

**UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Erol Türedi, Yusuf Karakoç, Mustafa Akkin,
Can Akkin, Mustafa Akkin, Ahmet Çakmak,
Fahrettin Takici, Resul Güçlü, Ali Gülen,
Çi_dem Gülen, Ali Gülen, Hamdi Çulha,
Fatih Dilbaz, Zeynep Sibel Dilbaz, Osman Kör,
Ali Tezcan, Turg_t Gezer, Fahrettin Pompa,
Sevcan Pompa, Ye_im Pompa, Ebru Pompa,
Fahrettin Pompa, Erol Balci, Havva Balci,
Av. Ayhan Eerkan, and Ali Riza Küçúkosmanoglu,

Plaintiffs,

v.

The Coca - Cola Company, Coca -Cola Export
Corporation, Coca - Cola İçecek, A.S., and
Corporate DOES 1 - 10

Defendants.

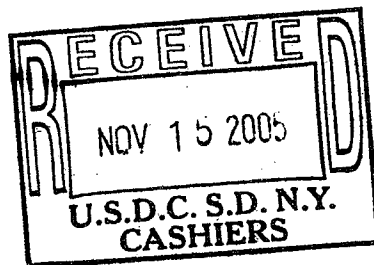
ECF CASE

JUDGE MARRERO

05 CV 9635
05 Civ.

**COMPLAINT FOR EQUITABLE
RELIEF AND DAMAGES;**

JURY TRIAL DEMANDED



I. NATURE OF ACTION

1. The Coca-Cola Company (hereinafter "Coke") has a global network that provides Coca-Cola and other products to the world under the strict quality control requirements of Coke. The parent company, Coke, maintains absolute control over its global business, first by virtue of the "Bottler's Agreement" it maintains with each bottler it has created, and second, through complex interlocking relationships involving joint ownership and joint management with its bottlers around the world. At the end of the day, Coke is in firm control of its global business. *See generally*, Constance Hays, *The Real Thing, Truth and Power at the Coca Cola Company* (2004). The only

corporate entity with the ability to halt the global violence against union workers at Coke bottling plants around the globe is Coke.

2. While there may be some aspects of the bottlers' operations that are dealt with by local management, Coke retains authority over major issues that affect product quality, marketing, and issues that could have a major impact on the Coke brand image. Compliance with international human rights standards at all of the Coke bottling plants is one of the areas that Coke controls and/or directs from its headquarters in Atlanta, Georgia. Coke has recently ended all doubt about this by hiring a senior manager as the Director of Global Labor Relations. As described more fully below, Coke has also established, through various documents and other expressions of company policy, that the parent company, Coke, is firmly in charge of human rights compliance within the entire Coke empire, including Coke's bottling plants.

3. This case involves the systematic intimidation and torture of trade unionists and their families in Istanbul, Turkey. The union members are truck drivers and other transport workers employed by Coke to deliver Coca-Cola products in Istanbul and its surrounding areas. The workers overwhelmingly decided to join Nakliyat I_ (hereinafter referred to as the "Union"), a union of transport workers that is affiliated with DISK, which is the progressive trade union federation of Turkish workers. DISK has more than 400,000 members and was created in 1967. Transforming what might have been a local labor dispute into violations of international human rights norms, Coke's local managers, employees, agents, and/or co-venturers unleashed the brutal Çevik Kuvvet, a "special branch" of the Turkish police, on the workers and their families, who were peacefully assembled to protest that all of the workers who joined or supported the Union were summarily discharged by Coke.

4. Acting at the direction of the local Coke managers, agents, and/or co-venturers, the brutal Turkish Çevik Kuvvet surrounded the workers and their family members who were there with them, prevented them from leaving a Coke building, attacked them with a particularly lethal form of tear gas that under international standards is not permitted to be used indoors, and then brutally beat the workers and their family members with clubs. Most people were paralyzed from the gas, and when they were felled by the clubbing, they were kicked repeatedly, and then dragged to small police vans. Once inside the vans, they were gassed again, and then taken to a small, windowless Turkish jail, where they were detained. Plaintiffs herein are the Union members and their family members who sustained serious injuries during this brutal attack. All of this was done for the purpose of forcing the Plaintiff Union-members to abandon their lawful effort to form a union, and to accept their terminations without further protest.

5. This case is brought under the Alien Tort Statute (“ATS”), 28 U.S.C. § 1350, the Torture Victim Protection Act (“TVPA”), 28 U.S.C. § 1350, Racketeer Influenced and Corrupt Organizations Act (“RICO”), 18 U.S.C. § 1961 *et seq.*, and New York state tort law. The case seeks remedial relief for the Plaintiffs, and injunctive relief to prevent the Defendants herein from utilizing torture and other forms of brutality to intimidate and coerce their workers to prevent them from exercising their fundamental rights to join a union and bargain collectively.

6. Plaintiffs bring this human rights action against Defendants Coke, Coca-Cola Export Corporation (hereinafter referred to as “Coke Export”), and Coca-Cola İçecek (CCI)(all of the Coke entities are collectively referred to as the “Coke Defendants”).

7. Defendant Coke may utilize other corporate entities within Turkey, but Plaintiffs are currently unaware of the true names and capacities of any other such entities. Accordingly, Plaintiffs also name Corporate DOES 1-10 as Defendants, and bring this action against them by using fictitious names. Plaintiffs will amend this Complaint to allege their true names and capacities if ascertained in the discovery process.

8. Plaintiffs and other victims of police brutality do not have access to an independent or functioning legal system within Turkey, a country that is beset with a corrupt judiciary and impunity for officials accused of torture. Regardless of whether the Turkish courts would at some point provide relief for Plaintiffs' labor claims against the local Coke managers, or provide redress from the Turkish Çevik Kuvvet for the injuries complained of herein, there is no effective remedy available in Turkey for Plaintiffs as they cannot bring an action against the primary perpetrator of their injuries, Coke and/or Coke Export. Without the ability to get both monetary and injunctive relief against Coke, Plaintiffs cannot obtain complete recovery and will remain subject to Coke's ongoing hostility to their efforts to form a union. Further, they are unable under Turkish law to bring a claim for the injuries inflicted by the Çevik Kuvvet against CCI despite CCI's direct role in unleashing the brutal police upon them.

9. Even if Plaintiffs could in the abstract bring an action for some form of recovery from any of the Coke Defendants, the justice system in Turkey is notorious for its failure to bring powerful and influential parties to justice. This is particularly true when the underlying violence relates to trade unionists asserting their rights. Turkey is particularly inhospitable to unions, and is routinely criticized for allowing violence against trade unionists to go unredressed. This issue is cited by

human rights advocates as a key example of Turkey's lack of qualification in its bid for membership in the European Union. Further, Turkey is generally considered to be one of the more corrupt countries in the world based on Transparency International's annual survey that assesses corruption, transparency and access to justice.

II. JURISDICTION AND VENUE

10. This Court has federal question jurisdiction pursuant to 28 U.S.C. §1331, the ATS and the TVPA, 28 U.S.C. §1350, for the alleged violations of international human rights law, and RICO, 18 U.S.C. § 1961 *et seq.* for the alleged racketeering activity. Supplemental jurisdiction exists over the state law causes of action pursuant to 28 U.S.C. § 1367.

11. Venue properly lies in this Judicial District pursuant to 28 U.S.C. §1391 (b) and (c).

III. PARTIES

Plaintiffs

12. Plaintiffs Erol Türedi, Yusuf Karakoç, Mustafa Akkin, and his son, Can Akkin, who as a minor child is represented herein by his father, Mustafa Akkin, Ahmet Çakmak, Fahrettin Takici, Resul Güçlü, Ali Gülen, his wife, Yasemin Gülen, and their daughter, Çi_dem Gülen, who as a minor child is represented herein by her father, Ali Gülen, Hamdi Çulha, Fatih Dilbaz, and his wife, Zeynep Sibel Dilbaz, Osman Kör, Ali Tezcan, Turg_t Gezer, Fahrettin Pompa, and his three children Sevcan Pompa, Ye_im Pompa, and Ebru Pompa, who as minor children are represented herein by their father, Fahrettin Pompa, Erol Balci and his wife, Havva Balci, Av. Ayhan Eerkan,

the attorney for the Union, and Ali Riza Küçükosmanoglu, President of the Union, bring this action for equitable relief and for damages to remedy the injuries to their persons caused by the wrongful conduct of the Coke Defendants in unleashing the brutal Turkish Çevik Kuvvet upon them as they were peacefully gathered to protest the terminations of Coke workers for forming a union.

Defendants

13. Defendant Coke, a for-profit corporation incorporated in Delaware, is the world's largest manufacturer, distributor, and marketer of soft drinks. Its principal place of business is located at One Coca-Cola Plaza, Atlanta, Georgia 30313. Coke has offices, production and marketing facilities, and bottling plants throughout the United States and the world, including major business operations in New York City. Since 1964, Coke has been selling its products in Turkey through various entities created, owned, and/or controlled by Coke and/or Coke Export.

14. Defendant Coke Export is a wholly-owned subsidiary of Defendant Coke and is incorporated in the state of Delaware. Since the outset of Coke's business arrangements in Turkey, Coke Export has served as the instrumentality for Coke to hold the ownership of any entity within Turkey that produces, markets and distributes Coke products within the country.

15. As Coke's historical materials available at www.cci.com.tr indicate, in June 1996, Coke formed a "joint venture" in 1996 with the Anadolu Group, a Turkish company owned by Tuncay Özilhan, one of the most powerful businessmen in Turkey, to conduct Coke's business in Turkey. Although Coke has modified the structure for various reasons since then, the initial joint venture remains in place. At the time of the violence leading to Plaintiffs' injuries described herein,

Defendant Coke owned 100% of Defendant Coke Export, which holds Coke's 40% interest in the joint venture, Defendant CCI. Of the remaining portions of the CCI joint venture, 40% is owned by the Anadolu Group, 11.2% is owned by E.Özgörkey İçecek Yatirimi A.S., and 8.8% by Etap İçecek Yatirimi A.S.

16. Defendant CCI, under the control and direction of the joint-venturers, including Coke and/or Coke Export, manufactures soft drink bases, concentrates, syrups, and powders, and mixes them to market, distribute and sell. On behalf of Coke and/or Coke Export, CCI also markets the Coke brand name, manages quality control, and coordinates relations between Coke and the bottlers and distributors of Coke within Turkey. CCI's principal place of business within Turkey is Yukari Dudullu 1, Eski_ehir Mah, Iktiba_ Sok, No. 33/B, Ümraniye, Istanbul, Turkey. CCI has set up at least two other entities to facilitate its operations within Turkey, Coca-Cola İçecek A._ (hereinafter "CCIAS"), and Coca-Cola Satis Ve Dagitim A.S. (hereinafter referred to as "CCSVD"). These entities are agents of, or alter egos of, Defendant CCI, and are under the complete control and domination of CCI and act to further the business objectives of Coke and Coke Export in Turkey.

IV. DEFENDANTS' ACTS RESULTING IN SERIOUS INJURIES TO THE PLAINTIFFS HEREIN.

17. Defendant Coke controls all aspects of its global business from the United States. One of its major objectives of the last several years is to use whatever means are available within the local context of its global operations to avoid the formation of trade unions in its bottling plants and among its transport workers. For example, in Guatemala in the late 1970's and in Colombia in the

1990's, Defendant Coke's local managers arranged for the murders of key leaders of trade unions that were attempting to organize the Coke bottling plants. In those countries, it was possible to murder trade union leaders with impunity. Defendant Coke and its Colombian bottlers have already been subject to litigation over the murder and torture of trade union leaders in Colombia. Recently, despite Coke's past intervention to stop the violence against trade union leaders in Guatemala, threats of death and other violence have been renewed against trade union leaders at Coke's Guatemalan bottling plant. There has also been recent violence and retaliation against trade union leaders at the Coke bottling plants in Indonesia.

18. In Turkey, the Coke Defendants and their employees and agents utilized different methods to destroy the union that had successfully organized two of the Coke distribution centers. As the allegations below detail, Coke arranged for the Turkish Çevik Kuvvet to attack, gas, beat and arrest the union members and their families for the purpose of coercing and intimidating the union members into abandoning their effort to form a union at the Coke facilities, and to terrorize the workers into accepting their mass terminations without further protest.

19. At the time of the events alleged herein, the Coke Defendants knew or were substantially certain that they were doing business in an environment in Turkey where their unionized workers were at great risk of being tortured if Coke requested the special branch of the Turkish police, the Çevik Kuvvet, to arrest or disperse the union members from the Coke facilities.

20. Prior to the year 2000, the delivery workers of CCI in Istanbul were organized in a union, Öz-Gıda I_. At that time, a collective bargaining agreement governed the relationship between CCI and/or CCIAS. However, in 2000, all of the workers in the union were forced by the company to

resign their membership. In order to reinforce that none of the Coke entities would be permitted to form a union, and to punish the workers who had previously formed a union, CCI, under the direction and control of Coke and Coke Export, purported to assign the drivers and other transport workers at two facilities in Istanbul, Dudullu and Yenibosna, to a contractor, Trakya Nakliyat ve Ticaret Ltd. ("Trakya"). The workers, including some of the Plaintiffs herein, continued to function exactly as they had when they were employed by CCI. They wore Coke uniforms, they reported for duty at the Coke-owned facilities, they took orders from the same CCI employees who were their supervisors before Trakya was given a contract, they drove Coke trucks, and delivered Coke products. Their employee identification cards remained identical, and to this day, they say "Coca-Cola Bottlers of Turkey". None of the Plaintiffs herein who are employed as drivers have ever met, received a communication from, or otherwise had any contact with any person claiming to be a representative for Trakya. As alleged in more detail below, Trakya, if it exists at all, is a paper company that is a mere instrumentality, alter-ego, and/or agent of CCI, and the joint venture partners that own CCI, including Coke and Coke Export.

21. Since 2002, many of the Coke transport workers continued to want to have a trade union. The fact that Coke further thwarted their union effort by purporting to transfer the employees of Coke's Dudullu and Yenibosna facilities to Trakya was itself a further reason for the employees to seek the protection of a trade union. Beginning in roughly February of 2005, the workers at the Dudullu and Yenibosna Coke facilities renewed their efforts to organize a union. A few leaders emerged from the workers, and by early May, about 90% of the total of 110 workers at Coke's Dudullu and Yenibosna facilities signed a formal document indicating that they had joined the Union.

22. By May 12, 2005, the Union was ready to apply to the government for formal recognition. On May 13, the Union filed the necessary papers with the Turkish Ministry of Labor.

23. On May 19, 2005, the five employees at the Dudullu facility who were identified as the original leaders of the organized effort, Plaintiff Erol Türedi, Plaintiff Fahrettin Takici, Plaintiff Fatih Dilbaz, Plaintiff Mustafa Akkin, and Hasan Sirinyurt were terminated. While they were told that the terminations were due to poor work performance, Coke management provided no evidence of this, and the five leaders were certainly never warned or informed of any performance problems. In fact, the five leaders each had long, positive records of employment ranging from five to nine years.

24. Following the terminations, a group of workers, along with representatives of the Union, went to Coke's Dudullu facility, where CCI, CCIAS, and CCSVD all shared their headquarters office. The workers met with representatives of CCI, including Oguz Aldemir and Sinan Oksay. Both of these men represented Defendant Coke, and both held regional positions with Coke in addition to their positions with CCI. At the meeting, the group of employees inquired as to the reasons the five union leaders were terminated. In response, Mr. Oksay stated, "[g]o on working by resigning from the union, otherwise, we, as The Coca Cola Company, shall let no members of the union work for us." He went on to say that Coke has over 2000 workers in Turkey, and that if the Dudullu and Yenibosna were allowed by Coke to join a union, the workers at the other facilities would join as well.

25. The meeting concluded with the Coke representatives making clear that the remaining

employees had a choice to either resign from the union or face termination like the five leaders. The next day, May 20, 2005, the roughly fifty other union members who were employed at the Dudullu facility were fired. When they refused to immediately leave the facility, the Turkish Çevik Kuvvet, who were already present at the scene at CCI's direction, acting on behalf of Coke and Coke Export, beat and kicked some of the workers, forcing them to flee to avoid further violence.

26. Following their terminations, the fifty-five workers who were terminated from the Dudullu facility erected a shelter made of cardboard on private property across from the Dudullu facility. They were planning to maintain a peaceful vigil of protest until they were reinstated. The violent Çevik Kuvvet destroyed the shelter and contacted the owner of the property on which the shelter was built. Thereafter, the owner of the property met with CCI representatives, and CCI purchased the property to prevent the workers from using it for their peaceful assembly. The Çevik Kuvvet then warned the workers not to set foot on the property since it was now owned by CCI.

27. On May 25, 2005, the labor dispute escalated when approximately fifty workers who were union members were terminated from the Yenibosna facility. Although the layoffs officially took effect on July 2, 2005, the fired employees were given collective leave. In response to the layoffs, the fired workers erected a tent in front of the Yenibosna facility where they maintained a peaceful protest seeking reinstatement.

28. On July 20, 2005, workers from both the Dudullu and Yenibosna facilities gathered at the Dudullu facility, where the Coke Defendants maintained their headquarters. Many of the workers brought their spouses and children for a planned, peaceful demonstration to protest the illegal terminations and to demand reinstatement to their jobs. The workers were so committed to the

concept of a peaceful demonstration that they brought their families, including young children, specifically to demonstrate to the Coke Defendants that they intended no violence.

29. At approximately 10:00 a.m., the workers and their families, totaling about 170 people, gathered at the Dudullu facility for their peaceful demonstration. While the workers and their families were assembled, representatives of the Union were attempting to contact CCI to discuss the illegal terminations of the members of the Union. At around 4:00 p.m., Mr. Suleyman Celebi, the President of DISK, Mr. Adnan Serdaroglu, the Vice-President of DISK, Plaintiff Ali Riza Kucukosmanoglu, the President of the Union, and Plaintiff Ayhan Eerkan, the attorney for the Union, arrived at the Dudullu facility to meet with representatives from CCI.

30. During the early phase of the discussions, with the knowledge of Coke officials and at their direction, the Turkish Çevik Kuvvet attacked the workers and their family members, but they did not extract them from the building. Under the direction of the Coke managers, the police waited for a significant number of reinforcements. More than 1,000 of the feared Çevik Kuvvet were assembled to await the orders of the managers of CCI, acting on behalf of Coke and/or Coke Export, to attack and evict the terminated workers and their families.

31. Among the Coke managers who met with representatives from the Union were Hüseyin Akin, the Commercial Director, I_lil Baytok, the Legal Director, Aliye Alptekin, the Director of Human Resources, and two lawyers, Mr. Bilge and Mr. Pinar. Also present at the meeting were high-level members of the Turkish police department's special branch, the Çevik Kuvvet, including the Chief for Istanbul. The police were there to monitor the situation for Coke, and to coerce and intimidate the workers and representatives of the Union.

32. While the Union representatives were negotiating with the Coke managers, the leaders of the Çevik Kuvvet informed the Union leaders that they needed to conclude the discussions and leave the Dudullu facility. The Union leaders told the Çevik Kuvvet they needed at least 10 minutes so that the negotiations could be concluded. Three minutes later, with the agreement of the Coke managers, these special branch police attacked the workers and their families. First, the approximately 1,000 special branch police surrounded the workers and their family members to prevent their escape from the Dudullu facility. Then the police fired tear gas into the Dudullu facility. The specific gas used is not approved by international standards for use indoors. Then, with the workers and their family members disabled by the gas, the Çevik Kuvvet attacked the unarmed and defenseless group, which included women and children, with batons and shields.

33. As the Plaintiffs were being viciously attacked by the notorious Çevik Kuvvet, the Coke managers who had just moments before been “negotiating” with the Union, watched from the upper offices, safely behind glass walls, as the police they had ordered to attack the Plaintiffs gassed, beat and kicked the workers and their families. Only the Union members and their families were subjected to the gas and violence as the Coke managers had evacuated their office employees knowing that the violent attack was going to occur.

34. As each Plaintiff fell to the ground from the combination of the gas and the beatings, under the watchful eyes of the Coke managers, he or she was kicked and beaten further, and then dragged to waiting police vehicles. The officers that had surrounded the building also formed a gauntlet of sorts and kicked and beat the Plaintiffs as they were dragged to the police vehicles.

35. While in the custody of the police and trapped in the small police vans, Plaintiffs were again sprayed with poison gas. Tear gas canisters were lobbed through the bars of the police vans, and the trapped Plaintiffs had no source of air in their confined space other than the lethal gas. This was purely a gratuitous attack to further intimidate and coerce the Plaintiffs as they were already safely in custody and locked in the police vans.

36. Plaintiffs, along with the other arrested Union members and their families, were taken into custody by the Turkish Çevik Kuvvet at the direction of and with the consent of the CCI managers, acting on behalf of Coke and/or Coke Export. Plaintiffs were placed in a small, windowless, filthy jail that did not even have bathroom facilities. Eight of the victims, including Plaintiffs Mustafa and Can Akkin, were taken to court at about 5:00 a.m. to present their testimony. The other Plaintiffs were held until approximately 5:30 a.m., when they were released.

37. Plaintiff Union members and their family members were attacked and arrested to terrorize them into abandoning their efforts to form a union and to also accept their unlawful terminations without further protest. As a result of the attacks on the Plaintiffs at the Dudullu facility, the Plaintiffs suffered numerous injuries as described below.

V. THE SPECIFIC INJURIES SUFFERED BY THE PLAINTIFFS.

38. Plaintiff Erol Türedi was one of the original five leaders of the Union formed at Coke's Dudullu facility. He was among the group of workers and family members brutally attacked by the Turkish Çevik Kuvvet on July 20, 2005, following the request of employees and/or agents of the Coke Defendants. Plaintiff Türedi was in the front row of the assembled workers when the police

attacked. He stood between the Çevik Kuvvet and the spouses and children of the workers in order to protect them. He was hit directly by the tear gas. His own father, age 51, was among the approximately 170 people attacked by the police. After suffering from the effects of the tear gas, Plaintiff Türedi was beaten by billy clubs, and when he fell to the ground, he was kicked repeatedly. He was identified as one of the leaders of the Union by the CCI security guards to the Çevik Kuvvet, and he was singled out for particularly brutal treatment. Throughout the violent attack, the police were shouting obscenities that were shocking to the spouses and children witnessing the attack.

39. While Plaintiff Türedi was being beaten, the Coke executives who had been meeting with the Union leaders watched the violence from the safety of the upper floor offices. After he was nearly unconscious, Plaintiff Türedi was dragged by three or four officers to a police van. Once he was inside the van, one of the police officers tossed a tear gas canister through the bars of the vehicle, and Plaintiff Türedi was again subjected to the effects of the powerful gas. He was taken along with most of his colleagues to a jail in Istanbul at about 8 p.m. The cell was filthy; it had no windows and no toilet facilities. He spent the night in the crowded cell and was released at around 5:30 a.m.

40. Plaintiff Türedi suffered physical injuries to his head and body, as well as severe effects of close exposure to the powerful gas used by the police. He also suffered severe mental anguish out of a fear that the women and children that accompanied him and the other Coke workers to the Dudullu facility were being brutalized by the Çevik Kuvvet, and also due to his own fear that he would be killed by these brutal special branch police, who he, and most other citizens of Turkey

know, use violence on workers and union members with impunity. He was certain as he suffered from the physical and mental abuse that this was being done to him to intimidate him and to coerce him into abandoning his efforts to form a union at the Coke facilities in Turkey. To this day he continues to suffer mental anguish and relives the fear that he felt upon being subjected to the attack of overwhelming force by the Çevik Kuvvet.

41. Plaintiff Yusuf Karakoç was one of the workers who formed the Union at Coke's Yenibosna facility. He was among the group of workers and family members brutally attacked by the Turkish Çevik Kuvvet on July 20, 2005, following the request of employees and/or agents of the Coke Defendants. Plaintiff Karakoç was in the front row of the assembled workers when the police attacked. He stood between the Çevik Kuvvet and the spouses and children of the workers in order to protect them. He was hit directly by the tear gas. After suffering from the effects of the tear gas, Plaintiff Karakoç was beaten by billy clubs, and when he fell to the ground he was kicked repeatedly. He was hit several times in the left eye with a club, and suffered injury and damage to his eye. Throughout the violent attack, the police were shouting obscenities that were shocking to the spouses and children witnessing the attack.

42. While Plaintiff Karakoç was being beaten, the Coke executives who had been meeting with the Union leaders watched the violence from the safety of the upper floor offices. After he was nearly unconscious, Plaintiff Karakoç was dragged by three or four officers to a police van. Once he was inside the van, one of the police officers tossed a tear gas canister through the bars of the vehicle, and Plaintiff Karakoç was again subjected to the effects of the powerful gas. He was taken along with most of his colleagues to a jail in Istanbul at about 8 p.m. The cell was filthy; it had no

windows and no toilet facilities. He spent the night in the crowded cell and was released at around 5:30 a.m.

43. Plaintiff Karakoç suffered physical injuries to his head and body, as well as his left eye, and suffered from the severe effects of close exposure to the powerful gas used by the police. He also suffered severe mental anguish out of a fear that the women and children that accompanied him and the other Coke workers to the Dudullu facility were being brutalized by the Çevik Kuvvet, and also due to his own fear that he would be killed by these brutal special branch police, who he, and most other citizens of Turkey know, use violence on workers and union members with impunity. He was certain as he suffered from the physical and mental abuse that this was being done to him to intimidate him and to coerce him into abandoning his efforts to form a union at the Coke facilities in Turkey. To this day he continues to suffer mental anguish and relives the fear that he felt upon being subjected to the attack of overwhelming force by the Çevik Kuvvet.

44. Plaintiff Mustafa Akkin was one of the original five leaders of the Union formed at Coke's Dudullu facility. He was among the group of workers and family members brutally attacked by the Turkish Çevik Kuvvet on July 20, 2005, following the request of employees and/or agents of the Coke Defendants. Plaintiff Akkin was in the front row of the assembled workers when the police attacked. He stood between the Çevik Kuvvet and the spouses and children of the workers in order to protect them. He was hit directly by the tear gas. His own son, Plaintiff Can Akkin, age 17, was among the approximately 170 people attacked by the police. After suffering from the effects of the tear gas, Plaintiff Akkin was beaten by billy clubs, and when he fell to the ground he was kicked repeatedly. He was identified as one of the leaders of the Union by the CCI security guards to the

Çevik Kuvvet, and he was singled out for particularly brutal treatment. Throughout the violent attack, the police were shouting obscenities that were shocking to the spouses and children witnessing the attack.

45. While Plaintiff Akkin was being beaten, the Coke executives who had been meeting with the Union leaders watched the violence from the safety of the upper floor offices. After he was nearly unconscious, Plaintiff Akkin was dragged by three or four officers to a police van. Once he was inside the van, one of the police officers tossed a tear gas canister through the bars of the vehicle, and Plaintiff Akkin was again subjected to the effects of the powerful gas. He was taken along with most of his colleagues to a jail in Istanbul at about 8 p.m. The cell was filthy; it had no windows and no toilet facilities. He spent the night in the crowded cell and, along with his son, Can Akkin, was among the eight workers taken to the court in the morning to appear as witnesses to the events of July 20. He was released at around 5:30 a.m.

46. Plaintiff Akkin suffered physical injuries to his head and body, as well as severe effects of close exposure to the powerful gas used by the police. His injuries from the gas were so severe that his picture appeared in the Turkish press showing his eyes swelled shut from the effects of the gas. He also suffered severe mental anguish out of a fear that the women and children that accompanied him and the other Coke workers to the Dudullu facility, including his own son, Plaintiff Can Akkin, were being brutalized by the police. He also suffered mental anguish from his own fear that he would be killed by the Çevik Kuvvet, who he, and most other citizens of Turkey know, use violence on workers and union members with impunity. He was certain as he suffered from the physical and mental abuse that this was being done to him to intimidate him and to

coerce him into abandoning his efforts to form a union at the Coke facilities in Turkey. To this day he continues to suffer mental anguish and relives the fear that he felt upon being subjected to the attack of overwhelming force by the brutal Çevik Kuvvet.

47. Plaintiff Can Akkin suffered severe physical injuries from the beatings he endured and the effects of the poison gas. He suffered severe mental anguish from his fear that his father was being brutalized by the police. He also suffered mental anguish from his own fear that he would be killed by the Çevik Kuvvet, who he, and most other citizens of Turkey know, use violence on people with impunity. He was certain as he suffered from the physical and mental abuse that this was being done to terrorize him and his father so that his father would abandon his efforts to form a union at the Coke facilities in Turkey. To this day Plaintiff Can Akkin continues to suffer mental anguish and relives the fear that he felt upon being subjected to the attack of overwhelming force by the brutal Çevik Kuvvet.

48. Plaintiff Ahmet Çakmak was one of the workers who formed the Union at Coke's Yenibosna facility. He was among the group of workers and family members brutally attacked by the Turkish Çevik Kuvvet on July 20, 2005, at the Dudullu facility following the request of employees and/or agents of the Coke Defendants. Plaintiff Çakmak was in the front row of the assembled workers when the police attacked. He stood between the Çevik Kuvvet and the spouses and children of the workers in order to protect them. He was hit directly by the tear gas. After suffering from the effects of the tear gas, Plaintiff Çakmak was beaten by billy clubs, and when he fell to the ground he was kicked repeatedly. He was hit on his right ear by one of the police officers using an arm shield. The ear was cut and required stitches. Throughout the violent attack,

the police were shouting obscenities that were shocking to the spouses and children witnessing the attack.

49. While Plaintiff Çakmak was being beaten, the Coke executives who had been meeting with the Union leaders watched the violence from the safety of the upper floor offices. After he was nearly unconscious, Plaintiff Çakmak was dragged by three or four officers to a police van. Once he was inside the van, one of the police officers tossed a tear gas canister through the bars of the vehicle, and Plaintiff Çakmak was again subjected to the effects of the powerful gas. He was taken along with most of his colleagues to a jail in Istanbul at about 8 p.m. The cell was filthy; it had no windows and no toilet facilities. He spent the night in the crowded cell and was released at around 5:30 a.m.

50. Plaintiff Çakmak suffered physical injuries to his head and body, as well as his right ear, and suffered from the severe effects of close exposure to the powerful gas used by the police. He also suffered severe mental anguish out of a fear that the women and children that accompanied him and the other Coke workers to the Dudullu facility were being brutalized by the Çevik Kuvvet, and also due to his own fear that he would be killed by these special branch police, who he, and most other citizens of Turkey know, use violence on workers and union members with impunity. He was certain as he suffered from the physical and mental abuse that this was being done to intimidate him and to coerce him into abandoning his efforts to form a union at the Coke facilities in Turkey. To this day he continues to suffer mental anguish and relives the fear that he felt upon being subjected to the attack of overwhelming force by the brutal Çevik Kuvvet.

51. Plaintiff Fahrettin Takici was one of the original five leaders of the Union formed at Coke's

Dudullu facility. He was among the group of workers and family members brutally attacked by the Turkish Çevik Kuvvet on July 20, 2005, following the request of employees and/or agents of the Coke Defendants. Plaintiff Takici was in the front row of the assembled workers when the police attacked. He stood between the Çevik Kuvvet and the spouses and children of the workers in order to protect them. His own wife was among the approximately 170 people attacked by the police, and he tried desperately to protect her. Initially, he received a severe blow to the head when one of the police officer's struck him on the head with a metal helmet. Then, he was sprayed directly in the face with tear gas. After suffering from the effects of the tear gas, Plaintiff Takici was beaten by billy clubs, and when he fell to the ground, he was kicked repeatedly. He was identified as one of the leaders of the Union by the CCI security guards to the Çevik Kuvvet, and he was singled out for particularly brutal treatment. Throughout the violent attack, the police were shouting obscenities that were shocking to the spouses and children witnessing the attack.

52. While Plaintiff Takici was being beaten, the Coke executives who had been meeting with the Union leaders watched the violence from the safety of the upper floor offices. After he was nearly unconscious, Plaintiff Takici was dragged by three or four officers to a police van. Once he was inside the van, one of the police officers tossed a tear gas canister through the bars of the vehicle, and Plaintiff Takici was again subjected to the effects of the powerful gas. When he put his face to the small, barred window in the van, he was sprayed by a police officer with some type of gas, and he was rendered unconscious. He was taken along with most of his colleagues to a jail in Istanbul at about 8 p.m. When he regained consciousness, he was in a filthy jail cell. It had no windows and no toilet facilities. He spent the night in the crowded cell. He was released at around 5:30 a.m.

53. Plaintiff Takici suffered physical injuries to his head and body, as well as severe effects of close exposure to the powerful gas used by the police. He also suffered severe mental anguish out of a fear that the women and children, including his own wife, that accompanied him and the other Coke workers to the Dudullu facility, were being brutalized by the police. He also suffered mental anguish from his own fear that he would be killed by the Çevik Kuvvet, who he, and most other citizens of Turkey know, use violence on workers and union members with impunity. He was certain as he suffered from the physical and mental abuse that this was being done to him to intimidate him and to coerce him into abandoning his efforts to form a union at the Coke facilities in Turkey. To this day he continues to suffer mental anguish and relives the fear that he felt upon being subjected to the attack of overwhelming force by the brutal Çevik Kuvvet.

54. Plaintiff Resul Güçlü was one of the workers who formed the Union at Coke's Dudullu facility. He was among the group of workers and family members brutally attacked by the Turkish Çevik Kuvvet on July 20, 2005, following the request of employees and/or agents of the Coke Defendants. Plaintiff Güçlü was near the side of the crowd when the attack began. He was punched directly in the face by one of the police, and his nose bled badly. He was knocked to the ground, and then he was kicked and beaten repeatedly. Throughout the violent attack, the police were shouting obscenities that were shocking to the spouses and children witnessing the attack.

55. While Plaintiff Güçlü was being beaten, the Coke executives who had been meeting with the Union leaders watched the violence from the safety of the upper floor offices. Plaintiff Güçlü was dragged by three or four officers to a police van. Once he was inside the van, one of the police officers tossed a tear gas canister through the bars of the vehicle, and Plaintiff Güçlü was subjected

