



News

Edward Lenci Comments on U.S. Supreme Court Decision Dealing With Foreign Sovereign Immunities Act

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Edward K. Lenci, a New York-based partner at Hinshaw & Culbertson LLP, was quoted in the article "Justices Firm up Boundaries on US Courts in Austria Case," which was published in Law360 on December 1, 2015. The article focuses on the U.S. Supreme Court's ruling in *OBB Personenverkehr AG v. Sachs*, a case brought by a California resident against Austria's national railway to recover for personal injuries she sustained on 2007 while trying to board an OBB train in Austria. The high court unanimously held in the case, which implicated the Foreign Sovereign Immunities Act, that Austria's national railway could not be sued in American courts for a personal injury sustained in Austria.

Mr. Lenci believes that the narrow facts of the case likely explains the unanimous decision but that the case will not foreclose all plaintiffs from suing foreign states in U.S. courts. As he explains, "[w]e can expect foreign states will argue in pending cases that the *Sachs* decision has broad application, but I just don't see those arguments succeeding[.] It's an important decision, as all Supreme Court decisions are, but I don't see the sky falling for U.S. claimants as a result of this decision."

Mr. Lenci handles complex business litigations and arbitrations, including international arbitrations, as well as reinsurance disputes, class action defense, and appeals. His successes include a class action defense victory before the U.S. Supreme Court.

Read the full article, "[Justices Firm up Boundaries on US Courts in Austria Case](#)," on the Law360 website.

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