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ESTONIA LITIGATION ASSOCIATION
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Tuesday 12th September 2013

By letter and email

N/REF : ES-6K126
Leida AALISTE & Autres C/ BUREAU VERITAS – JOS L.MEYER
M/V « ESTONIA »
RG : n°09/04338

Dear Sir, Dear Madam,

We were appointed as a law firm in Paris to represent the victims and their relatives in the proceedings initiated in 1996 to discover the truth regarding the Estonia sinking, establish the liabilities and recover damages for the victims or their legal successors.

This case had been over the years submitted to the three degrees of jurisdiction in France on various disputes in relation with alleged concurrent proceedings and jurisdiction.

3 years ago, a judgment rendered by the Supreme Court confirmed there were no concurrent proceedings and that French courts had jurisdiction and sent back the case to the first degree of jurisdiction on the merits.

The proceedings on the merits are still pending before the Civil Court of Nanterre (near Paris).

A stay of proceedings was ordered on the 14th October 2011 in the trial to allow the claimants to disclose information / documentation on their title to sue.

Such a stay cannot exceed a duration of 2 years, beyond which the claim before the Court is considered as expired. This means that no action can be taken after the 14th October 2013.

We have been trying for months, if not for years, to obtain contacts with all the concerned people, further information and documentation without any success. Furthermore we have worked in this case without any financial compensation for now more than 10 years.

In order to proceed further, we would need to prove as a matter of extreme urgency the relationship between the victims and the claimant, to disclose their identity card / passport and/or a family record book, and/or attestation(s) when the victims were not married, as request by the Court, as any other documentation allowing us to pursue the claims on the merits before the Court.

These information and documentation are of paramount importance and cardinal to the progress of the case, since the defendants dispute the title to sue of the claimants and ask the Court to dismiss the demands as non admissible.

At the moment, we are still trying to retrieve the claimants and their associations to update our list and justify to the court the title to sue of the victims.

As we did not receive any instructions, information/documentation from you or any of the persons / entities concerned, and the necessary elements to see the trial through successfully, we have no other choices to abandon this procedure and close the file. This means that victims will not recover any damages in the future and that they will be debarred from starting any new legal action on the same grounds.

At the same time, we have no other choice to stop endeavors and to waive any responsibility for the consequences which may arise.

Please, do not hesitate to contact us should you have further questions.

Yours faithfully.



Erik SCHMILL



François LOMBREZ