

Relief sought for Sudanese

Continued from page 1A

attacks say Talisman aided genocide, war crimes and crimes against humanity.

Talisman did not respond to requests seeking comment, but company lawyers adamantly denied the allegations in court papers.

The attacks came amid a two-decade civil war pitting the government, led by Arab Muslims who dominate the north, against rebels fighting for greater autonomy and a greater share of the country's wealth in the mainly black Christian and animist south. The conflict is blamed for more than 2 million deaths, primarily from war-induced famine and disease.

In a Sept. 20 ruling, U.S. District Judge Denise Cote rejected the class certification request, saying the proposed class is not sufficiently cohesive. She noted that at least 142 separate incidents involved in the suit occurred

over more than four years in a territory of many hundreds of square miles.

She said Talisman will try to prove that government aerial attacks were directed at members of rebel armed forces hiding in or near some of the villages in question. She said the purpose of each attack will need to be resolved and a class action suit "will devolve into at least 142 trials addressing the circumstances of each attack."

In a telephone interview, Van Schaack said winning class-action status for the case might in the future "force companies to think twice before they let the host government provide security or workers who might be subject to forced labor."

Van Schaack said victims of genocide are left with nowhere else to turn if U.S. courts force them to seek justice in the country where they are oppressed.

Among groups Van Schaack represents in the case are the Center for Constitutional Rights, a nonprofit organization that has litigated significant international human rights cases for 25 years, and the Allard K. Lowenstein International Human Rights Clinic at Yale Law School which conducts research for international tribunals.

Carey R. D'Avino, a lawyer for the plaintiffs, said in court papers that denial of class certification "may sound the 'death knell' for 95 percent of class members," or tens of thousands of people. "This bell tolls most chillingly for all human rights victims against whom the district court's published decision, albeit unintentionally, imposes a new and unjustified procedural barrier."

In court papers filed before Cote ruled, lawyers for Talisman urged her not to certify a class.

"The truth is that a class action proceeding in a United States court is the wrong mechanism to untangle the human tragedy of a decades-long civil war in Sudan," the lawyers wrote.

Talisman also said a suggestion by plaintiffs that tens of thousands of class members could travel to Kenya for videotaped depositions was impractical.

The company in court documents said the plaintiffs "falsely assert" that Talisman upgraded airstrips at two locations for "security" purposes when they actually had "nothing to do with accommodating military activity."

"Plaintiffs similarly paint a grossly misleading portrait that the government of Sudan's use of the airstrips for offensive purposes was routine, and that Talisman Energy knew and gave its approval for the government of Sudan to carry out attacks on civilians," the company said.

www.thecharlottepost.com

MEN'S FUR SALE

MINK
FOX
COYOTE
SHEARED MINK
plus more

20-50% Off
Reg. Price

Extra Special Mens Mink Reversible To Leather \$995

Douglas Furs
since 1946 Leathers · Cashmeres

Cleaning, Glazing, Repairs and Restyles.
2400 PARK ROAD
The Courtyard - Lower Level
704-333-5161

Benedict College performance links hurricane to slave trade

By Katrina Jackson
THE ASSOCIATED PRESS

COLUMBIA, S.C. — Kimberly Lucas slowly moves her arms and hands in whirling motions through the air, emulating the movements of nearly stagnant water.

A single spot light shines a ray of light on her face to reveal looks of fear and anguish.

These are the emotions that enslaved Africans must have lived with everyday, Lucas said.

They are also the feelings expressed by black Americans who survived hurricane Katrina only to find themselves trapped by rising flood waters and lack of transportation.

"It's the same thing that happened at the bottom of the slave ships with urine, feces, dead bodies and people dying as they wallow in all that filth," said Charles Brooks, a Benedict College assistant professor of fine arts.

Showing the comparison between black slaves in early America and the black victims of Hurricane Katrina is the premise behind a play Brooks wrote and recently directed called "Help! The Storytelling of Bondage, Oppression and Refugees."

The performance featured slave narratives prepared by the Federal Writers' Project of the Works Progress Administrations and was held at Benedict's Henry Ponder Fine Arts Center over the weekend.

Students like Marlena Johnson, a senior at the historically black college, remember the images of people holding signs and shouting for help. She hopes the play will keep an issue that's faded from the headlines in the forefront.

"It highlighted something very important," she said. "The play lets people know that someone cares."

But the play is meant to

send more than a message of caring for the victims. Brooks says it is a cry for help from young blacks — those too young to have experienced the struggle for Civil Rights.

And for those who are too far removed to understand the significant impact that slavery had on black Americans, he said, Hurricane Katrina is a reminder of what it felt like to be treated less than human.

"Hurricane Katrina opened a lot of eyes. The play is meant for the same purpose. Young people need to be aware, get involved, grow from within, let their minds expand and be a benefit to their community and their people."

Don Johnson, the play's narrator, said he became interested in it as a way of taking a stand.

"The value of human life did not come to the surface for a long time in the eyes of many people watching on the

news as well as people there on ground zero" Johnson said. "It's the same kind of thought process that had to go on when human life could be so devalued that people could be sold as property," he said.

Though the treatment of blacks during slavery and Hurricane Katrina has fueled angry emotions among some groups, it's not the reaction Brooks hopes to get from his play.

"The message is that now is the time for young people to stand up," Brooks said, "Stand up ... not just to one person or one issue. We need to stand up for ourselves."

**Advertise
704
376-0496**

Peach

Auto Painting & Collision



Free Estimates Insurance Assists
Certified Collision Repair No Appointment Needed

Majestic Paint Service

\$300⁰⁰
Reg. \$400.00

- Dual action machine sanding
- Urethane enamel
- FULL Clear Coat
- Oven Baked
- 3yr WARRANTY

UNDER NEW MANAGEMENT!!
5625 N. Sharon Amity Rd.
704.535.6015

We'll perfectly package your perfect gifts.



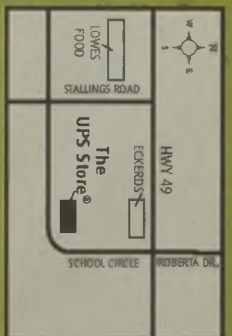
The UPS Store®

Don't worry. We'll save you time and package with care.


Finding the perfect gift is hard enough, let alone packaging it for shipment. Bring it to The UPS Store®. Our trained packaging experts have the knowledge and experience to package almost any gift. We'll get it there safely—and with a professional touch that shows how much you care.

Stop in and ask us for details!

The UPS Store
@ SchoolHouse Commons
(next to Eckerd)
4365 Hwy 49 South Ste. 500
Harrisburg, NC 28075
704-455-3367 - Ph
704-455-9760 - Fax
store5532@theupsstore.com



©2005 Mail Boxes Etc., Inc.



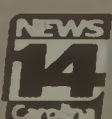
get closer to your Bobcats

TUNE IN

Bobcats at Pacers
Friday • 7:00 pm

Bobcats at Timberwolves
Saturday • 8:00 pm


Catch all the action live on



Bobcats vs. New York Knicks
Wednesday, Nov. 23 • 7:30 pm
Charlotte Bobcats Arena

First 5,000 fans receive FREE Bobcats team calendars

Tickets start as low as \$10
704-BOBCATS • BobcatsBasketball.com



Purchase parking in advance with PRINT AND PARK available at CharlotteBobcatsArena.com