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The Zarbab case and the Gülenists

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It did not make sense at first when Judge Richard Berman made a long explanation on April 27 in Reza Zarbab's first appearance in a New York court, saying he had once been to Istanbul. It all became clear when the transcript of the trial was published by the court. Once again a Fethullah Gülen story was involved.

The reason Judge Berman was in Istanbul on April 8-9, 2014, was a symposium titled "Justice and the Rule of Law." At the symposium, Berman was the moderator of a panel titled "Independent and Effective Judiciary." The event was a high-level meeting organized at the Four Seasons Bosphorus at which major law people from [Europe](#) and the United States attended.

Berman, at the hearing, started by saying "I found [Istanbul] to be a fantastic city." Then he lists the other 20 speakers of the panel he moderated, which included the district attorney of Vermont.

"My participation in this panel does not impact my ability to preside over this case fairly and impartially, and to ensure that Mr. Zarbab, who is presumed to be innocent, as you all know, receives a fair and impartial hearing and eventual trial," said Berman.

You think "how delicate they are," don't you? They are, but the story is not over. Because things change when Zarbab's attorney Benjamin Brafman speaks.

"Might I add, your Honor, that with all modesty, you have proven me correct. I was familiar with your Honor's remarks and appearance in Istanbul because, in our thoroughness, we try and follow everything that everyone does. ... So I said that the first thing the judge is going to do is raise the fact that he participated in the panel, so I'm glad that you proved me correct," he said.

Then he added that Judge Berman is a fair and impartial judge, and they have not witnessed anything to the opposite, to which Judge Berman responded: "My experience in the civil cases that we've had is that, generally speaking, you're one step ahead of me, and so you have proved me correct in that regard."

When you think about this passive-aggressive conversation between Manhattan's most powerful judge and one of New York's biggest lawyers and re-examine the transcript, a company whose name could not be spelled correctly by the clerks comes up: Yüksel Karkin Küçük Attorney Partnership, which sponsored the symposium along with the United Nations.

You should be familiar with the stories in the pro-government circles that say the Zarbab case in the U.S. is being orchestrated by the Gülen Movement. Six days after the hearing on April 27, a pro-government newspaper ran a story titled "Here is Parallel's cosmic law firm." What is the firm in the story that did not mention the Zarbab trial? You guessed it right: Yüksel Karkin Küçük (YKK) Attorney Partnership.

I will not go into the content of the story. It was an anonymous report that included many names and was based on various theories. But the interesting thing is, my sources in the legal community in Istanbul told me that YKK had close links with the Gülen Movement. In addition, the sources said the firm was involved in many suspicious jobs at the time the Gülen Movement and the government were close allies.

I called Cüneyt Yüksel, one of the firm's partners, and we had a lengthy conversation over the phone. At first, he told me that they did not sponsor the symposium. He later called and admitted that they had contributed to meet the accommodation and flight costs of the event.

"Are you a member of the Gülen Movement?" I asked him. He argued that neither he nor his partners were involved with the Gülenists. I told him that Gülen Movement members tend to deny any links with the group and I had doubt about his remarks.

I asked about Judge Berman. He said Berman attended the symposium with his wife and that they spoke once during the event but had never met since. Regarding the fact that he is presiding over Zarbab's case two years later, Yüksel said it was "fate." I asked if the preparations for the symposium started before the Dec. 17, 2013, graft probe. "It started later, we had a meeting on the issue in March," he said. He added that tax



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inspections were launched against his firm three months after the symposium, three different inspectors investigated the firm for a total of 17 months and that the firm was finally cleared. He also said they had a major law firm with 110 employees.

The fact that Judge Berman went on a trip paid by a law firm puts him in a difficult position against the defense lawyer. The pressure on the judge has increased because that law firm is linked to a political group that is involved in the Turkey side of the case. And this creates the risk of a process in favor of Zarbab during the trial.

As a journalist, I am fed up. I have grown tired of claims of Gülen Movement involvement in every event. And I am also tired of finding out Gülen footprints in cases you would never think of. I don't know which one this symposium thing is. What I'm sure is that with the Zarbab case, the U.S. judiciary will have the same irritation.

Welcome to the mysterious world of Turkey, distinguished members of the U.S. judiciary.

May/17/2016

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