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Families ask for money to continue lawsuit against Blackwater

BY MIKE BAKER, Associated Press Writer

RALEIGH, N.C. - The families of four security contractors killed and mutilated in Iraq issued a public plea Wednesday for financial support so they can continue to pursue a wrongful death lawsuit against Blackwater USA.

The families' attorneys said they have already spent more than \$2.5 million on a lengthy legal battle against the Moyock-based private security company. They hold Blackwater responsible for the deaths of Scott Helvenston, Jerry Zovko, Wesley Batalona and Michael Teague, who were working for the company in March 2004 when they escorted a supply convoy through Fallujah and were attacked by a frenzied mob.

Insurgents burned and mutilated the men's bodies, stringing two of their charred remains from a bridge over the Euphrates River - a gruesome scene broadcast around the world. The U.S. responded with a three-week siege of the restive city west of Baghdad.

The families' lawsuit argues Blackwater failed to prepare the men for the mission and didn't provide them with appropriate equipment, such as a map.

Blackwater responded late last year by filing a \$10 million countersuit against the person representing the estates of the slain employees, claiming the wrongful death suit breaches the men's original contract. The families said they need the money to support a defense against the claim, and their attorneys - who have so far paid for the wrongful death suit - said they also need the support to sustain it.

"Blackwater might quite possibly crush the family members if they don't have a way to defend themselves," said attorney Marc Miles. "If we don't raise the money, it will be a case of Goliath defeating David."

Blackwater scoffed at the request, which asks the public at large to contribute via a Web site to a newly created defense fund.

"This is the latest attempt by plaintiffs' attorneys to litigate in the media with outrageous tactics, which above all discredit the honor of these fallen men and victimize their families, with whom our condolences remain," said Blackwater spokeswoman Anne Tyrrell.

The families first filed suit against Blackwater in January 2005. The secretive company, with the help of attorneys that include former Whitewater prosecutor Kenneth Starr and current White House Counsel Fred Fielding, argued all the way to the U.S. Supreme Court that Blackwater was immune from liability because it operated in Iraq as an extension of the military.

The company lost that argument. But in March, Blackwater persuaded a federal judge to move the case into private arbitration, disappointing critics who had hoped a case tried in a public courtroom would expose the inner workings of a company that has performed hundreds of millions of dollars of security work in Iraq.

Though the families first considered the \$10 million countersuit it a "scare tactic," attorneys now say Blackwater is aggressively pursuing it as part of the arbitration proceeding.

"You'd think that Blackwater would show some remorse, but instead they've turned and sued the mothers, wives and children of the deceased men," said Dan Callahan, another Santa Ana, Calif.-based attorney representing the families.

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