

# Jenner & Block Secures Denial of Certiorari from US Supreme Court in Anti-Terrorism Act Case Against Russian Bank

## News

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Jenner & Block preserved a significant victory for the family of Quinn Lucas Schansman when the US Supreme Court denied certiorari, allowing a Second Circuit decision to stand holding foreign state-owned entities accountable under the Anti-Terrorism Act for supporting terrorism.

The Supreme Court's decision leaves undisturbed a precedential Second Circuit ruling rejecting Sberbank of Russia's claims to sovereign immunity in a lawsuit related to the 2014 downing of Malaysia Airlines Flight 17 over eastern Ukraine, which killed all 298 people aboard including American passenger Quinn Lucas Schansman.

The Schansman family alleges that Sberbank and other Russian state-owned entities provided financial support to the Donetsk People's Republic for purchasing lethal military equipment used to carry out the attack. The Second Circuit became the first appellate court to hold that the Foreign Sovereign Immunities Act's commercial activity exception applies to Anti-Terrorism Act claims against foreign state instrumentalities.

The denial of certiorari leaves in place important precedent strengthening accountability for terrorism where the defendant is owned by a foreign state. The decision finds that foreign state-owned banks cannot shield themselves behind sovereign immunity when engaged in commercial activities that allegedly facilitate terrorism.

The Jenner team included Partners Jason Hipp, Andrianna Kastanek, and Terri Mascherin, and Associates Ben Alter and Jonathan Marshall.

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