

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Etrak İnşaat Taahhüt Ve Ticaret Anonim Şirketi v. State of Libya

Etrak v. Libya · No. Civil Action No. 2022-0864 (JMC) · Decided December 8, 2025

SUMMARY

The United States District Court for the District of Columbia granted Etrak İnşaat Taahhüt Ve Ticaret Anonim Şirketi's motion for an order under 28 U.S.C. § 1610(c). The court found that a reasonable period had elapsed after entry of a \$30,128,994.40 judgment against Libya and that no additional notice under 28 U.S.C. § 1608(e) was required because Libya had appeared and defended the action. Etrak was therefore permitted to seek attachment or execution of Libya's property under the Foreign Sovereign Immunities Act.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Jia M. Cobb
JURISDICTION	United States District Court for the District of Columbia
DECIDED	December 8, 2025
DOCKET	Civil Action No. 2022-0864 (JMC)
DISPOSITION	other
PROCEDURAL POSTURE	After confirming Etrak's arbitration award and entering judgment against Libya, the court considered Etrak's motion for an order under 28 U.S.C. § 1610(c) permitting it to pursue attachment or execution against Libya's assets.
STANDARD OF REVIEW	The determination whether a reasonable period of time has elapsed under 28 U.S.C. § 1610(c) is committed to the court's discretion.
PRECEDENTIAL VALUE	Published district court memorandum opinion; binding within the case and potentially persuasive, but not binding precedent on other courts.

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether more than nine months without payment, coupled with Libya's failure to respond to post-judgment discovery and other conduct, constituted a reasonable period of time under 28 U.S.C. § 1610(c).
2. Whether the notice requirement in 28 U.S.C. § 1608(e) applied to Etrak's enforcement of a nondefault judgment against Libya.

HOLDINGS

1. More than nine months had elapsed after entry of judgment, and Libya's failure to pay, failure to respond to post-judgment discovery, and other conduct indicated evasion; therefore, a reasonable period of time had elapsed under § 1610(c).
2. Section 1608(e)'s notice requirement for default judgments did not apply because Libya had appeared, answered, defended the action, and the judgment was not a default judgment.

KEY QUOTATIONS

“A section 1610(c) order serves only to determine that those two requirements—the passage of a reasonable period of time and the notice requirement under section 1608(e)—are met.” (at 1)

“Etrak may now seek attachment or execution, pursuant to id. § 1610(a)–(b), to satisfy this Court’s judgment.” (at 4)

FACTUAL BACKGROUND

The court entered judgment for Etrak in the amount of \$30,128,994.40 after confirming Etrak's arbitration award against Libya. During the more than nine months after judgment, Libya made no effort to pay, failed to respond to post-judgment discovery, and did not retain new counsel after its prior counsel withdrew. Etrak sought a § 1610(c) order as a preliminary step to attaching or executing against Libya's assets.

PROCEDURAL HISTORY

On March 3, 2025, the court confirmed Etrak's arbitration award and entered a \$30,128,994.40 judgment against Libya. Libya did not pay the judgment, respond to post-judgment discovery, or retain substitute counsel after its counsel withdrew. Etrak moved for an order under § 1610(c), and the court granted the motion.

DISPOSITION

other

CASES CITED

- Warmbier v. Dem. People's Rep. of Korea, 2019 WL 11276677, at *1 (D.D.C. Apr. 9, 2019)
- Eurofinsa, S.A. v. Gabonese Rep., No. 23-cv-3013, 2025 WL 1650493, at *3 (D.D.C. June 11, 2025)
- Baker v. Socialist People's Libyan Arab Jamahirya, 810 F. Supp. 2d 90, 101 (D.D.C. 2011)

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