

FIRM NEWS

Schulte Roth & Zabel Renews Commitment to Deliver Justice for Survivors of 1921 Tulsa Race Massacre

July 10, 2023

Schulte Roth & Zabel today joins local civil rights lawyer and Justice for Greenwood founder Damario Solomon-Simmons in reaffirming its commitment to achieve justice for the survivors of the 1921 Tulsa Race Massacre. On the evening of Friday, July 7, Judge Caroline Wall dismissed *Randle v. City of Tulsa*, backpedaling on her prior orders that permitted the last three survivors of the Tulsa Race Massacre to proceed with their public nuisance litigation to seek justice for the continued harm caused by the Massacre.

Schulte Roth & Zabel and a legal team of civil and human rights attorneys sued local governments, the Oklahoma National Guard, and other officials on behalf of survivors of the Massacre, seeking to abate the ongoing nuisance caused by the white mob attack that attacked and decimated the 40-square-block prosperous, all-Black Greenwood community in Tulsa, leaving hundreds of Black residents dead and burning and looting thousands of homes and businesses.

“Judge Wall’s ruling is truly stunning,” said Michael Swartz, co-chair of Schulte’s Litigation Group and chair of the firm’s Pro Bono Committee. “After announcing over a year ago to a full courtroom, including the three living survivors of the Massacre, that the case could proceed—which she followed with a written order, Judge Wall reversed herself and dismissed the case with no explanation. That is a travesty of justice and undermines faith in the judicial system. At a minimum, the survivors, as well as the Greenwood community and other concerned citizens, deserved an

explanation for the Court's inexplicable about face but got none. We vow to persist and will continue our fight for justice."

The lawsuit demanded that the City of Tulsa and other defendants fix the public nuisance of racial disparities, economic inequalities, insecurity and trauma that they caused by their destruction of the Black community of Greenwood in 1921, their continuing failure to rebuild the community and their audacity in seeking to reap benefits from their violent acts. Building on admissions from defendants and the City of Tulsa Mayor, as well as the testimony of living survivors of the Massacre, the complaint set forth the reality that the racial and economic disparities that exist in Tulsa's Black community today can be traced to the 1921 race massacre.

"There is no semblance of justice or access to justice here," said Mr. Solomon-Simmons. "Judge Wall joined a long line of judges who for over a century have quietly thrown can after can of gasoline on the fire that is still burning in Greenwood. And now, Judge Wall has condemned our clients – who are 109, 108 and 102 years old – to effectively languish to death on Oklahoma's appellate docket. We will continue to fight on behalf of and alongside our Survivors and we will not rest until there is justice for Greenwood. This is not over."

"Judge Wall's order will not stop us from appealing or from continuing to tell the story of the Tulsa Race Massacre," said McKenzie Haynes, Associate at Schulte Roth & Zabel. "The judge's order was issued the same week that Oklahoma Superintendent Walters stated that the Tulsa Race Massacre was not about race – which is astoundingly false. Despite Tulsa's and America's attempt to silence, change, and gaslight the facts and truths of our collective racial history and trauma, we, the Survivors, and all those who believe in racial justice, will not sit quietly or passively to allow mistruths and injustice to persist."

The Schulte team is led by Michael Swartz, partner Randall Adams, special counsel for pro bono initiatives Sara Solfanelli and McKenzie Haynes. The team also includes associates Ekenedilichukwu (Keni) Ukabiala, Erika Simonson, Victoria Harris and Melanie Collins.

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