikrâr ve tasdik etmeleriyle müddet-i mezkûr mürurunda medyûn olduğu meblag-i mezburu tamamen eda ve ifa eyledikte müşteri dahi hane ve dükkânı reddetmek üzere alâ-tarîk-il vefa akdetmeleriyle *** mezbure vechile bey'-i bi'l-vefa kabilinden bir muamele olacağını mübeyyin işbu sened-i resmî ita olundu.

Ağustos 326

(mühür ve imza)

EXHIBIT F

55

EXHIBIT G

Haroutunian 001

Imperial Instrument

Registration Number : 263
 Value : 11000
 Province : Adana
 Provincial Subdivision : Adana
 Township : Adana
 Village : Incirlik
 Realty Number : 9644
 Category : Arable field
 Type : From formerly state-owned land
 Amount : Sixty five *atik dönüm* only [1 dönüm = approx. ¼ acre. 'atik' = 'old']
 Boundary : Eastward, highway; Southwestward [in the direction of Mecca]
 Vanoyan and partially Boğos heirs; Northward, the land of the
 Gökdereliyan Markar heirs; Eastward (this should be Southward)
 bounded by the stream.

PRECAUTIONARY MEASURES TAKEN REGARDING REAL PROPERTY OF THE POSSESSOR

While the sixty five *dönüm* only, land from Gökdereliyan Abraham Ağa, Ottoman citizen, of the Haji Hamid neighborhood was in his possession for agricultural use under instrument dated March 1910, the settlement of a loan from Ziraat Bank for which there was insufficiency of debt payment, despite good faith transfer of sums of money, lead to the sale [of the land] by way of auction. The court of first instance conveyed the instrument on 17 August 1914 by official memorandum numbered 302 to the purchaser Kirmanzâde Süleyman Ağa which was registered in his name in August 1914 in the minutes under row number 52, thereby transferring the instrument. Later it appears from the written comments in the registration plans, that in accordance with the rulings and orders from the head administrator dated 7 April 1919 and numbered 1078, and from the provincial office, dated and numbered from 15 May 1917, a reformulation of the aforementioned transfer resulted in its return to the former owner. With Abraham Ağa's death in 1912, [the land became the] exclusive [property of] the wife Sara and son Sahak and daughters Rakil and Liya and Vanuhi. As the aforementioned Sara passed away also in 1913, this post-corrective instrument is hereby transmitted in accordance with the permit memorandum dated 28 February 1919, numbered 2/79 bestowed by the tax office, to the aforementioned son Sahak and daughters Rakil and Liya and Vanuhi, as certified by voucher arrived from the village.

EXHIBIT G
56Translated document by Fatima Sakarya  Sept. 13, 2010

[Haroutunian 001, page two]

Possessor's Name and Alias	Location of Birth	Date of Birth	Nationality and Ethnicity	Father's Nationality, Name and Alias	Mother's Nationality and Name
Son, Sahak and daughters Rakil and Liya and Vanuhi, registered in the dwelling number 58 in the neighborhood of Haji Hamid	Adana Adana Adana Adana	1902 1892 1894 1898	Ottoman Armenian	Ottoman Abraham	Ottoman Sara

This imperial instrument declares, sets forth and conveys that the real property, whose details and boundaries are written above, has been registered in the Imperial Registrar under the responsibility of the aforementioned [individuals]. 28 February 1919

(paper stamp, ink stamp and signature)

HAROUTUNIAN 001

SENED-İ HÂKÂNÎ

KAYIT NUMARASI : 263
KIYMETİ : 11000
VİLÂYETİ : Adana
LİVASI : Adana
KAZASI : Adana
KARYESİ : İncirlik
EMLÂK NUMARASI : 9644
CİNSİ : Tarla
NEV'İ : Arazi-i emîrîyeden
MİKTARI : Yalnız altmış beş dönüm-i atıktır.
HUDUDU : Şarkan şose tarîki, kıbliyeten Vanoyan ve kısmen Boğos vereseleri, şimalen Gökdereliyan Markar vereseleri tarlası, şarkan (cenuben olması gerek) dere ile mahduttur.

MAL-I GAYR-I MENKULÜN MUTASARRIFINCA VUKUA GELEN VECH-İ TAKAYYÜDÂTİ :

Yalnız altmış beş dönüm tarla tebaa-i Osmaniye'den Hacı Hamid mahallesinde Gökdereliyan Abraham Ağanın Mart 328 tarihli senet mucibince taht-ı ziraat ve tasarrufunda iken Ziraat Bankası'dan istikrâz eylediği mebâlige mukâbil vefâen ferag ederek deynin adem-i tesviyesine karşı bi'l-müzayede ihale kılındığından senedinin itasına dair merkez bidâyet mahkemesi tarafından mevrûd 17 Ağustos 332 tarihli ve 302 numaralı tezkere mucibince müşterisi Kirmanzâde Süleyman Ağa namına Ağustos 332 zabıt defterinin 52 sıra numarasına kaydı icra ve senedi ita kılınmış ve âhiren Baş Edminstratör'lüğün(?) 7 Nisan 919 tarih ve 1078 numaralı ve makam-ı vilâyetin 15 Mayıs 335 tarih ve numaralı kararname ve emirnameleri mucibince ferag-ı mezkûrun addiyle sahib-i evveli namına ibkâ' edildiği kayıtları planındaki meşruhattan anlaşılması ve Abraham Ağanın 330 tarihinde vefatıyla zevcesi Sara ve oğlu Sahak ve kerimeleri Rakil ve Liya ve Vanuhi'ye münhasır olduğu mezbure Sara'nın dahi 331 tarihinde vefatı cihetle oğlu merkum ve kızları mezburuna intikâl eylediği karyeleri tarafından mevrûd ilmühaberle vergi idaresinden mu'ti 2/79 numaralı 28 Şubat 337 tarihli ruhsat tezkeresi mucibince işbu senet ba'de't-tashih intikalen verilmiştir.

MUTASARRIFIN İSİM VE ŞÖHRETİ	MAHALL-İ VELÂDETİ	TARİH-İ VELÂDETİ	TABİİYET VE CEMAATİ	BABASININ TABİİYET VE İSİM VE ŞÖHRETİ	ANASININ TABİİYET VE İSMİ
Hacı Hamid mahallesinin 58 mesken numarasında mukayyit oğlu Sahak ve kerimleri Rakil ve Liya ve Vanuhi	Adana Adana Adana Adana	320 310 312 316	Tebaa-i devlet-i âliyyeden Ermeni	Tebaa-i devlet-i âliyyeden Abraham	Tebaa-i devlet-i âliyyeden Sara

Bâlâda muharrer evsâf ve hududu hâvî mal-ı gayr-ı menkul Defter-i Hâkânî'ce merkum ve mezburun uhdesine kaydedilmiş olduğunu mübeyyin işbu sened-i hâkânî tanzim ve ita kılındı. 28 Şubat 337

(pul, mühür ve imza)

EXHIBIT H

Haroutunian 002

Imperial Instrument

Registration Number : 264
 Value : 10750
 Province : Adana
 Provincial Subdivision : Adana
 Township : Adana
 Village : Incirlik
 Realty Number :
 Category : Arable field
 Type : From formerly state-owned land
 Amount : Fifty-two *dönüm-i atik*, only [1 *dönüm* = approx. ¼ acre, 'atik'='old']
 Boundary : Eastward, private road; Westward, stream; in the direction of Mecca [southwest] Boğos and Vayvayan heirs; Northward, stream and partially bordered by the heirs of Boğos.

PRECAUTIONARY MEASURES TAKEN REGARDING REAL PROPERTY OF THE POSSESSOR

While the fifty-two *dönüm* only, land from Gökdereliyan Abraham Ağa, Ottoman citizen, of the Haji Hamid neighborhood was in his possession for agricultural use under instrument dated March 1910, and it was neither abandoned nor suspended, the settlement of a loan from Ziraat Bank for which insufficiency of debt payment arose, despite good faith transfer of sums of money lead to the sale [of the land] by way of auction. The judicial board of the court of first instance conveyed the instrument on 17 August 1914 by official memorandum numbered 302 to the purchaser Mehmet Ağa, son of Demirci Şaban which was registered in his name in August 1914 in the minutes under row number 54, thereby transferring the instrument. Later it appears from the written comments in the registration plans, that in accordance with the rulings and orders from the head administrator dated 7 April 1919 and numbered 1078, and from the provincial office, dated 15 May 1917 and numbered 252, a reformulation reversing the aforementioned transfer resulted in its return to the former owner. With Abraham Ağa's death in 1912, [the land became the] exclusive [property of] the wife Sara and son Sahak and daughters Rakil and Liya and Vanuhi. As the aforementioned Sara passed away also in 1913, this post-corrective instrument is hereby transmitted in accordance with the permit memorandum dated 28 February 1919, numbered 2/79 bestowed by the tax office, to the aforementioned son Sahak and daughters Rakil and Liya and Vanuhi, as certified by voucher arrived from the village and neighborhood.

EXHIBIT H
 60

[Haroutunian 002, page two]

Possessor's Name and Alias	Location of Birth	Date of Birth	Nationality and Ethnicity	Father's Nationality, Name and Alias	Mother's Nationality and Name
Son, Sahak and daughters Rakil and Liya and Vanuhi, registered in the dwelling number 58 in the neighborhood of Haji Hamid	Adana	1902		Ottoman Abraham	Ottoman Sara
	Adana	1892			
	Adana	1894			
	Adana	1898			

This imperial instrument declares, sets forth and conveys that the real property, whose details and boundaries are written above, has been registered in the Imperial Registrar under the responsibility of the aforementioned [individuals]. 28 February 1919

(paper stamp, ink stamp and signature)

HAROUTUNIAN 002

SENED-İ HÂKÂNÎ

KAYIT NUMARASI : 264

KIYMETİ : 10750

VİLÂYETİ : Adana

LİVASI : Adana

KAZASI : Adana

KARYESİ : İncirlik

EMLÂK NUMARASI :

CİNSİ : Tarla

NEV'İ : Arazi-i emîrîyeden

MİKTARI : Yalnız elli iki dönüm-i atîktir.

HUDUDU : Şarkan tarîk-i hâs, garben dere, kıbliyeten Boğos vereseleriyle Vayvayan, şimalen dere ve kısmen Boğos vereseleriyle mahduttur.

MAL-I GAYR-I MENKULÜN MUTASARRIFINCA VUKUA GELEN VECH-İ TAKAYYÜDÂTI :

Yalnız elli iki dönüm tarla tebaa-i Osmaniye'den Hacı Hamid mahallesinde Gökdereliyan Abraham Ağanın Mart 328 tarihli senet mucibince taht-ı ziraat ve tasarrufunda olup terk ve tatil olmadığı halde Ziraat Bankası'dan istikrâz etmiş olduğu mebâlige mukâbil vefâen ferag ederek deynin adem-i tesviyesinden naşi karşı bi'l-müzayede ihale kılındığından senedinin itasına dair merkez bidâyet mahkemesi riyasetinden mevrûd 17 Ağustos 332 tarih ve 302 numaralı tezkere mucibince müşterisi Demirci Şaban oğlu Mehmet Ağa namına Ağustos 332 zabıt defterinin 54 sıra numarasına kaydı icra ve senedi ita kılınmış ve âhiren Baş Edminstratör'lüğün(?) 7 Nisan 919 tarih ve 1078 numaralı ve makam-ı vilâyetin 15 Mayıs 335 tarih ve 252 numaralı kararname ve emirnameleri mucibince ferag-ı mezkûrun ke-en-lem-yekûn addiyle sahib-i evveli namına ibkâ' edildiği kayıtları planındaki meşruhattan anlaşılmiş ve Abraham Ağanın 330 tarihinde vefatıyla zevcesi Sara ve oğlu Sahak ve kerimeleri Rakil ve Liya ve Vanuhî'ye münhasır olduğu mezbure Sara'nın dahi 331 tarihinde vefat eylediği cihetle oğlu merkum ve kızları mezburuna intikâl eylediği karyeleri ve mahalleleri tarafından mevrûd ilmühaberle vergi idaresinden mu'ti 2/79 numaralı 28 Şubat 337 tarihli ruhsat tezkeresi mucibince işbu senet ba'de't-tashih intikalen verilmiştir.

EXHIBIT H

62

MUTASARRIFIN İSİM VE ŞÖHRETİ	MAHALL-İ VELÂDETİ	TARİH-İ VELÂDETİ	TABİİYET VE CEMAATİ	BABASININ TABİİYET VE İSİM VE ŞÖHRETİ	ANASININ TABİİYET VE İSMİ
Hacı Hamid mahallesinin 58. mesken numarasında mukayyit oğlu Sahak ve kerimleri Rakil ve Liya ve Vanuhi	Adana Adana Adana Adana	320 310 312 316		Tebaa-i devlet-i âliyyeden Abraham	Tebaa-i devlet-i âliyyeden Sara

Bâlâda muharrer evsâf ve hududu hâvî mal-ı gayr-ı menkul Defter-i Hâkânî'ce merkum ve mezburun uhdesine kaydedilmiş olduğunu mübeyyin işbu sened-i hâkânî tanzim ve ita kılındı. 28 Şubat 337

(pul, mühür ve imza)

EXHIBIT I

Haroutunian 004

Imperial Instrument

Registration Number : 266
 Value : 7000
 Province : Adana
 Provincial Subdivision : Adana
 Township : Adana
 Village : Hirstiyan
 Realty Number : 8044
 Category : Arable field
 Type : From formerly state-owned land
 Amount : Forty *atik dönüm* only [1 *dönüm* = approx. ¼ acre, 'atik' = 'old']
 Boundary : Eastward, field of the Markar heirs; Westward, field of Yusuf, son of Abdo; in the direction of Mecca, public road; Northward, the heirs of son of Dobur and the field of Kiragos, son of Kahya.

PRECAUTIONARY MEASURES TAKEN REGARDING REAL PROPERTY OF THE POSSESSOR

While the forty *dönüm* only, land from Gökdereliyan Abraham Ağa, Ottoman citizen, of the Haji Hamid neighborhood was in his possession for agricultural use under instrument dated March 1910, and it was not abandoned nor suspended, by reason of his death in 1912, [the land became] exclusive [property of] the wife Sara and son Sahak and the aforesaid daughters Rakil and Liya and Vanuhi. Afterwards, with the death of the aforementioned Sara also in 1913, [the land] was transmitted to the aforesaid son Sahak and aforesaid daughters Rakil and Liya and Vanuhi which the present instrument reflects in accordance with the permit memorandum dated 28 February 1919, numbered 2/79 bestowed by the tax office, as certified by voucher arrived from his village and neighborhood.

Possessor's Name and Alias	Location of Birth	Date of Birth	Nationality and Ethnicity	Father's Nationality, Name and Alias	Mother's Nationality and Name
Son, Sahak and daughters Rakil and Liya and Vanuhi, registered in the dwelling number 58 in the neighborhood of Haji Hamid	Adana Adana Adana Adana	1902 1892 1894 1898	Ottoman Armenian	Ottoman Abraham	Ottoman, Sara

[Haroutunian 004, page two]

This imperial instrument declares, sets forth and conveys that the real property, whose details and boundaries are written above, has been registered in the Imperial Registrar under the responsibility of the aforementioned [individuals]. 28 February 1919

(paper stamp, ink stamp and signature)

ⁱ The term "tasnim" in the original is believed to be a misspelling of 'tasmim' which translates to 'firm resolution'.
ⁱⁱ the word 'tasnim' in the original is believed to be a misspelling of 'tasmim' which translates to 'firm resolution'.

HAROUTUNIAN 004

SENED-İ HÂKÂNÎ

KAYIT NUMARASI : 266
 KIYMETİ : 7000
 VİLÂYETİ : Adana
 LİVASI : Adana
 KAZASI : Adana
 KARYESİ : Hıristiyan
 EMLÂK NUMARASI : 8044
 CİNSİ : Tarla
 NEV'İ : Arazi-i emîrîyeden
 MİKTARI : Yalnız kırk dönüm-i atıktır.
 HUDUDU : Şarkan Markar vereseleri tarlası, garben Abdo oğlu Yusuf tarlası, kibliyeten tarîk-i âmm, şimalen Dobur oğlu vereseleriyle Kahya oğlu Kiragos tarlası..

MAL-I GAYR-I MENKULÜN MUTASARRIFINCA VUKUA GELEN VECH-İ TAKAYYÜDÂTI :

Yalnız kırk dönüm tarla tebaa-i Osmaniye'den Hacı Hamid mahallesinden Gökdereliyan Abraham Ağanın Mart 328 tarihli senet mucibince taht-ı ziraat ve tasarrufunda olup terk ve tatil olmadığı halde 330 tarihinde vefatı cihetle zevcesi Sara ve oğlu Sahak ve kızları mezburun Rakil ve Liya ve Vanuhi'ye münhasır olup ba'de mezbure Sara'nın dahi 331 tarihinde vefatı hasebiyle oğlu merhum Sahak ve kızları mezburun Rakil ve Liya ve Vanuhi'ye intikal eylediği mahallesi ve karyesi tarafından mevrûd ilmühaberle vergi idaresinden.mu'ti 28 Şubat 337 tarihli ve 2/79 numaralı ruhsat tezkeresi mucibince işbu senet intikalen verilmiştir.

MUTASARRIFIN ŞÖHRETİ	İSİM VE	MAHALL-İ VELÂDETİ	TARİH-İ VELÂDETİ	TABİİYET VE CEMAATİ	BABASININ TABİİYET VE İSİM VE ŞÖHRETİ	ANASININ TABİİYET VE İSMİ
Hacı Hamid mahallesinin 58 mesken numarasında mukayyit oğlu Sahak ve kerimeleri Rakil ve Liya ve Vanuhi		Adana Adana Adana Adana	320 310 312 316	Tebaa-i devlet-i âliyyeden Ermeni	Tebaa-i devlet-i âliyyeden Abraham	Tebaa-i devlet-i âliyyeden Sara

Bâlâda muharrer evsâf ve hududu hâvî mal-ı gayr-ı menkul Defter-i Hâkânî'ce merhum ve mezburun uhdesine kaydedilmiş olduğunu mübeyyin işbu sened-i hâkânî tanzim ve ita kılındı. 28 Şubat 337

(pul, mühür ve imza)

EXHIBIT I

66

EXHIBIT J

Haroutunian 003

Imperial Instrument

Registration Number : 265
 Value : 500
 Province : Adana
 Provincial Subdivision : Adana
 Township : Adana
 Village : Incirlik
 Realty Number : 8084
 Category : Arable field
 Type : From formerly state-owned land
 Amount : Three *atik dönüm* only [1 dönüm = approx. ¼ acre, 'atik' = 'old']
 Boundary : Eastward, private road; Westward, the Vayvayan field; Northward, the Markar heirs; Southward, the Incirlik road.

PRECAUTIONARY MEASURES TAKEN REGARDING REAL PROPERTY OF THE POSSESSOR

While the three *dönüm* only, land from Gökdereliyan Abraham Ağa, Ottoman citizen, of the Haji Hamid neighborhood was in his possession for agricultural use under instrument dated March 1910, and it was not abandoned nor suspended, by reason of his death in 1913 (this should be 1912), [the land] was transmitted to the aforesaid son Sahak and daughters Rakil and Liya and Vanuhi which the present instrument reflects in accordance with the permit memorandum dated 28 February 1919, numbered 2/79 bestowed by the tax office, as certified by voucher arrived from his village and neighborhood.

Possessor's Name and Alias	Location of Birth	Date of Birth	Nationality and Ethnicity	Father's Nationality, Name and Alias	Mother's Nationality and Name
Son, Sahak and daughters Rakil and Liya and Vanuhi, registered in the dwelling number 58 in the neighborhood of Haji Hamid	Adana Adana Adana Adana	1902 1892 1894 1898	Ottoman Armenian	Ottoman Abraham	Ottoman Sara

EXHIBIT J

67

[Haroutunian 003, page two]

This imperial instrument declares, sets forth and conveys that the real property, whose details and boundaries are written above, has been registered in the Imperial Registrar under the responsibility of the aforementioned [individuals]. 28 February 1919

(paper stamp, ink stamp and signature)

HAROUTUNIAN 003

SENED-İ HÂKÂNÎ

KAYIT NUMARASI : 265
 KIYMETİ : 500
 VİLÂYETİ : Adana
 LİVASI : Adana
 KAZASI : Adana
 KARYESİ : İncirlik
 EMLÂK NUMARASI : 8084
 CİNSİ : Tarla
 NEV'İ : Arazi-i emîrîyeden
 MİKTARI : Yalnız üç dönüm-i atıktır.
 HUDUDU : Şarkan tarîk-i hâs, garben Vayvayan tarlası, şimalen Markar vereseleri, cenuben İncirlik tarîki.

MAL-I GAYR-I MENKULÜN MUTASARRIFINCA VUKUA GELEN VECH-İ TAKAYYÜDÂTİ :

Yalnız üç dönüm tarla tebaa-i Osmaniye'den Hacı Hamid mahallesinden Gökdereliyan Abraham Ağanın Mart 328 tarihli senet mucibince taht-ı ziraat ve tasarrufunda olup terk ve tatil olmadığı halde 331 (330 olmalı) tarihinde vefatı hasebiyle oğlu merhum Sahak ve kızları mezburun Rakil ve Liya ve Vanuhi'ye intikal eylediği mahallesi ve karyesi tarafından mevrûd ilmühaberle vergi idaresinden mu'ti 28 Şubat 337 tarihli ve 2/79 numaralı ruhsat tezkeresi mucibince işbu senet intikalen verilmiştir.

MUTASARRIFIN İSİM VE ŞÖHRETİ	MAHALL-İ VELÂDETİ	TARİH-İ VELÂDETİ	TABİİYET VE CEMAATİ	BABASININ TABİİYET VE İSİM VE ŞÖHRETİ	ANASININ TABİİYET VE İSMİ
Hacı Hamid mahallesinin 58 mesken numarasında mukayyit oğlu Sahak ve kerimeleri Rakil ve Liya ve Vanuhi	Adana Adana Adana Adana	320 310 312 316	Tebaa-i devlet-i âliyyeden Ermeni	Tebaa-i devlet-i âliyyeden Abraham	Tebaa-i devlet-i âliyyeden Sara

Bâlâda muharrer evsâf ve hududu hâvî mal-ı gayr-ı menkul Defter-i Hâkânî'ce merhum ve mezburun uhdesine kaydedilmiş olduğunu mübeyyin işbu sened-i hâkânî tanzim ve ita kılındı. 28 Şubat 337

(pul, mühür ve imza)

EXHIBIT K

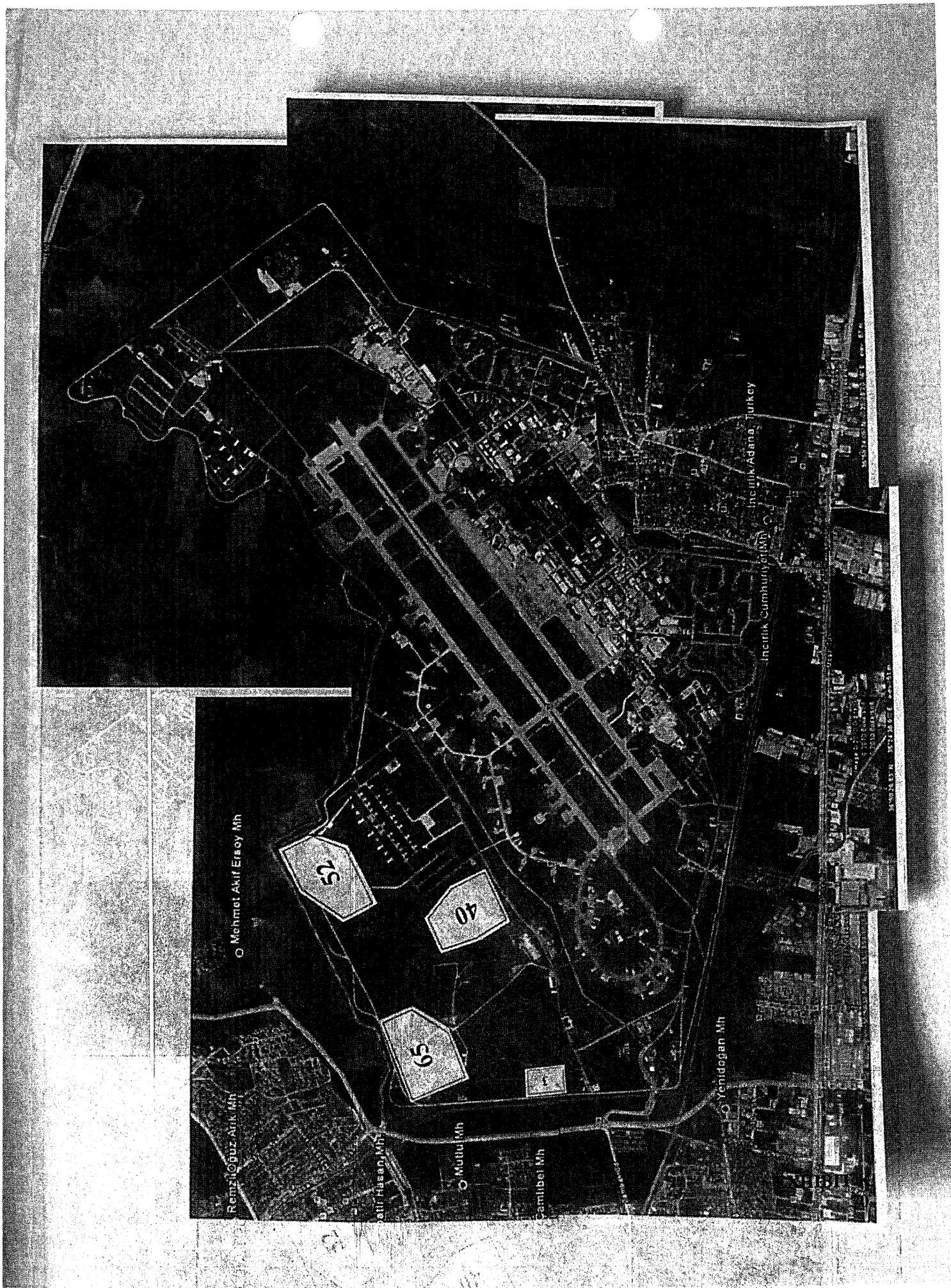


EXHIBIT L

Boyadjian 002

Imperial Ledger

Row Number : 433
 Ledger Month : March 1906
 Provincial Subdivision : Adana
 Provincial District : Adana
 Township : Yüreğir
 Village : Incirlik
 Locality : Davudlar
 Category : Arable field
 Type : From formerly state-owned land
 Boundary : Eastward, Harih; Westward Haji Davud; Northward, stream; Southward, public road.
 Amount : *Atik: dönüm(12)* [1 *dönüm* = approx. ¼ acre, 'atik' = 'old'], *evlek (2)* [1 *evlek* = ¼ *dönüm*] Twelve *dönüm* and two *evlek*, only.
 Former Owner : Ottoman citizen Nazar Ağa, son of Kasbar Ağa
 Granting Instrument : In accordance with the identification arrived from the aforementioned township and the instrument dated December 1905, it being made clear that the right of possession had not been abandoned or suspended, the right of possession has been conveyed without reservation.
 Possessor : Half ownership right by Boyaciyen Mihran *Efendi*
 Value : 1250
 Charge : 1250
 Nationality : Ottoman

Until the setting out and granting of the[final] instrument, this temporary receipt is presented in the name of the Imperial Registrar, based upon the execution of the formal transactions and the receipt of forty four *kurush* and twenty *para* charge and tolls by the land registry, for the above described land. 26 March 1906.

(paper stamp, ink stamp and signature)

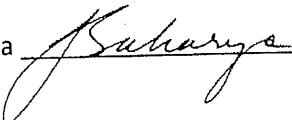
Translated document by Fatima Sakarya  Sept. 13, 2010

EXHIBIT L

71

BOYADJIAN 002

DEFTER-İ HÂKÂNÎ

SIRA NUMARASI : 433
DEFTER-İ ŞEHR : MART 324
LİVA : Adana
KAZA : Adana
NAHIYE : Yüreğir
KARYE : İncirlik
MEVKİİ : Davudlar
CİNSİ : Tarla
NEV'İ : Arazi-i mîrî
HUDUDU : Şarkan Harih, garben Hacı Davud, şimalen dere, cenuben tarîk-i âmm.
MİKTARI : Atîk: dönüm (12), evlek (2) yalnız on iki dönüm iki evlek.
SAHİB-İ EVVELİ : Tebaa-i Devlet-i Âliye'den Kasbar Ağa mahdumu Nazar Ağa
CİHET-İ İTA-YI SENET : Merkumun karyesi tarafından vürûd eden ilmühaber ile Kanun-ı evvel 323 tarihli senet mucibince hakk-ı tasarrufu terk ve tatil olunmadığı tebyin eylediği cihetle katiyen ferağından
MUTASARRIFI : Boyacıyan Mihran Efendi, nisf hissesi
KIYMETİ: : 1250
BEDELİ : 1250
TABİİYETİ : Devlet-i Âliyye

Bâlâda muharrer tarlanın muamelât-ı resmiyesi icra kılınmış ve kırk dokuz kuruş yirmi para harç ve rûsumu tapu sandığına teslim olunmuş olmakla senedinin tanzim ve itasına değin defter-i hâkânî namına işbu işbu muvakkat ilmühaber ita kılındı. 26 Mart 324

(pul, mühür ve imza)

EXHIBIT L

72

EXHIBIT M

Boyadjian 001

Imperial Registrar

Row Number : 385
 Ledger Month : January 1905
 Provincial Subdivision : Adana
 Provincial District : Adana
 Township : Yüreğir
 Village : Incirlik
 Category : Arable field
 Type : From formerly state-owned land
 Boundary : Eastward, Harih; Westward, Haji Davud; Northward, Haji Davud; Southward, public road.
 Amount : Atik: *dönüm* (9) [1 *dönüm* = approx. ¼ acre, 'atik' = 'old'], *Evlek* (2) [approx. ¼ *dönüm*] Nine *dönüm* and two *evlek* only.
 Former Owner : Ottoman Citizen Nazaret Ağa, son of Kasbar Ağa
 Granting Instrument : In accordance with the identification arrived from the aforementioned township and the instrument dated December 1904, it being made clear that the right of possession had not been abandoned or suspended, the right of possession has been conveyed without reservation.
 Possessor : Half ownership right by Boyaciyen Mihran *Efendi*
 Value : 500
 Charge : 2000
 Citizenship : Ottoman

Until the setting out and granting of the [final] instrument, this temporary receipt is presented in the name of the Imperial Registrar, based upon the execution of the formal transactions and the receipt of seventy *kurush* charge and tolls by the land registry, for the above described land. 26 January 1905.

(paper stamp, ink stamp and signature)

EXHIBIT M

73

BOYADJIAN 001

DEFTER-İ HÂKÂNÎ

SIRA NUMARASI: 385

DEFTER-İ ŞEHR : KANUN-I SÂNÎ 323

LİVA : Adana

KAZA : Adana

NAHİYE : Yüreğir

KARYE : İncirlik

MEVKİİ : Davudlar

CİNSİ : Tarla

NEV'İ : Arazi-i emîrî

HUDUDU : Şarkan Harih, garben Hacı Davud, şimalen Hacı Davud, cenuben tarîk-i âmm.

MİKTARI : Atîk: dönüm (9), evlek (2) yalnız dokuz dönüm iki evlek.

SAHİB-İ EVVELİ : Tebaa-i Devlet-i Âliye'den Kasbar Ağa mahdumu Nazaret Ağa

CİHET-İ İTA-YI SENET : Merkumun karyesi tarafından vürûd eden ilmühaber ile Kanun-ı evvel 322 tarihli senet mucibince hakk-ı tasarrufu terk ve tatil olunmadığı tebyin eylediği cihetle tasarruf hissesinin katiyen ferağından

MUTASARRIFI : Boyacıyan Mihran Efendi, nisf hissesi

KIYMETİ: : 500

BEDELİ : 2000

TABİİYETİ : Devlet-i Âliyye

Bâlâda muharrer tarlanın muamelât-ı resmîyesi icra kılınmış ve yetmiş kuruş harç ve rûsumu tapu sandığına teslim olunmuş olmakla senedinin tanzim ve itasına değin defter-i hâkânî namına işbu muvakkat ilmühaber ita kılındı. 26 Kanun-ı sâni 323

(pul, mühür ve imza)

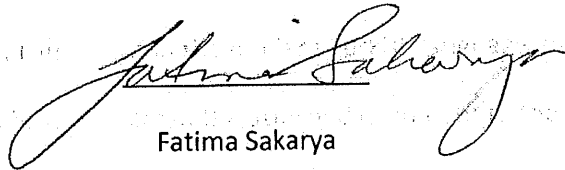
EXHIBIT M

74

EXHIBIT N

Translation Certification

I hereby certify that I am fluent in the modern Turkish language and English and that I have translated the attached document to the best of my ability and experience as a translator of spoken Turkish and Ottoman Turkish as well, relying on my experience as an attorney. The source document was apparently transcribed from original Ottoman Turkish. Any misspellings, errors, or omissions are indicated, when noted, but I cannot guarantee that the translation is completely free from any errors or misreading or omissions.



Fatima Sakarya

Attorney at Law State of New Jersey

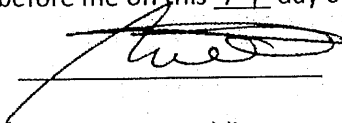
Approved Turkish interpreter in New Jersey and Oregon court system

Address: 6036 164th St. #17, Surrey, BC V3S 3Y5 CANADA

anatolialanguage@gmail.com

Date: September 14, 2010

Signed and sworn before me on this 14 day of September, 2010



Notary Public

NORMAN W. WITT
Notary Public
5661 176A Street
Surrey, BC V3S 4G8
(604) 576-8468

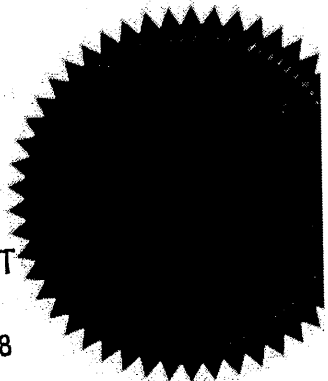


EXHIBIT O

Talat ordering the selling of Armenia properties left behind & you do that under the color of law

DH. SFR, 59/239

Bab ul Ali

Ministry of Interior

Directorate of Deportation and Tribal Relocation

General: # 813

Ciphered

To the Tasfiye Komisyon [Commissions of Clearance and Settlement] of: Erzerum, Adana, Ankara, Bitlis Aleppo, Diyarbekir, Sivas, Trepizond, Maamuret Al Aziz, Konya, and Edirne Vilayets [Provinces] and the Mutassarifates of: Urfa, Janik, Karesi, Kayseri [Caesarea], [Shabin] Karahisar, Eskishehir, Nigde, Kutahya, Marash, and the areas of Tekfurdagh, Adana, Jebel Bereket, Kozan [Sis], Yozgat, Ankara, Erzerum, Bitlis, Aleppo, Marash, Antakia, Hudavendigar, Gemlik, Bilejik, Diyarbekir, Sivas, Marzifon, Tokat, Samson, Ordu, Trepizond, Konya, Maamuret Al Aziz, Izmit, Adabazar, Eskishehir, Sivrihisar, Kayseri, Develi, Nigde, [Shabin] Karahisar, and Urfa.

It is ordered that special companies be formed for the real and temporal Armenian properties left behind by the deportees in order to give their ownership to Muslims under the color of law. These companies must remain in effect and their boards must be elected from righteous and able citizens. Effort must be utilized so that the shares of these companies will not be priced over one Turkish Lira, and that the shares will not fall into the hands of foreign investors. We urge you to keep us informed of all details regarding these actions.

November 24, 1915

Minister of Interior

[Talaat]

Signature

DH. ŞFR, 59/239

Bâb-ı Âlî
Dâhiliye Nezâreti
İskân-ı Aşâyir ve Muhâcirîn Müdiriyyeti
Umûm : 813

Şifre

Erzurum, Adana, Ankara, Bitlis, Haleb, Hüdâvendigâr, Diyârbekir, Sivas, Trabzon, Ma'mûretülazîz, Konya, Edirne Vilâyetleriyle Urfa, İzmit, Canik, Karesi, Kayseri, Karahisâr-ı Sâhib, Eskişehir, Niğde, Kütahya, Mar'aş Mutasarrıflıklarına ve Tekfurdağı, Adana, Cebel-i Bereket, Kozan, Yozgat, Ankara, Erzurum, Bitlis, Haleb, Mar'aş, Antakya, Hüdâvendigâr, Gemlik, Bilecik, Diyârbekir, Sivas, Merzifon, Tokad, Samsun, Ordu, Trabzon, Konya, Ma'mûretülazîz, İzmit, Adapazarı, Eskişehir, Sivrihisâr, Kayseri, Develü, Niğde, Karahisâr-ı Sâhib, Urfa Tasfiye Komisyonları Riyâsetine

Ermenilerden metrûk emvâl-i menkûlenin tûl müddet muhâfazasıyla ziyâ'dan vikâyesi ve memleketimizde İslâm mü'esseselerinin teksîri zımnında müslümanlardan mürekkebe olmak üzere şirketler teşkîliyle emvâl-i menkûlenin şerâ'it-i münâsebe ile kendilerine i'tâsı şirketlerin te'mîn-i bekâsı için şirket mü'essis ve hey'et-i idâresiyle mümessillerinin erbâb-ı nâmus ve iktidârdan intihâbına dikkat olunması hisse senedâtına esnâf ü zürrâ'dan iştirâk ettirilebilmek için senedlerin yarım veya bir liralık olmak üzere ihrâcı sermâyenin ecnebi ellere düşmemesi için nâma muharrer olması ve buna makîs şerâ'it-i sâ'irenin ittihâzıyla İslâm ahâli beyninde de hayat-ı ticâretin inkişâfına ihtimâm ve bu bâbdaki teşebbüsât ve netâyic-i icrâ'ât ve mu'âmelâtdan peyder pey nezârete de ma'lûmât i'tâ buyurulması.

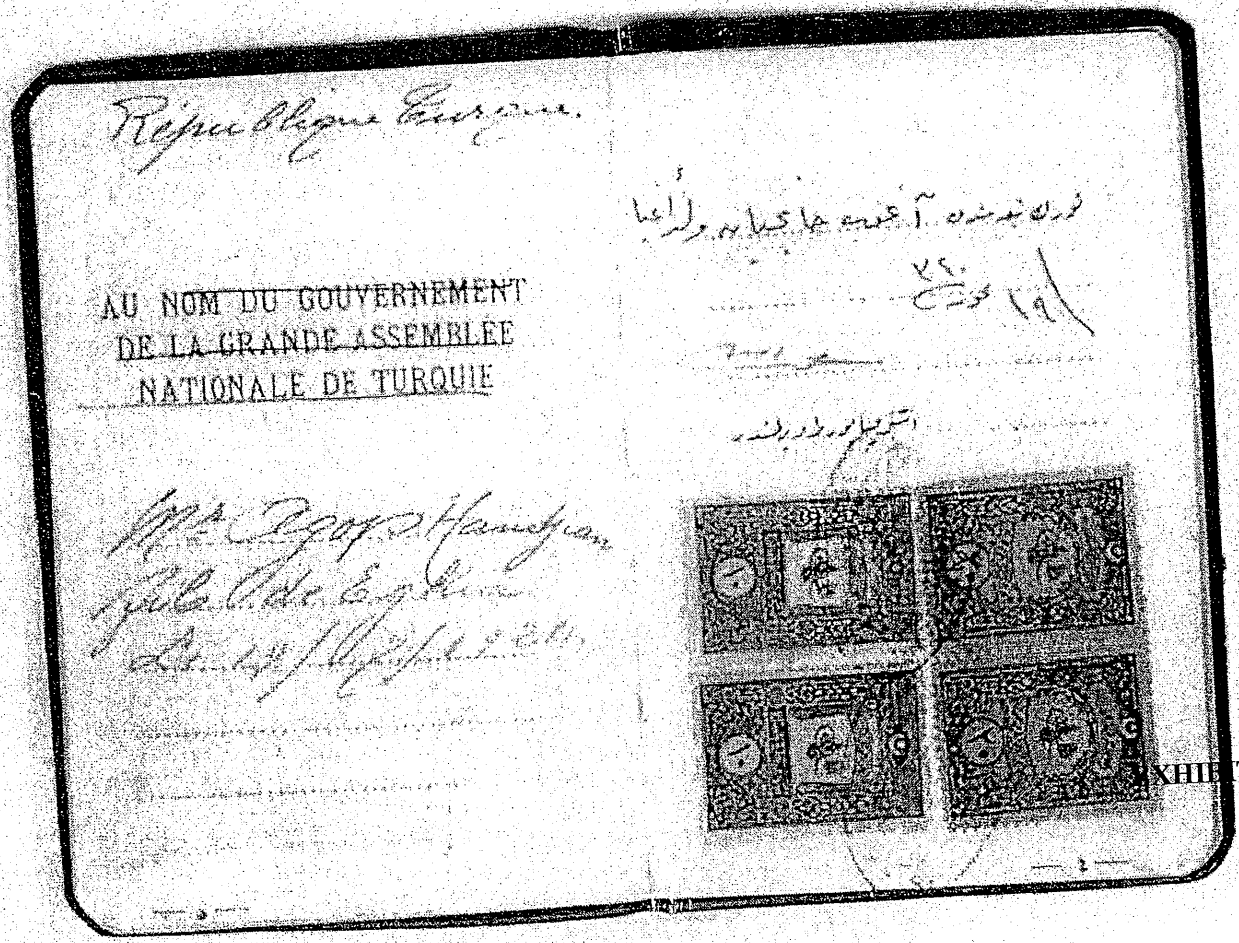
Fî 24 Kânûn-ı Evvel, sene [1]331

Dâhiliye Nâzır
İmza

EXHIBIT P

Passeport d'Hagop Handjian portant mention " Retour interdit ", délivré par la République turque, le 19 juillet 1924, Centre du Patrimoine Arménien, de Valence

Nom du père *Eghia*
 Qualité ou profession *Mécanicien*
 Lieu et date de naissance *Valence en 1906*
 Domicile *rue Canal quartier Eghia N° 37*
 Destination *France*
 But et son voyage *Retour interdit*



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge S. James Otero and the assigned discovery Magistrate Judge is John E. McDermott.

The case number on all documents filed with the Court should read as follows:

CV10- 9596 SJO (JEMx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Name & Address:

David Schwarcz, Esq., K. Lee Boyd, Esq.
TODD, FERENTZ, SCHWARCZ & RIMBERG LLP
6310 San Vicente Blvd., Suite 360
Los Angeles, CA 90048

ORIGINAL

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Alex BAKALIAN et al.,

PLAINTIFF(S)

v.

REPUBLIC OF TURKEY et al.,

SEE ATTACHED DEFENDANT(S).

CASE NUMBER

CV10-09596 *SSJO (JEMK)*

SUMMONS

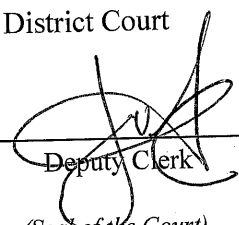
TO: DEFENDANT(S): REPUBLIC OF TURKEY; CENTRAL BANK OF THE REPUBLIC OF TURKEY; T.C. ZIRAAT BANKASI

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint _____ amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, David Schwarcz or K. Lee Boyd, whose address is TFSR LLP, 6310 San Vicente Boulevard, Suite 360, Los Angeles, CA 90048. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: DEC 15 2010

By: 
Deputy Clerk
(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

COPY

FILED
CLERK, U.S. DISTRICT COURT
DEC 15 2010
CENTRAL DISTRICT OF CALIFORNIA
BY

1 DAVID R. SCHWARCZ, ESQ. (SBN 152896)
(Dschwarcz@tfsr-law.com)
2 KATHRYN LEE BOYD, ESQ. (SBN 189496)
(leeboyd.law@gmail.com)
3 RAJIKA L. SHAH, ESQ. (SBN 232994)
(Rajika@tfsr-law.com)
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11 MICHAEL BAZYLER, ESQ. (SBN 84398)
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12 **CHAPMAN UNIVERSITY SCHOOL OF LAW**
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13 Orange, California 92866
Phone: (714) 628-2500
14 Fax: (714) 628-2576

15 Attorneys for PLAINTIFFS

16 UNITED STATES DISTRICT COURT
17 FOR THE CENTRAL DISTRICT OF CALIFORNIA

CV 10-09596 SJB(JEM)

18 Alex BAKALIAN; Anais
19 HAROUTUNIAN; and Rita
20 MAHDESSIAN,
21 Plaintiffs,

22 vs.

23 REPUBLIC OF TURKEY; CENTRAL
24 BANK OF THE REPUBLIC OF
25 TURKEY; T.C. ZIRAAT BANKASI;
26 DOES 1-100,
27 Defendants.

) Case No. _____
) **COMPLAINT FOR**
) **1. UNLAWFUL**
) **EXPROPRIATION;**
) **2. UNJUST ENRICHMENT;**
) **3. VIOLATION OF CAL. CIVIL**
) **CODE § 1708;**
) **4. CONSTRUCTIVE TRUST;**
) **5. ACCOUNTING;**
) **6. DECLARATORY RELIEF;**
) **DEMAND FOR JURY TRIAL**

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) BAKALIAN, Alex; HARTOUNUNIAN, Anais; MAHDESIAN, Rita	DEFENDANTS REPUBLIC OF TURKEY; CENTRAL BANK OF THE REPUBLIC OF TURKEY; T.C. ZIRAAT BANKASI <div style="float: right; font-size: 2em; font-weight: bold; border: 1px solid black; padding: 2px;">COPY</div>
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Todd, Ferentz, Schwarcz, & Rimberg, 6310 San Vicente Blvd, Suite 360, Los Angeles, CA 90048, Telephone No. (323) 302-9488 Yeghiayan & Associates, 535 N. Brand Ave., Glendale, CA 91203, Telephone No. (818) 242-7400	Attorneys (If Known) David Schwarcz (SBN 152896); Kathryn Lee Boyd (SBN 189496); Rajika Shah (SBN 232994); Vartkes Yeghiayan (SBN 41773); Michael Bazylar (SBN 84398)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td align="center"><input checked="" type="checkbox"/> 1</td> <td align="center"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td align="center"><input type="checkbox"/> 4</td> <td align="center"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td align="center"><input checked="" type="checkbox"/> 2</td> <td align="center"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td align="center"><input type="checkbox"/> 5</td> <td align="center"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td align="center"><input type="checkbox"/> 3</td> <td align="center"><input checked="" type="checkbox"/> 3</td> <td>Foreign Nation</td> <td align="center"><input type="checkbox"/> 6</td> <td align="center"><input checked="" type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input checked="" type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
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Citizen of Another State	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input checked="" type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)

1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from another district (specify):
 6 Multi-District Litigation
 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: Yes No **MONEY DEMANDED IN COMPLAINT:** \$63,875,000 + rent + costs

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

28 U.S.C. Sections 1330, 1604, 1605 Tort actions arising from unlawful expropriation of real property

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER	LABOR
<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input checked="" type="checkbox"/> 290 All Other Real Property	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus <input type="checkbox"/> 535 General Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

CV10-09596

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? No Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? No Yes
If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or
 B. Call for determination of the same or substantially related or similar questions of law and fact; or
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
HAROUTUNIAN, Anais (Los Angeles County) MAHDESSIAN, Rita (Los Angeles County)	BAKALIAN, Alex (District of Columbia)

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	REPUBLIC OF TURKEY (Republic of Turkey); CENTRAL BANK OF THE REPUBLIC OF TURKEY (Republic of Turkey); T.C. ZIRAAT BANKASI (Republic of Turkey)

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Republic of Turkey for all claims

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties
Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): K. Lee Bond /rls Date December 14, 2010

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))