



April 5, 2022

**VIA EMAIL ONLY**

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***RE: Response to LA Times Article re State Bar in AXA Matter***

The LA Times story your inquiry references contains no new information. The insinuations that the LA Times is belatedly recycling were all fully investigated by the State Bar of California which concluded that there was absolutely no impropriety of any kind by me or my firm. We have fully cooperated with the full and thorough investigation conducted by the State Bar (which found no reason to bring any charges) and would absolutely cooperate with any future inquiries because we have nothing to hide. The true demonstrable facts are that our firm engaged in no wrongdoing of any kind and to suggest otherwise is false.

Not only does the LA Times story reveal no new information, but it also deliberately omits the following facts:

1. It has been well known that I had nothing to do with the claims process, and never made any decision on a single claim. As with all class action settlements, the lawyers in this case had no authority to make decisions on claims. More importantly, I had absolutely no **ability** to decide, review, or influence any claims.
2. There has never even been an allegation that I participated in or made any claims decisions whatsoever. In a hearing on April 28, 2011, Sam Shnorkian, a Settlement Board member, acknowledged that the Board, "considered to have accomplished [their] role relatively to the review of the claimants, the review of the claimants files, even reviewing the claims made afterwards by the dissatisfied." I then confirmed to the Court that the "lawyers in this case, Mr. Geragos, Mr. Yeghiayan, and myself had nothing to do with that process. That process was entirely left to their discretion. The claims were made to them directly through their administrator." Not a single member of the Settlement

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Board—all of whom were in attendance in the courtroom that day—ever objected or disagreed.

3. In a court hearing on August 8, 2011, the Federal Judge of the United States District Court and the Settlement Board (through their lawyer) acknowledged that neither Mr. Geragos nor I were ever involved in making claims decisions. When the Federal Judge asserted that “[t]he Settlement Board had an obligation at the time to allow or disallow claims,” Mr. Shnorkian’s and the Settlement Board’s lawyer unequivocally agreed and confirmed that “the Settlement Board has no disagreement with any position just articulated by the Court.”
4. As far as the charitable distributions are concerned, all of the money has been accounted for and was distributed to legitimate charities with the exception of money taken by Vartkes Yeghiayan and siphoned to his phony charities that were exposed by Mark Geragos and me. I am proud that the money we recovered went towards establishing the Center for the Study of Law and Genocide which does great work in teaching students about genocide and preparing future generations to fight for justice on behalf of those impacted by crimes against humanity. I have always been deeply saddened that Mr. Yeghiayan and his coconspirators took money from the decedents of victims of the Armenian Genocide, and that is why I worked so hard to reveal their actions and help hold them accountable.
5. We offered the LA Times an opportunity to retain an independent CPA and an independent lawyer to review the records and the Times refused. The Times also deceived the public by failing to publish that we made these multiple offers for independent review. We repeat our request that the times publish that these offers were made and inexplicably rejected by the LA Times.

Very truly yours,

KABATECK LLP



BRIAN S. KABATECK