

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

ROBERT MARTINO, SYBIL MARTINO, DOROTHY ACKLIN, BARBARA BENARD, MARY ALLEN, ELAINE FRAZIER, ELLEN LEACH, KENNETH ANDERSON, JOANN ARNOLD, IESHA AYRO, CHRISTINA BAKER, LINDA BALOGA, TOBEY BEERY, ANDREW BISSON, CHRISTOPHER BISSON, LAURALEE BISSON, RICHARD BISSON, RITA BLODGETT, DEBRA BOOTH, ERICA BOOTH, G.B., by and through his/her next friend Erica Booth, T.B., by and through his/her next friend Erica Booth, CHRISTOPHER BOREA, KIM BOREA, JOHN BOUCHARD, SHAWNA WESTBROOK, JULIA BYRD, LEROY CAIN JR., SONDRADKINS, JOSEPH CANTRELL III, BARBARA PARSONS, KRISTEN SWANSON, KEVIN CAWVEY SR., SANDRA CAWVEY, JOSHUA CAWVEY, BRANDON CLEVINGER, NANCY CLEVINGER, DEBRA SPRINGMAN, LILLIAN COSTELLO, NATALIE JACKSON, KELLY INMAN, NICHOLE CROWLEY, JOHN DARGA, EDWARD DAVIS JR., DAVID DEHN JR., DAWN CASSIL, DALE DERAPS, SHANTI JOHNSON, CAMERON MANN, MARTHA CABE, KATHRYN HARTMAN, BRIAN EBERT, ROBERT ECKFIELD SR., CHRISTINA LINDEN, KELLI WINKLER, DIANE SALYERS, RICHARD FENIELLO, MICHAEL VAN CANNON, JERICA JOHNSON, DEBBEE WAY, ANNA GODWIN, KATRINA GRAHAM, JAMES GRAHAM II, PATRICIA GRASSBAUGH, TRAVIS GREENE, PHILLIP HALE, RACHEL HALL, XAVIER ARIAS, G.H., by and through his/her next friend Xiomara Hall, XIOMARA HALL, CRISTIAN ARIAS, KATHLEEN HANSON, ROBERT HANSON, DORIS HARDY, APRIL HARKINS, ROBERT HARKINS JR., DANIEL AMICK, RENEE AMICK, CHRISTINE STANTON, FRANK HERNANDEZ SR., MARY BUSTAMANTE HERNANDEZ, MARY HERNANDEZ, KATHERINE MEEKS, KIMBERLY BOYD, BELINDA BREWSTER, SUSAN JAENKE, SHALONDA JOHNSON, JAMES KINCHEN JR., AMIE MEREDITH, JEANIE KINCHEN, ROGER KURTZ, STEPHANIE KURTZ, MARYBETH LAGUNA,

Case No.: \_\_\_\_\_

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NANETTE WEST, HEATHER KAUFMAN, TRENT  
WITTEVEEN, BECKY JOHNSON, BRITTENY  
WOODS, DAVID WROBLEWSKI, RICHARD  
GERVASI II, KRISTEN SIMON,

Plaintiffs,

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

**COMPLAINT FOR VIOLATION OF THE  
FOREIGN SOVEREIGN IMMUNITIES ACT**

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## INTRODUCTION

1. This lawsuit asserts claims under the Foreign Sovereign Immunities Act, 28 U.S.C. § 1605A, on behalf of American service members and civilians, and their family members, who were killed or wounded while serving their country in Iraq between approximately 2003 and 2010 (the “Plaintiffs”).

2. While these men and women worked to rebuild post-war Iraq, they were attacked by a Sunni terrorist coalition led by al-Qaeda and its two lead Iraqi affiliates, al-Qaeda-in-Iraq (or “AQI”) and Ansar al-Islam (or “AI”), and aided by decades of support from the Islamic Republic of Iran (“Iran”).

3. Iran sponsored those terrorist attacks to kill Americans and undermine American foreign policy. In effect, Iran orchestrated a coalition of Sunni terrorists united in their shared desire to kill Americans in Iraq—just as it did with Shiite terrorists. Iran supported anti-American Sunni terrorist proxies in Iraq by, among other things, helping establish the groups in the first instance, providing critical safehouses and travel assistance, training terrorists how to attack Americans effectively, providing sophisticated weapons and facilitating the smuggling thereof, and providing substantial funding to groups targeting Americans, including by paying terrorists who killed U.S. forces. Though the extent of such Iranian support varied depending on the group in question, Iran provided the above critical support to essentially every major Shiite and Sunni terrorist group killing Americans in Iraq from 2003 through 2010.

4. Iran’s support for the transnational terrorist group al-Qaeda was as potent as its support for its local Iraqi terrorist proxies, al-Qaeda-in-Iraq and Ansar al-Islam, and each avenue of Iranian terrorist effort reinforced the other. Iran’s support for al-Qaeda terrorism dates back decades and has included money, weapons, training, logistical assistance, and safe harbor for key al-Qaeda leaders. In 2007, Osama bin Laden himself referred to Iran as al-Qaeda’s “*main artery*

*for funds, personnel, and communication.*” Iran’s longstanding decision to back al-Qaeda, including in Iraq, despite Sunni-Shiite sectarian differences, reflected Iran’s overriding desire to foment anti-American terrorism around the world. That decision, like the one to provide material support to other Shiite and Sunni terrorists inside Iraq, paid dividends. Iran’s support for al-Qaeda’s activities in Iraq substantially contributed to the terrorist violence that killed and injured Americans there, including Plaintiffs.

5. Iran’s support for al-Qaeda complemented its support for al-Qaeda’s Sunni terrorist affiliates in Iraq, al-Qaeda-in-Iraq and Ansar al-Islam, because of the close relationship between al-Qaeda and the Sunni terrorist campaign targeting Americans in Iraq. Until his death in 2006, one man ran Iraqi operations for al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam: notorious al-Qaeda terrorist Abu Musab al-Zarqawi, who founded and led al-Qaeda-in-Iraq with essential material support and resources from Iran under the leadership of its terrorist mastermind, Qassem Soleimani. Although al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam were nominally distinct groups, they acted together in a terrorist joint venture to plan and commit terrorist violence throughout Iraq.

6. Iran was essential to facilitating the cooperation between al-Qaeda core (split between its sanctuaries in Iran and Afghanistan/Pakistan) and al-Qaeda’s affiliates on the front lines in Iraq, including al-Qaeda-in-Iraq and Ansar al-Islam. Iran provided a “terrorist land bridge” between Iraq and Afghanistan/Pakistan over which terrorist operatives, funds, weapons, and communications could flow between the two jihadist fronts. By funneling material support to both al-Qaeda and its Iraqi affiliates, al-Qaeda-in-Iraq and Ansar al-Islam, Iran ensured that its campaign of sponsoring anti-American terrorism in Iraq achieved maximum effect.

7. The United States officially designated Iran a State Sponsor of Terrorism on January 19, 1984, pursuant to section 6(j) of the Export Administration Act (50 U.S.C. § 4605), section 40 of the Arms Export Control Act (22 U.S.C. § 2780), and section 620A of the Foreign Assistance Act (22 U.S.C. § 2371).

8. Iran's agents include Hezbollah, the Islamic Revolutionary Guard Corps ("IRGC"), and the Islamic Revolutionary Guard Corps-Qods Force ("IRGC-QF" or "Qods Force"), among others. Many of Iran's agents are designated as Foreign Terrorist Organizations ("FTOs") under section 219 of the Immigration and Nationality Act (8 U.S.C. § 1189), Specially Designated Global Terrorists ("SDGTs") under 31 C.F.R. § 594.31, or both. As a designated State Sponsor of Terrorism – which routinely employs designated FTOs as instruments of its terrorist agenda – Iran is liable to Plaintiffs for the injuries it caused by deliberately supporting terrorist attacks in Iraq.

### **JURISDICTION AND VENUE**

9. This Court has personal and subject-matter jurisdiction over Plaintiffs' claims under 28 U.S.C. §§ 1330(a), 1330(b), 1331, 1332(a)(2), and 1605A.

10. Venue is proper in this District under 28 U.S.C. § 1391(f)(4).

11. 28 U.S.C. § 1605A(c) provides a federal private right of action against a State Sponsor of Terrorism for personal injury or death caused by an act of torture, extrajudicial killing, aircraft sabotage, hostage taking, or the provision of material support and resources for such acts. The foreign state is liable for the acts of its officials, employees, and agents.

### **THE DEFENDANT**

12. Defendant Iran is a foreign state. The United States designated Iran as a State Sponsor of Terrorism on January 19, 1984, and Iran has remained so designated continuously since that date.



13. Iran is politically and ideologically hostile to the United States and its allies. Iran has consistently provided material support and resources for acts of international terrorism targeting the United States and its overseas interests, often acting through agents like the IRGC, the Qods Force, and Hezbollah. Iran's provision of material support for anti-American terrorism commonly includes material support and resources for torture, extrajudicial killings, aircraft sabotage, hostage taking, and other related acts.

14. Iran – including through its officials, employees, and agents acting within the scope of those relationships – provided material support and resources for the commission of acts of torture, extrajudicial killing, aircraft sabotage, and hostage taking by Shiite and Sunni terrorists in Iraq, including the extrajudicial killings in which Plaintiffs or their family members were killed or injured. Iran's material support and resources caused Plaintiffs' injuries.

15. Iran provided material support and resources for these acts of terrorism against Americans for the purpose of supporting, enabling, advancing, and benefitting from them.

### **FACTUAL ALLEGATIONS**

#### **I. IRAN HAS LONG SUPPORTED TERRORISM THROUGHOUT THE MIDDLE EAST AND CENTRAL ASIA AS PART OF ITS FOREIGN POLICY**

16. The 1979 Iranian Revolution was fueled in large part by militant anti-Americanism. Eliminating the United States' role in the geographic region surrounding Iran – including through violence – was and remains a central tenet of Iranian foreign policy.<sup>1</sup> Since the Iranian Revolution, Iran has engaged in and supported acts of terrorism directed at the United States and its allies as an instrument of Iran's foreign policy.

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<sup>1</sup> Col. (ret.) Richard Kemp and Maj. (ret.) Charles Driver-Williams, *Killing Americans and Their Allies: Iran's Continuing War against the United States and the West*, Jerusalem Ctr. For Public Affairs (2015) (“*Killing Americans and Their Allies*”).

17. Iran's support of terrorist proxies like Hezbollah, Hamas, the Taliban, and al-Qaeda is well-documented.<sup>2</sup> As a result of Iran's consistent and longstanding support of anti-American terrorism, the U.S. State Department formally designated Iran as a State Sponsor of Terrorism in 1984.<sup>3</sup> It has maintained that designation at all times since.<sup>4</sup> In 2007, the U.S. State Department described Iran as "the most active state sponsor of terrorism" in the world and "a threat to regional stability and U.S. interests in the Middle East because of its continued support for violent groups."<sup>5</sup>

18. Iran carries out its support of terrorism largely through the IRGC. The IRGC, a governmental entity of Iran, is a quasi-military state institution that operates separately from the regular Iranian military and includes Iran's foreign terrorist organization proxy, Lebanese Hezbollah (which the IRGC considers the "Hezbollah Division" of the IRGC). The IRGC is organized like a traditional military and includes an army, navy, air force, militia, and special forces.<sup>6</sup> The IRGC is supervised by the Iranian government, but it also "has a relatively strict command-and-control protocol and answers directly to the Supreme Leader, Ayatollah Ali Khamenei."<sup>7</sup> The Supreme Leader serves as commander-in-chief of the armed forces, appoints the head of each military service, and declares war and peace. He also routinely employs the IRGC to further Iran's global terrorist campaign. As the U.S. Treasury Department noted in 2010 when

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<sup>2</sup> See Alireza Nader, Joya Laha, *Iran's Balancing Act in Afghanistan* at 9 (RAND Corp. 2011) ("*Iran's Balancing Act*").

<sup>3</sup> See 49 Fed. Reg. 2,836-02 (Jan. 23, 1984) (statement of Sec'y of State George P. Shultz designating Iran); U.S. State Dep't, *State Sponsors of Terrorism*, <https://www.state.gov/j/ct/list/c14151.htm>.

<sup>4</sup> *Id.*

<sup>5</sup> U.S. State Dep't, *Country Reports on Terrorism 2007* at 172 (Apr. 2008).

<sup>6</sup> See Press Release, U.S. Treasury Dep't, *Fact Sheet: Designation of Iranian Entities and Individuals for Proliferation Activities and Support for Terrorism* (Oct. 25, 2007).

<sup>7</sup> *Iran's Balancing Act* at 10.

it designated certain IRGC officials pursuant to Executive Order 13224, “Iran also uses the . . . IRGC . . . to implement its foreign policy goals, including, but not limited to, seemingly legitimate activities that provide cover for intelligence operations and support to terrorist and insurgent groups.”<sup>8</sup>

19. Members of the IRGC are officials, employees, or agents of Iran. In light of the IRGC’s regular support for terrorist organizations and the strict command structure tying them to Iran’s central leadership, members of the IRGC act within the scope of employment when they provide material support to terrorist organizations.

20. Iran’s constitution vests in the IRGC responsibility for defending the Islamic Revolution. The IRGC runs prisons in Iran, and it controls hundreds of companies, particularly in the oil-and-gas, engineering, construction, and defense industries. Some analysts estimate that the IRGC controls up to one-third of Iran’s economy – controlling businesses worth billions of dollars.

21. On April 15, 2019, the U.S. State Department designated the IRGC as a Foreign Terrorist Organization.<sup>9</sup> Announcing the designation, President Trump explained that “the IRGC actively participates in, finances, and promotes terrorism as a tool of statecraft.”<sup>10</sup> According to the U.S. State Department’s public statement explaining the designation, the IRGC “has been directly involved in terrorist plotting; its support for terrorism is foundational and institutional, and it has killed U.S. citizens.”<sup>11</sup> Through the IRGC’s support for terrorist organizations throughout

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<sup>8</sup> Press Release, U.S. Treasury Dep’t, *Fact Sheet: U.S. Treasury Department Targets Iran’s Support for Terrorism Treasury Announces New Sanctions Against Iran’s Islamic Revolutionary Guard Corps-Qods Force Leadership* (Aug. 3, 2010).

<sup>9</sup> See 84 Fed. Reg. 15,278-01 (Apr. 15, 2019).

<sup>10</sup> Statement from the President on the Designation of the Islamic Revolutionary Guard Corps as a Foreign Terrorist Organization (Apr. 8, 2019).

<sup>11</sup> Press Release, U.S. State Dep’t, *Fact Sheet: Designation of the Islamic Revolutionary Guard Corps* (Apr. 8, 2019).

the region, “[t]he Iranian regime has made a clear choice not only to fund and equip, but also to fuel terrorism, violence, and unrest across the Middle East.”<sup>12</sup>

22. The IRGC has a special foreign division called the Qods Force. The U.S. State Department has observed that “Iran used the Islamic Revolutionary Guard Corps-Qods Force (IRGC-QF) to implement foreign policy goals, provide cover for intelligence operations, and create instability in the Middle East. The Qods Force is Iran’s primary mechanism for cultivating and supporting terrorists abroad.”<sup>13</sup> The Qods Force is the driving force behind Iran’s activities in Iraq, as well as in Syria, Afghanistan, and elsewhere in the Middle East.

23. The Qods Force has a long and well-documented history of assassinations, kidnappings, bombings, and arms dealing. Acting through Lebanese Hezbollah, which it funds and equips, the Qods Force also regularly trains foreign terrorist proxies whose attacks promote Iran’s political goals. The Qods Force is also responsible to and directed by the Supreme Leader of Iran. Major General Qassem Soleimani, who was the chief of the Qods Force for more than twenty years, oversaw the Qods Force’s support for terrorist groups to promote Iran’s policies throughout the region. Soleimani took his directions from Khamenei, with whom he shared a close personal relationship. Soleimani was killed in a U.S. airstrike in Baghdad, Iraq on January 3, 2020. Khamenei then appointed Brigadier General Esmail Ghaani to replace him.

24. The Qods Force provides weapons, funding, and training for terrorist operations targeting American citizens, including by supporting Shiite terrorist organizations such as Lebanese Hezbollah, Jaysh al-Mahdi (including the Jaysh al-Mahdi “Special Groups” Kataib Hezbollah and Asaib Ahl al-Haq), as well as Sunni terrorist groups like al-Qaeda, Hamas, and the

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<sup>12</sup> *Id.*

<sup>13</sup> U.S. State Dep’t, *Country Reports on Terrorism 2015* at 300 (June 2, 2016).

Taliban. Iran's Supreme Leader and central government are aware of and encourage those acts. Applying pressure against the United States by funding and supplying terrorist proxies in the Middle East and Central Asia, including in Iraq, is thus an official component of Iran's foreign policy.

25. The Qods Force has four regional commands, with each focused on implementing Iran's foreign policy in a neighboring region. The First Corps focuses on Iraq, the Second Corps on Pakistan, the Third Corps on Turkey and Kurdistan, and the Fourth Corps on Afghanistan.

26. In October 2007, the U.S. Treasury Department designated the Qods Force as a Specially Designated Global Terrorist under Executive Order 13224 for providing material support to terrorist groups in Iraq and other terrorist organizations, including Hezbollah.<sup>14</sup> The U.S. Treasury Department also designated multiple Qods Force members as Specially Designated Nationals pursuant to Executive Order 13224, based on their activities in Iraq.<sup>15</sup>

27. The U.S. State Department designated the Qods Force as a Foreign Terrorist Organization in April 2019, along with the IRGC.<sup>16</sup> In announcing the IRGC's (including its Qods Force's) designation as an FTO, Secretary of State Michael R. Pompeo stated as follows:

This is the first time that the United States has designated a part of another government as an FTO. ... [T]he Iranian regime's use of terrorism as a tool of statecraft makes it fundamentally different from any other government. ...

For 40 years, the [IRGC] has actively engaged in terrorism and created, supported, and directed other terrorist groups. The IRGC ... regularly violates the laws of armed conflict; it plans, organizes, and executes terror campaigns all around the world. ...

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<sup>14</sup> Press Release, U.S. Treasury Dep't, *Fact Sheet: Designation of Iranian Entities and Individuals for Proliferation Activities and Support for Terrorism* (Oct. 25, 2007).

<sup>15</sup> *Id.*

<sup>16</sup> *See* 84 Fed. Reg. 15,278-01 (Apr. 15, 2019).

The IRGC institutionalized terrorism shortly after its inception, directing horrific attacks against the Marine barracks in Beirut in 1983 and the U.S. embassy annex in 1984 alongside the terror group it midwived, Lebanese Hizballah. Its operatives have worked to destabilize the Middle East from Iraq to Lebanon to Syria and to Yemen. ...

The IRGC ... supports: Lebanese Hizballah, Palestinian Islamic Jihad, Hamas, Kata'ib Hizballah, among others, all of which are already designated as foreign terrorist organizations. ...

Our designation makes clear ... that [the] Iranian regime not only supports terrorist groups, but engages in terrorism itself. This designation also brings unprecedented pressure on figures who lead the regime's terror campaign, individuals like Qasem Soleimani. ... He doles out the regime's profits to terrorist groups across the region and around the world.

The blood of the 603 American soldiers the Iranian regime has found to have killed in Iraq is on his hands and on the hands of the IRGC more broadly.<sup>17</sup>

28. Iran has also used its lead terrorist agent worldwide, Hezbollah,<sup>18</sup> to commit terrorist attacks. Hezbollah is a Lebanon-based terrorist group that has pledged fealty to Iran's Supreme Leader. Each year Iran provides Hezbollah approximately \$100 million to \$200 million in funding and weapons. As Ali Akbar Mohtashemi (a Hezbollah founder, former Iranian ambassador to Syria and Lebanon, and former Iranian Minister of Interior) explained, "[Hezbollah] is part of the Iranian rulership; [Hezbollah] is a central component of the Iranian military and security establishment; the ties between Iran and [Hezbollah] are far greater than those between a revolutionary regime with a revolutionary party or organization outside its borders."<sup>19</sup>

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<sup>17</sup> Secretary of State Michael R. Pompeo, U.S. Department of State, *Remarks to the Press* (Apr. 8, 2019).

<sup>18</sup> Several decisions in this District have held that Hezbollah is a proxy of Iran. *See Fritz v. Islamic Republic of Iran*, 320 F. Supp. 3d 48, 61 (D.D.C. 2018), *Friends of Mayanot Inst., Inc. v. Islamic Republic of Iran*, 313 F. Supp. 3d 50, 53-55 (D.D.C. 2018); *Peterson v. Islamic Republic of Iran*, 264 F. Supp. 2d 46, 53 (D.D.C. 2003); *Stern v. Islamic Republic of Iran*, 271 F. Supp. 2d 286, 292 (D.D.C. 2003).

<sup>19</sup> *Killing Americans and Their Allies*.

29. Iran has long provided support – through the IRGC, Qods Force, and Hezbollah – for terrorist attacks against American military forces and contractors. For example, Iran used the IRGC and Hezbollah to train, guide, direct, and motivate Hezbollah and Jaysh al-Mahdi terrorists that jointly targeted American service members and civilians in Iraq.<sup>20</sup> Similarly, Iran (acting predominantly through Hezbollah) provided Iraqi terrorists with explosively formed penetrators, which inflicted more casualties on Americans than any other weapon in Iraq, and the advanced rockets that account for most U.S. casualties in Iraq since 2015.

30. Additionally, Iranian officials have participated directly in attacks on Americans in Iraq.

## **II. SUNNI TERRORISTS WAGED A DEADLY INSURGENCY AGAINST AMERICANS IN IRAQ**

31. On March 19, 2003, the United States invaded Iraq. U.S. troops seized control of Baghdad less than three weeks later, and on April 9, 2003, Saddam Hussein’s government fell. Shortly thereafter, the Coalition Provisional Authority began overseeing the reconstruction of a democratic Iraqi government and formulating a plan to transfer sovereignty to the Iraqi people.

32. Formal armed hostilities between the United States and the Iraqi government ended on May 1, 2003. After that date, American troops deployed to Iraq performed a peacekeeping and nation-building, rather than warfighting function. American troops’ primary purpose was to create the political and security conditions conducive to Iraqi democracy. The official end of major combat operations was important because it allowed civilian reconstruction teams to enter the country.

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<sup>20</sup> *Id.*

33. The U.S. invasion of Iraq was watched closely by Iran and its terrorist proxy, Hezbollah. Even before the invasion began, as early as September 2002, Iran and Hezbollah plotted to undermine the anticipated U.S. presence in Iraq. Immediately after Saddam's government fell in April 2003, Hezbollah dispatched its chief terrorist mastermind, Imad Mugniyeh, to Iraq. Mugniyeh's assignment was to make contact with Muqtada al-Sadr, an influential Shiite cleric, and to work with Sadr to build a terrorist organization modeled on Hezbollah capable of carrying out sophisticated attacks on Americans in Iraq. Mugniyeh made contact with Sadr shortly thereafter, and the two immediately began work on creating the terrorist organization that would become known as Jaysh al-Mahdi. An Israeli intelligence report confirmed in October 2003 that Hezbollah was already planning to "set up a resistance movement that would cause mass casualties" among American forces in Iraq.

34. Iran did not, however, limit its support of anti-American terrorism in Iraq to Iran's traditional Shiite terrorist proxies like Hezbollah. Iran, through the "sinister genius" of IRGC terrorist mastermind Qassem Soleimani, also supported the burgeoning Sunni terrorist insurgency against Americans in Iraq. This insurgency was led by a litany of IRGC assets, including the top two Sunni leaders of the Iraqi terrorism campaign: Saif al-Adel, al-Qaeda's military chief who coordinated its campaign, including support for al-Qaeda-in-Iraq, from his Qods Force-provided safe haven in Iran, and Abu Musab al-Zarqawi, the al-Qaeda operative who led al-Qaeda-in-Iraq on the ground and co-led Ansar al-Islam with Mullah Krekar, another IRGC asset. Al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam, between them, accounted for essentially all Sunni terrorist attacks on Americans in Iraq from 2004 through the present, with AQI ultimately becoming ISIS. The common DNA connecting all Iranian strategy was that, as one analyst explained, "Iran would



do everything it could to ensure that America's experiment [in Iraq] turned into a smoldering failure."<sup>21</sup>

35. It is likely that Qassem Soleimani's support of Shiite and Sunni terrorists in Iraq collectively accounted for more Americans killed or injured in terrorist violence after 9/11 than any other single terrorist. As Karim Sadjadpour of the Carnegie Endowment for International Peace explained in an interview, given Soleimani's support for anti-American terror,

That's why you have ... one, if not two, generations of American military forces whom if you were to ask them, who is your worst adversary in the world, the person you see as the greatest threat to the United States? Even when Osama bin Laden was living and Baghdadi [the leader of ISIS] was living, they would have still said Qassem Soleimani.<sup>22</sup>

36. Since 2003, Sunni terrorists have repeatedly attacked American service members and civilians working to rebuild Iraq and support its elected government. Iran provided material support for those attacks, which killed or injured Plaintiffs.

37. Plaintiffs identify below several terrorist groups, subgroups, and partnerships responsible for the specific attacks that killed and injured them. Each worked in concert with their sectarian allies and shared resources, personnel, and operational plans.

38. Iran's multi-faceted support for Sunni terrorists in Iraq is consistent with bin Laden's "grand alliance" approach to anti-American terror. In fact, bin Laden himself portrayed al-Qaeda as the leader of a broader coalition drawing from other terrorist organizations in Pakistan and Afghanistan and supported by a latticework of jihadist affiliates and allies around the world.<sup>23</sup>

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<sup>21</sup> Karim Sadjadpour, *The Sinister Genius of Qassem Soleimani*, Wall St. J. (Jan. 10, 2020) ("Sadjadpour, *Sinister Genius*").

<sup>22</sup> Karim Sadjadpour, *quoted in* National Public Radio, *'Throughline': The Origins Of Iran's Gen. Qassem Soleimani* (Jan. 30, 2020) ("NPR, *Throughline*").

<sup>23</sup> *The al Qaeda-Taliban Connection*.

39. Iran's support for multiple components of bin Laden's "syndicate" ensured that its support for Sunni terrorist groups had maximum effect. Due to the mutually reinforcing ties between the IRGC, al-Qaeda, AQI, and Ansar al-Islam, support for any one benefited the others – and vice versa.

40. Iran recognized those interrelationships and so spread its support across multiple Sunni terrorist groups targeting Americans in Iraq. In doing so, Iran was able to achieve its intended effect: wide-ranging terrorist attacks against Americans, executed mostly by the Sunni terrorist group AQI, but supported by (and sometimes jointly committed with) other Iranian terrorist allies (*e.g.*, AQI jointly committing a suicide bombing attack with al-Qaeda).

41. Like Iran's use of Shiite proxies, the IRGC's use of Sunni proxies was consistent with Iran's twin strategic goals: to impose maximum terrorist violence against Americans in Iraq while simultaneously maintaining "plausible deniability" by reducing the public Iranian role inside Iraq. Rather than openly engage in armed conflict with the U.S. or other Coalition Forces, Iran usually attempted to present an Iraqi face to its efforts to undermine U.S. peacekeeping efforts by supporting terrorism and sectarian violence there.

42. From 2003 through the present, Iran was responsible for increasingly lethal attacks on U.S. forces in Iraq and, as one example, provided Sunni terrorist proxies with the capability to assemble explosives designed to defeat armored vehicles.

43. Against that backdrop, Plaintiffs identify below the principal Iraqi terrorist groups, subgroups, and cells that committed the attacks that killed and injured them.

**A. Al-Qaeda**

44. Osama bin Laden formed al-Qaeda in the late 1980s in Afghanistan in response to the Soviet occupation of Afghanistan. For decades, al-Qaeda has been a Sunni Islamist terrorist organization with the purpose of destroying the United States.

45. Following the Soviet withdrawal from Afghanistan, Osama bin Laden began to transform al-Qaeda into a transnational terrorist group capable of launching attacks around the world. Bin Laden declared war on the United States in a published *fatwa* (religious decree) in 1996.<sup>24</sup> In 1998, he declared a global jihad, calling on all Muslims to kill Americans at any opportunity.

46. On August 7, 1998, al-Qaeda suicide bombers in explosive-laden trucks simultaneously attacked the U.S. embassies in Kenya and Tanzania, killing more than 200 people and wounding more than 5,000 others.<sup>25</sup>

47. As a result of these and other terrorist attacks, the U.S. State Department designated al-Qaeda as a Foreign Terrorist Organization on October 8, 1999.

48. On September 11, 2001, al-Qaeda attacked the World Trade Center in New York and the Pentagon, killing thousands. A third attack, possibly aimed at the White House, was thwarted by passengers aboard United Flight 93. A U.S.-led coalition invaded Afghanistan in October 2001, and bin Laden and Taliban leaders eventually fled to Pakistan.

49. Starting in 2002, al-Qaeda and its affiliated clerics began calling for jihad against the United States in the event of an American invasion of Iraq. For example, al-Qaeda terrorist “thought leader” Abu Qatada publicly boasted to international media that al-Qaeda and its affiliates would launch a jihad against Americans and their Iraqi allies just as al-Qaeda had launched a similar jihad against America and its Afghan allies following the U.S. invasion of Afghanistan after 9/11, and stated: “The growth of American tyranny ... and its plan to attack Iraq and establish an ‘Iraqi Karzai’ will necessitate an even fiercer battle.”

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<sup>24</sup> *The 9/11 Commission Report* at 48 (July 1, 2004).

<sup>25</sup> Federal courts have determined that Iran was responsible for this attack. *See In re Terrorist Attacks on Sept. 11, 2001*, 2011 WL 13244047, at \*12 (noting prior finding).

50. Al-Qaeda's leaders messaged to its terrorists and sympathizers that the American presence in Iraq was an American "plot" to kickstart a religious war between Sunnis and Shiites to divide the Muslim world so that the "Crusaders" (the United States) and "Jews" (Israel) could divide and conquer it.

51. Following the U.S. invasion of Iraq, al-Qaeda escalated its support for the Sunni terrorist insurgency in Iraq from its safe havens in Iran, Afghanistan, and Pakistan. For example, on March 24, 2004, an al-Qaeda spokesman issued a call for Muslims "to take part in jihad against the United States in Iraq." Demonstrating how the Sunni groups worked together on their shared jihad against Americans in Iraq, Ansar al-Islam's website widely repeated al-Qaeda's message.

52. By the mid-2000s, al-Qaeda's partnership with the Haqqani Network – a part of the Taliban that was a long-standing ally of al-Qaeda in Pakistan and Afghanistan, and that also received material support from Iran – had facilitated the emergence of a network of al-Qaeda training camps in North Waziristan, Pakistan, near the Afghan-Pakistan border, less than a week's overland travel to Iran. According to a declassified 2008 Defense Intelligence Agency intelligence report:

[Sirajuddin] Haqqani is also affiliated with the several foreign fighter (ff) training facilities that are controlled by or associated with al Qaeda (AQ) in North Waziristan. . . . A list and brief description of each facility follows . . .

A. Mohammad Taher ((Yuldashov)), leader of the Islamic Movement of Uzbekistan (IMU), and his 60 bodyguards are staying at an AQ training center in Miram Shah Dand.

B. There is an al-Qaeda training center located at the Miskeen and Khaisur in Miram Shah. Approximately 45 U/I Arabs and Uzbeks receive training there.

C. An AQ training facility called "Shaki Massod" is located in Miram Shah and over 200 AQ members (NFI) reside there; Usama bin Laden has been seen in this center (NFI).

D. Another AQ training facility is located at Spin-Qamar in Masood District of Northern Waziristan. Over 80 Arabs receive training there (NFI).<sup>26</sup>

53. Al-Qaeda also established multiple training camps within Afghanistan reportedly “hosted by the Taliban.”<sup>27</sup> One such camp covered nearly 30 square miles and contained heavy weapons, IED-making material, anti-aircraft weapons, rocket-propelled grenade systems, machine guns, pistols, rifles, and ammunition. Al-Qaeda used these camps, in part, to help run what amounted to a “continuing education” program for senior terrorist commanders and operatives that provided instruction in the above-described al-Qaeda camps in Afghanistan and Pakistan for operations against Americans in Iraq.

54. Al-Qaeda forward deployed a significant number of operatives and planners into Iraq, who were often dual-hatted terrorists who served as members of both al-Qaeda and al-Qaeda-in-Iraq. Most famously, Zarqawi was a dual-member, serving as both a member of al-Qaeda as well as the founder and leader of al-Qaeda-in-Iraq. Al-Qaeda-forward-deployed terrorists in Iraq were essential force multipliers for al-Qaeda-in-Iraq’s terrorist campaign against Americans there. Al-Qaeda operatives served in a similar role as American Green Berets, helping to “train the trainer” and scale up AQI’s terrorist capabilities.

55. Through al-Qaeda’s use of training camps in Afghanistan and Pakistan – which al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam all accessed through the terrorist land bridge provided by Iran – terrorists from all three groups obtained the training, technical expertise, and indoctrination essential to executing the signature al-Qaeda attack types used by all three groups

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<sup>26</sup> Defense Intelligence Agency, *Location and Activities of the Training Centers Affiliated with the Haqqani Network, Taliban, and al-Qaeda in Northern Waziristan and Future Plans and Activities of Sarajuddin ((Haqqani))*, Intelligence Information Report (Apr. 16, 2008).

<sup>27</sup> Thomas Joscelyn and Bill Roggio, *Trump’s Bad Deal With The Taliban*, Politico (Mar. 18, 2019).

in Iraq, including suicide bombings, improvised explosive devices (or “IEDs”) derived from fertilizer, and attacks against helicopters. Al-Qaeda thus helped its Iraqi affiliates, including al-Qaeda-in-Iraq and Ansar al-Islam, bring its signature tactics to the Iraqi theater. They proved highly effective at countering American defenses, and account for many of the attacks in this case.

56. **Suicide Bombings.** The suicide attacker is a core component of al-Qaeda’s ideology and operational philosophy, which al-Qaeda itself learned from Iran and Hezbollah. Al-Qaeda exported its suicide-bombing expertise to al-Qaeda-in-Iraq and Ansar al-Islam through their joint syndicate in Iraq, and in so doing played a pivotal leadership and operational role in every al-Qaeda-in-Iraq and/or Ansar al-Islam suicide bombing in Iraq during the relevant period. For that reason, every suicide bombing alleged in this case was planned and committed by al-Qaeda.

57. Al-Qaeda planned and committed suicide bombings in Iraq by mounting a coordinated communications campaign to persuade Sunni terrorists in Iraq (including Arab and Kurdish groups) to embrace suicide attacks against Americans. This campaign included messages touting suicide attacks and honoring “martyrs” through al-Qaeda print and video outlines; promoting religious “scholarly” outreach; and emphasizing in-person indoctrination of al-Qaeda-in-Iraq and Ansar al-Islam leadership.

58. Al-Qaeda used this message – and the moral authority conveyed by bin Laden’s 2003 *fatwa* authorizing “martyrdom operations” – to establish al-Qaeda-in-Iraq’s and Ansar al-Islam’s organizational posture toward suicide bombing. Those efforts convinced both groups to begin participating in, and claiming credit for, al-Qaeda-planned suicide attacks in Iraq. Without al-Qaeda’s involvement, neither al-Qaeda-in-Iraq and/or Ansar al-Islam leadership nor either group’s rank-and-file commanders would have embraced suicide bombing as a permissible tactic against Coalition forces in Iraq.

59. To implement its planned suicide-bombing campaign, al-Qaeda also created and ran training camps in Afghanistan and Pakistan that converted disaffected recruits into suicide bombers at an industrial scale for use against American targets in a number of countries, including in Iraq. In collaboration with its affiliates, al-Qaeda created and designed a process for identifying candidates for martyrdom operations; indoctrinating them with the necessary religious and socio-political concepts; and training them how, for example, to conceal the explosives in a Suicide vehicle-borne-improvised explosive device (“suicide VBIED”), navigate a checkpoint, and detonate for maximum impact.

60. Under al-Qaeda’s standard training procedure for suicide bombers, each suicide bomber swore fealty to al-Qaeda. Al-Qaeda emphasized declarations of fealty to ensure the suicide bomber’s commitment to al-Qaeda’s and its allies’ shared jihad by creating a psychological “point of no return” for the bomber. Suicide bombers who completed al-Qaeda’s training course were officially viewed by al-Qaeda as al-Qaeda operatives and given all the stature in jihadist circles that such a title provided.

61. Under al-Qaeda’s standard operating procedure for the deployment of suicide bombers, each suicide bomber was to be accompanied by an al-Qaeda agent who served as a minder and spiritual mentor – usually an al-Qaeda operative – who would stay with the suicide bomber in the days prior to the attack to “build up” the bomber, accompany the bomber to the target on the day of the attack, and egg the bomber on to commit the attack. In many instances, the al-Qaeda, al-Qaeda-in-Iraq, and/or Ansar al-Islam minder also possessed a secondary initiation device so that the minder could also detonate the bomb if the would-be suicide bomber had second thoughts. Thus, on information and belief, at least one al-Qaeda operative played a direct role in

the detonation of each suicide bomb attack in this case, in addition to the suicide bomber himself or herself (who was also an al-Qaeda operative).

62. To carry out their joint suicide bombing campaign, al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam relied upon a series of dual-hatted al-Qaeda/al-Qaeda-in-Iraq, al-Qaeda/Ansar al-Islam, and al-Qaeda-in-Iraq/Ansar al-Islam terrorists to support the key nodes of the training and recruitment effort, including the madrassas from which most recruits were drawn and the training camps in which they were refined into suicide weapons. Abu Musab al-Zarqawi was the most prominent such terrorist, as he was a member of al-Qaeda who was also the founder and leader of al-Qaeda-in-Iraq and the co-leader of Ansar al-Islam. In this three-hatted role, Zarqawi operated several training camps in Iran, and also facilitated travel of al-Qaeda-in-Iraq and Ansar al-Islam terrorists to Afghanistan and Pakistan through Iran for training at the al-Qaeda camps in Afghanistan and Pakistan.

63. Al-Qaeda also created the suicide network infrastructure necessary to deploy al-Qaeda suicide bombers, and the bombs they detonated, in support of al-Qaeda-in-Iraq's and Ansar al-Islam's jihad against Americans in Iraq. This suicide attack infrastructure included: (1) high-level meetings between representatives of al-Qaeda, al-Qaeda-in-Iraq and/or Ansar al-Islam; (2) joint al-Qaeda/al-Qaeda-in-Iraq and/or al-Qaeda/Ansar al-Islam safe houses and ratlines to support the deployment of suicide bombers inside Iraq; (3) joint al-Qaeda/al-Qaeda-in-Iraq and al-Qaeda/Ansar al-Islam explosives factories, in which al-Qaeda and its allies prepared suicide vests and suicide VBIEDs; and (4) a constellation of al-Qaeda-affiliated propaganda outlets that glorified the attackers, which was essential both for increasing the likelihood that a particular attacker would carry out his or her attack, as well as incentivizing the next generation of suicide bombers.



64. **IEDs.** Al-Qaeda training and expertise, in combination with that of the IRGC, was also essential to the successful adaptation of sophisticated IED types and attack strategies by Sunni terrorists in Iraq. Al-Qaeda developed sophisticated techniques for refining fertilizer into ammonium nitrate, marrying the ammonium nitrate with a lethal triggering device and delivery system, and training terrorists how to move, deploy, and maximize the lethality of the resulting fertilizer bombs, which were delivered via IED or suicide bomber. As Senator Charles Schumer stated in 2004, “truck bombs using [calcium ammonium nitrate (“CAN”) fertilizer] are the weapon of choice of al-Qaida.”

65. At all relevant times, al-Qaeda was the world leader amongst Sunni terrorist groups with respect to building sophisticated bombs, including through the process of converting CAN fertilizer into bombs to attack Western targets, having used the technique in every major area of operations for al-Qaeda-affiliated terrorists since 9/11, including, but not limited to, attacks in Indonesia, Turkey, Syria, Yemen, Iraq, Afghanistan, and Pakistan. After 9/11, al-Qaeda supported fertilizer-based bomb strategies in every theater in which it engaged in terrorist attacks against America and its allies. As one journalist wrote in 2007, “[i]n the new age of Islamist terrorism, [CAN] fertiliser packed into a truck with plastic explosive as a detonator has also become an al Qaida trademark.”<sup>28</sup>

66. Al-Qaeda regularly instructed terrorist operatives from its Iraqi affiliates, in person (at camps in Afghanistan, Pakistan, and Iran) and in writing, regarding CAN fertilizer bombs. For example, a 39-page al-Qaeda memo recovered from an al-Qaeda laptop in Pakistan in 2004 instructed that military explosives were often impractical to acquire, and instructed jihadists to

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<sup>28</sup> David Barrett, *Deadly Fertiliser Bombs Used By Terrorists Worldwide*, Press Association News (Apr. 30, 2007).

instead use home-made explosives, including ammonium nitrate bombs derived from CAN fertilizer.

67. **Attacks on Helicopters.** Al-Qaeda's planning of the Sunni terrorist campaign against Americans in Iraq also emphasized tactics designed to shoot down American helicopters, including Black Hawks, Chinooks, Apaches, and Cobras. Al-Qaeda's role was essential because Sunni extremists native to Iraq lacked tactical experience successfully targeting American helicopters prior to their training from al-Qaeda. Al-Qaeda's anti-helicopter training was renowned in jihadist circles, having successfully trained terrorists in Somalia with a substantial history of downing American helicopters, including the "Black Hawk Down" incident during the Battle of Mogadishu in 1993, and a litany of successful attacks in Iraq from 2003 through 2008 (killing many of the Plaintiffs in this case) and Afghanistan since 9/11.

68. Shooting down a helicopter with an RPG requires precise training and is one of the most challenging attack types for an unskilled terrorist to execute. Consequently, al-Qaeda's specialized skills, experience, and training had an outsized impact on the constellation of Sunni terrorists who were trained at al-Qaeda and al-Qaeda affiliate camps in Iraqi Kurdistan and Afghanistan. On information and belief, al-Qaeda deployed trainers into Iraq for the specific purpose of teaching al-Qaeda-in-Iraq and Ansar al-Islam terrorists how to execute attacks targeting helicopters.

**B. Al-Qaeda-In-Iraq**

69. Bin Laden always viewed al-Qaeda as the leader of a terrorist joint venture in which al-Qaeda led a broader anti-American jihadist coalition. As a result, while al-Qaeda sometimes committed attacks itself, it most often acted through its Iraqi affiliates, al-Qaeda-in-Iraq and/or Ansar al-Islam, who themselves often worked together.

70. Al-Qaeda-in-Iraq was a Sunni terrorist group and al-Qaeda affiliate that was established in 1999. Though it had many names,<sup>29</sup> al-Qaeda-in-Iraq had one consistent mission: killing Americans and others who opposed al-Qaeda's agenda.

71. Al-Qaeda-in-Iraq was founded and originally led by a Jordanian national who was a senior member of al-Qaeda: Ahmad Fadil Nazzal Al-Khalayleh, better known by his *nom de guerre*, Abu Musab al-Zarqawi. Until his death, Zarqawi was a notorious anti-American terrorist who, among other things, was a known senior member of al-Qaeda, and known to have personally decapitated at least one American hostage in Iraq on camera.

72. Zarqawi joined al-Qaeda in Afghanistan in the late 1990s.

73. According to a confidential document of the Spanish antiterrorist agency the *Unidad Central de Información Exterior* ("UCIE"), Zarqawi joined the senior ranks of al-Qaeda's leadership in the summer of 1999, becoming one of the small circle of terrorists who served as a direct "lieutenant" of bin Laden himself. As such, the UCIE concluded that Zarqawi was responsible for planning al-Qaeda's operations and commanded dozens of al-Qaeda terrorists to that end.

74. An obvious terrorist mastermind and leader, he moved rapidly up al-Qaeda's ranks, becoming a member of al-Qaeda's managerial staff in Afghanistan only a few months after moving

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<sup>29</sup> Zarqawi's al-Qaeda affiliate has had various names since its creation, including Tawhid wal Jihad, aka al-Tawhid & al-Jihad (from inception to October 2004), al-Qaeda in the Land of Two Rivers, aka al-Qaeda-in-Iraq (from October 2004 through January 2006), the Mujahideen Shura Council (from January 2006 through October 2006), the Islamic State of Iraq (from October 2006 through April 2013), Islamic State in Iraq and Syria, aka ISIS (from April 2013 through June 2014) and finally the Islamic State (from June 2014 through present). While the names changed, at all relevant times, the organization built by Zarqawi with Iran's backing pursued attacks against Americans in Iraq. In this Complaint, Plaintiffs collectively refer to all such groups, prior to al-Qaeda's split from Islamic State in 2014, as "al-Qaeda-in-Iraq."

there. By 2000, Zarqawi had established himself as al-Qaeda's most indispensable terrorist operator and was a critical al-Qaeda leader in Afghanistan.

75. In 2001, Zarqawi took the oath of allegiance to al-Qaeda and Osama bin Laden. Written by bin Laden himself, Zarqawi declared as his oath to al-Qaeda and bin Laden personally: "I recall the commitment to God, in order to listen to and obey my superiors, who are accomplishing this task with energy, difficulty, and giving of self, and in order that God may protect us so God's words are the highest and his religion victorious."

76. Having sworn an oath of allegiance to al-Qaeda and bin Laden in 2001, Zarqawi had to follow al-Qaeda's instructions and advance al-Qaeda's terrorist agenda. Indeed, this was the point of the oath in the first instance: to ensure Zarqawi's fidelity to al-Qaeda and its jihad for the rest of his life with a public commitment to God to fight under al-Qaeda's banner, advance its jihad, and avoid any conflict of interest with al-Qaeda. Though he would sometimes spar with his al-Qaeda masters in later years, Zarqawi was always, until his death in 2006, a senior al-Qaeda terrorist.

77. By the summer of 2001, Zarqawi was a well-known senior al-Qaeda operative, and was equally well-versed in every aspect of the al-Qaeda terrorist playbook that he later imported into Iraq. Indeed, he was so well-established that a 30-page guide to al-Qaeda in Afghanistan for new al-Qaeda recruits specifically identified Zarqawi as one of the al-Qaeda leaders there who could be contacted by recruits in order to help them with respect to religious, logistical, or lodging needs in country.

78. Less than a year after joining al-Qaeda, Zarqawi had so demonstrated his terrorist talent and trustworthiness that the group permitted him to establish his own al-Qaeda training camp near the border with Iran in Herat, Afghanistan, which Zarqawi did with al-Qaeda's financial and

logistical support. In less than two years, Zarqawi's presence in Herat quickly grew from a dozen al-Qaeda personnel in 2000 to several thousand terrorists and supporters by the time they evacuated the camp prior to U.S. airstrikes in October 2001.

79. After he set up al-Qaeda's camp in Herat, Zarqawi regularly traveled between Herat and Kabul on behalf of al-Qaeda. Herat was known then (as it is today) as a key site of terrorist activity, as the hub that opens the way to Iraqi Kurdistan through Iran. Accordingly, Iran's consulate in Herat – which also serves as a hub for IRGC-QF terrorist activities – kept records of the travels of terrorists associated with al-Qaeda and its affiliates, Zarqawi and his cell in particular. As a result, Zarqawi's operations for al-Qaeda were known to Iranian authorities before and after 9/11.

80. Zarqawi's frequent travels back and forth between Herat, Afghanistan, and Iraqi Kurdistan – accomplished every time via Iran – was to secure al-Qaeda's survival after 9/11. Bin Laden anticipated, correctly, that the United States would expel al-Qaeda and its Taliban protectors from Afghanistan after 9/11 and planned for a "progressive redeployment" of al-Qaeda to two locations: Pakistan (where bin Laden and Zawahiri planned to regroup) and Iraqi Kurdistan (where bin Laden contemplated Zarqawi and his cell would regroup).

81. Before and after 9/11, Zarqawi also effectively controlled Ansar al-Islam by installing Jordanian allies from his hometown of Zarqa into key operational positions throughout Ansar al-Islam, including, but not limited to, Khaled Al-Aruri (alias Abu Ashraf) and Abdel Hadi Ahmad Mahmoud Daghlas (alias Abu Ubaydah), both of whom were living in Iran at the time, on the border with Iraqi Kurdistan. In this capacity, Zarqawi's Ansar al-Islam lieutenants coordinated Ansar al-Islam operations, taking orders from Zarqawi, their commander.

82. Zarqawi's Ansar al-Islam cell grew to include more than a dozen Jordanian terrorists recruited by Zarqawi. These lieutenants ensured Zarqawi's effective control over Ansar al-Islam, in combination with al-Shami (in Iraqi Kurdistan) and Mullah Krekar (from his Norwegian refuge). While Ansar al-Islam operated in Iraqi Kurdistan, under Zarqawi's lead, Ansar al-Islam's network was based in Iran and was comprised nearly entirely of Zarqawi's men.

83. Months after 9/11, Zarqawi was injured in an American airstrike in Afghanistan. Needing to elude capture by American forces and obtain urgent medical care, Zarqawi fled Afghanistan in an escape that was organized by Iran. When he fled to Iran for safe haven and medical treatment, Zarqawi was already a widely-known al-Qaeda terrorist who was understood to be a key lieutenant of bin Laden. His terrorist career was already quite familiar to the IRGC and Soleimani, who knew his reputation as one of the few al-Qaeda commanders who could plan and conduct large-scale, mass-casualty attacks, and that he had established himself as a de facto head of operations for al-Qaeda.

84. On or about 2002, with the support of Iranian operatives under the direction of Qassem Soleimani, Zarqawi founded al-Qaeda-in-Iraq. By the onset of the U.S. presence in Iraq in 2003, Zarqawi turned al-Qaeda-in-Iraq into the primary Sunni terrorist threat against Americans there by working with al-Qaeda to mobilize the coalition of anti-American Sunni terrorists in Iraq under al-Qaeda's banner—carried in Iraq by AQI—and conducting a series of mass-casualty strikes against prominent U.S. and international targets in Iraq in 2003.

85. Assessing his first nine months of jihad against Americans in Iraq in a January 2004 letter, Zarqawi claimed credit for nearly all of the suicide attacks against Americans in Iraq:

We have been the key for all the suicide missions that have taken place, except in the north. By the grace of God, I have conducted twenty-five operations ... against ... the Americans and their soldiers and the forces of the coalition.

86. As 2004 began, Zarqawi accelerated his efforts to rally Sunnis to join his “resistance” against the United States in Iraq, leaning into his deep al-Qaeda rolodex and celebrity in jihadist circles. In a January 2004 letter to al-Qaeda attributed to Zarqawi by the U.S. government, Zarqawi asked for al-Qaeda’s aid and support for his terrorist campaign against Americans in Iraq, and wrote:

We need to create armies of mujahidin ... to fight the enemy—the Americans, the police, the soldiers. ... We are continuing to train ourselves and strengthen our ranks. We will strike at them with suicide operations and car bombs. ... If you are of the same opinion, if you adopt it as your program, ... and you are convinced by the idea of fighting the infidels, we will be your soldiers, under your banner, obeying your orders and taking a public oath of allegiance to you.

87. Zarqawi also began broadcasting messages in various media in which he urged Muslims to join the violent campaign against Americans in Iraq, citing his warped view of Islam as justification for mass violence against Americans throughout the country.

88. Zarqawi at all times believed it served al-Qaeda’s and al-Qaeda-in-Iraq’s interests to mobilize public opinion in Iraq and throughout the Muslim world against the U.S. presence in Iraq. As a result, al-Qaeda-in-Iraq prioritized targeting Americans to drive the U.S. out of Iraq.

89. By the spring of 2004, Zarqawi had fully unified violent Sunni extremists against Americans in Iraq into one grand coalition of terror, playing off his al-Qaeda credentials, leadership of Ansar al-Islam, and status as a broadly respected operational leader amongst the Sunni terrorist community.

90. Zarqawi cemented his leadership of Sunni terrorists in Iraq through his gruesome murder of an American contractor, Nicholas Berg, whom al-Qaeda-in-Iraq kidnapped west of Baghdad on April 9, 2004. On May 11, 2004, Zarqawi beheaded Mr. Berg in a videotaped murder

of unspeakable barbarity.<sup>30</sup> For Zarqawi and al-Qaeda-in-Iraq, barbarity was the entire point: Through his murder of Mr. Berg, Zarqawi was communicating to other Sunni extremists in Iraq that they should join the fight under his leadership in Iraq.

91. Demonstrating the interconnections between al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam, Zarqawi's beheading of Mr. Berg was widely broadcast on websites linked to al-Qaeda and its affiliates. For example, the video was published on Ansar al-Islam's website with the title "Sheikh Abu Musab Zarqawi Slays an American Infidel."

92. In May 2004, Zarqawi branded his al-Qaeda affiliate, which he had turned into a trans-Sunni terrorist coalition against Americans in Iraq, under the banner Tawhid wal Jihad (meaning "Monotheism and Jihad"). Ansar al-Islam, Ansar al-Sunna, Jaysh Mohammed, al-Jamaa Salafiya, Takfir wal Hirja, and Jund al-Sham all joined Zarqawi's campaign. (Several of these groups, including Ansar al-Islam and Jund al-Sham, were also groups Zarqawi himself helped establish.) While some continued to exist under their own names, all these groups were controlled by al-Qaeda and al-Qaeda-in-Iraq (then known as Tawhid wal Jihad), through Zarqawi, from that point. Boasting about his ability to transit between Iran, Iraq, and Syria in support of his attacks against Americans there, on May 25, 2004, Zarqawi declared: "I am global, and no land is my country."

93. By 2004, Zarqawi had well more than 1,000 well-trained al-Qaeda-in-Iraq terrorists under his command throughout the country. While his grand Sunni terrorist coalition conducted

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<sup>30</sup> In the video, Mr. Berg was bound, forced to kneel, and dressed in an orange jumpsuit like those worn by Guantanamo Bay detainees. Zarqawi read an anti-American screed that called Americans the enemy and demanded a broad Sunni jihad against Americans in Iraq, stating: "You are tired of the oratorical squabbling and public debates. ... The time has now come to make jihad and brandish the sword that the prophet has sent us. ... You will see your warrior brothers hang the head of this infidel from one of the bridges in Baghdad so that no one will forget the way we treat infidels. May he bear witness to the honor of the Muslims." Zarqawi then beheaded Mr. Berg.



attacks throughout Iraq, their primary area of operations was the Sunni Triangle, which was “a central region in Iraq that supplied the power base of Saddam’s Baath party,” and “mainly comprised of Sunni Muslims,” and which was “outlined by Tikrit in the north, Ramadi in the southwest and Baghdad in the southeast.”<sup>31</sup>

94. Falluja served as the Zarqawi group’s headquarters in the Sunni Triangle (commanded by Zarqawi lieutenant Abu Nawras Al-Faluji). Al-Qaeda-in-Iraq also maintained large cells throughout Iraq, which were in each instance commanded by hand-selected Zarqawi lieutenants, including in Baghdad (Umar Bazyani), northern Iraq (Husain Salim), Anbar (Abu Azzam Abdallah), and Mosul (Abu Talha). Zarqawi also prioritized building cells at key transport and smuggling nodes for al-Qaeda and al-Qaeda-in-Iraq and stood up AQI cells in an array of other Iraqi cities and provinces including Samarra (on the approach to Baghdad), Diyala (near the border with Iran, and a critical waypoint on the road to Lebanon), and al-Qaim (on the border of Syria).

95. On October 16, 2004, the U.S. military launched a comprehensive offensive to oust Zarqawi’s terrorists from their Falluja stronghold in the Sunni triangle. The day after the start of the American operation, Tawhid wal Jihad publicly declared that it was joining al-Qaeda in order to coordinate the Sunni campaign against Americans in Iraq under one leader in theater (Zarqawi) who was acting on behalf of, and supported by, al-Qaeda, whose leader (bin Laden) they, in turn, swore fealty to. Zarqawi did so in a boldly titled public oath, entitled “The Tawhid wal Jihad Movement, its Emir [Zarqawi], and its Fighters Have Joined the Cause of al-Qaeda and Sworn Allegiance to Sheikh Osama bin Laden,” which he signed “Abu Musab Al-Zarqawi, commander of the Tawhid wal Jihad movement.” Unambiguously and publicly confirming the Tawhid wal Jihad’s status as an al-Qaeda affiliate, Zarqawi announced that Tawhid wal Jihad would now be

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<sup>31</sup> Bill Roggio, *The Battle of the Sunni Triangle*, FDD’s Long War Journal (Oct. 22, 2004).

known as “al-Qaeda in the Land of Two Rivers,” i.e., al-Qaeda-in-Iraq. In his declaration, Zarqawi recognized bin Laden’s authority, publicly embraced al-Qaeda’s terrorist campaign against Americans in Iraq, and urged all Iraqi Sunnis to do so as well:

O Sheikh of the mujahidin, if you cross the sea, we shall cross it with you. If you give orders, we shall listen; if you forbid, we shall obey. You are the designated leader for the armies of Islam against all infidels, Crusaders, and apostates.

96. Shortly after Zarqawi’s announcement, al-Qaeda formally accepted his public declaration of fealty and commitment of al-Qaeda-in-Iraq to al-Qaeda’s banners.

97. As a practical matter, Zarqawi’s declaration was immaterial because he was already a long-standing member of al-Qaeda who had sworn fealty to bin Laden, and Tawhid wal Jihad was already al-Qaeda’s widely-recognized affiliate in Iraq. The date chosen for the announcement, however, demonstrated the tight nexus between al-Qaeda and al-Qaeda-in-Iraq with respect to Sunni extremists’ efforts to rally against the U.S. presence in Iraq.

98. On December 17, 2004, the U.S. government designated al-Qaeda-in-Iraq as a Foreign Terrorist Organization, which designation it has maintained ever since.

99. At all times, al-Qaeda-in-Iraq carried out al-Qaeda’s agenda in Iraq with ruthless efficiency. Using al-Qaeda’s personnel (including Zarqawi), money, expertise, and training infrastructure, al-Qaeda-in-Iraq consolidated essentially all non-Kurdish Sunni terrorists in Iraq under one banner, led by Zarqawi and his followers.

100. Al-Qaeda and al-Qaeda-in-Iraq worked closely with one another to execute a comprehensive campaign of terrorism against Americans serving in Sunni strongholds in Iraq, including, but not limited to, Ramadi, Falluja, Mosul, and other geographies where al-Qaeda and al-Qaeda-in-Iraq had a monopoly on anti-American terror. In so doing al-Qaeda and al-Qaeda-in-

Iraq aggressively pursued every signature al-Qaeda attack type: suicide bombings, IED attacks, attacks against helicopters, kidnappings, sniper attacks, and complex attacks.

101. Even after being rebranded as the ISIS, the group formally known as al-Qaeda-in-Iraq continued to be an al-Qaeda affiliate until on or about 2014, when al-Qaeda and ISIS formally separated.

**C. Ansar Al-Islam**

102. Ansar al-Islam, translated as “supporters, partisans or followers of Islam,” was a primarily Kurdish Salafist terrorist group based in northern Iraq in Iraqi Kurdistan.

103. Ansar al-Islam was initially organized in Iraqi Kurdistan on September 1, 2001, under its previous name Jund al-Islam (soldiers of Islam). It was formally founded three months later through the merger of several other Kurdish terrorist groups, including Kurdish Hamas, Tawhid, and the Al-Tawid Islamic Front, the Second Sorand Unit, the Reformist Group, and Jund al-Islam.

104. Ansar al-Islam was a Salafist group that followed the teachings of al-Qaeda terrorists, including bin Laden, Zawahiri, and Zarqawi.

105. Although Ansar al-Islam was initially comprised mainly of Kurds, it grew to include Sunni Arabs who lived in, or traveled to, northern Iraq, including Palestinians, Iranians, Jordanians, Afghans and Arabs from other countries.

106. Ansar al-Islam focused its terrorist activities in northern Iraq. At all times, Ansar al-Islam sought to impose an Islamic caliphate in Kurdistan and has conducted a campaign of terror against Americans in Iraq to drive the U.S. out of Iraq.

107. From before 9/11 through 2003, Ansar al-Islam was led by Mullah Krekar, Najim al-Din Faraj Ahmad (also known as Faraj Ahmad Najmuddin) of the Reformist Group. Mullah

Krekar studied Islamic jurisprudence under Osama bin Laden's mentor, Abdullah al-Zam, and generally adopted a theological viewpoint similar to al-Qaeda's.

108. In November 2001, Mullah Krekar publicly celebrated Osama bin Laden and expressed his desire to see the creation of a grand alliance of jihadist groups in Kurdistan.

109. In 2002, Zarqawi and his lieutenants met in Kurdistan with Mullah Krekar and his associate Abu Abdullah Al-Shafii, the founder of Jund al-Islam. During this meeting, Zarqawi, on behalf of al-Qaeda and his own al-Qaeda affiliate (then known as Tawhid wal Jihad), Ansar al-Islam, and Jund al-Islam all agreed to effectively merge as allies in order to share weapons, personnel, safehouses, and other logistical resources.

110. By the eve of the U.S. invasion of Iraq, Zarqawi's command of Ansar al-Islam had grown such that Zarqawi now commanded hundreds of Arab fighters who fought for Ansar al-Islam under Zarqawi's leadership.

111. Shortly after the U.S. invasion, Mullah Krekar fled to Norway. Thereafter, Ansar al-Islam was operationally led by Zarqawi (traveling between Iran, Iraq, and Syria) and Abu Abdullah al-Shafi (also known as Warba Holiri al-Kurdi), who was based in Iran, until Shafi's arrest in 2010, while Mullah Krekar supported the group from his refuge in Norway.

112. In June 2003, Ansar al-Islam issued a public statement calling for terrorist attacks against Americans in Iraq by imploring Muslims in the region to "volunteer[] to join the ranks [of Ansar al-Islam] to fight the Americans," and threatening to use "the weapons of urban guerilla warfare" in order to "confront the American infidels with the aim of destroying them throughout Iraq." Referencing Ansar al-Islam's close alliance with Iran, the statement further explained that "the zones of entry and exit in the territory had been secured so as to ensure the flow of supplies for the fighters."

113. On March 22, 2004, the U.S. government designated Ansar al-Islam as a Foreign Terrorist Organization, which designation it has maintained ever since.

114. On April 15, 2004, Ansar al-Islam escalated its calls for violence against Americans in Iraq by issuing a statement urging Iraqis to embrace violent jihad against Americans in Iraq in order to combat “the band of traitors and criminals” through suicide attacks and other “heroic operations” against Americans. In the same statement, Ansar al-Islam also embraced its status as an al-Qaeda affiliate: “We strongly support the heroes who are undertaking difficult missions, such as the members of the al-Qaeda organization under the leadership of the venerable and courageous companion, the standard-bearer of jihad, the brave Osama Bin Laden.”

115. In 2006, Joint Special Operations Command Task Force 16 member concluded that “Al Qaeda and Ansar al-Islam are working hand in hand.”

116. On December 7, 2006, the U.S. Department of the Treasury designated Mullah Krekar as a Specially Designated Global Terrorist and stated as follows:

Apart from the instances of direct facilitation of terrorist groups which form the basis for his designation, Krekar has exhorted others to violence and supplied religious justifications for murder. In a 2004 interview, Krekar supported holy war in Iraq and identified legitimate targets, stating “Not just the officers, but also the civilians who help the Americans. If anyone so much as fetches them a glass of water, he can be killed. ... Everyone is a target. If an aid organization gives the Americans as much as a glass of water, they will become a target.”<sup>32</sup>

117. From 2003 through at least 2010, Ansar al-Islam cooperated closely with al-Qaeda and al-Qaeda-in-Iraq, sometimes working together to jointly commit attacks, share bombs or other terrorist supplies, and provide logistical support and safehouses for each other’s mutual benefit. For example, an al-Qaeda operative traveling from Afghanistan to Iraq to train and instruct al-Qaeda-in-Iraq operatives would depend upon Ansar al-Islam operatives, safehouses, and ratlines,

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<sup>32</sup> U.S. Dep’t of the Treasury, *Treasury Designations Target Terrorist Facilitators* (Dec. 7, 2006).

for part of his journey, or an Ansar al-Islam operative would receive training in an al-Qaeda camp in Afghanistan. Similarly, an al-Qaeda-in-Iraq operative would detonate a suicide bomb that was built by a forward-deployed al-Qaeda bombmaker in Iraq using materials provided by Ansar al-Islam.

118. By 2003, Ansar al-Islam was a recognized al-Qaeda “surrogate” and the groups maintained a close relationship with one another (including al-Qaeda-in-Iraq) based upon their shared terrorist agenda, common Salafist beliefs, and history of close cooperation.

### **III. IRAN PROVIDED MATERIAL SUPPORT AND RESOURCES FOR SUNNI TERRORISTS TARGETING AMERICANS IN IRAQ**

119. Iran has supported a broad coalition of anti-American terrorists in the countries bordering it, Iraq and Afghanistan, including virtually every prominent Shiite and Sunni terrorist group that has operated in Iraq since the fall of Saddam. Until his death on January 2, 2020, Qassem Soleimani masterminded Iran’s support for both Shiite and Sunni Anti-American terrorists, following the simple rule that any terrorist group that (a) was targeting the United States while (b) foregoing attacks inside Iran would (c) receive weapons, funding, training, logistical support, and safe havens courtesy of the IRGC, including the Qods Force. This simple calculus has underscored Iran’s terrorist agenda against America in the countries bordering Iran (Iraq and Afghanistan) for decades and continues to do so through this day.

120. As one scholar writing in the journal published by the Combating Terrorism Center at West Point summarized the evidence in 2010, “it is clear that Iran has a proven ability to commission violence inside Iraq. ... As the unclassified Iraqi government Harmony records collated by the Combating Terrorism Center at West Point illustrate, the Islamic Republic of Iran

has been in the business of sponsoring Iraqi paramilitary proxies for 30 years, practically the government's entire existence."<sup>33</sup>

121. When U.S. forces arrived in Iraq, Iran's nationwide terror campaign against Americans there was assigned to the Qods Force under the command of Soleimani, who answered directly to Ayatollah Khamenei.

122. As the Congressional Research Service reported in 2007, "DOD officials reportedly captured four Iranian terrorists in July 2007 who [were] accused of smuggling explosives and personnel from Iran into Iraq," and "Iran [was] suspected of supplying Iraq insurgents with IEDs, training, and new designs and technology for explosive devices, such as 'passive infrared' electronic sensors that [were] used for triggering roadside bombs" and were "more resistant to electromagnetic countermeasures [] employed by U.S. forces."<sup>34</sup> These findings by DOD officials accord with the reality that "[a] constant feature of Iran's policy for more than 20 years has been the importance of uninterrupted cross-border resupply for Iran's proxies in Iraq."<sup>35</sup>

123. According to the U.S. State Department's 2008 Country Reports on Terrorism: "The Qods Force, an elite branch of the [IRGC], is the regime's primary mechanism for cultivating and supporting terrorists abroad. The Qods Force provided aid in the form of weapons, training, and funding to HAMAS and other Palestinian terrorist groups, Lebanese Hizballah, Iraq-based militants, and Taliban fighters in Afghanistan."<sup>36</sup>

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<sup>33</sup> Knights, *The Evolution of Iran's Special Groups in Iraq*.

<sup>34</sup> Clay Wilson (Specialist in Technology and National Security), *Improvised Explosive Devices (IEDs) in Iraq and Afghanistan: Effects and Countermeasures*, CRS Report for Congress, at 3 (Aug. 28, 2007).

<sup>35</sup> Knights, *The Evolution of Iran's Special Groups in Iraq*.

<sup>36</sup> U.S. State Dep't, *Country Reports on Terrorism 2008* at 182-83 (Apr. 2009).

124. The First Corps of the Qods Force, one of its four regional commands, implements Iran's foreign policy in Iraq. During the relevant timeframe, the Qods Force did so largely by providing the Shiite and Sunni terrorists with material support for terrorist attacks in Iraq. The First Corps' al-Ramazan Headquarters is based across several sites in Iran's largest city (and capital), Tehran, a short trip from the border with Iraq.<sup>37</sup>

125. Raids conducted in Iraq by the elite U.S. Joint Special Operations Command ("JSOC") also proved that the IRGC and Qods Force directly deployed their own terrorists inside Iraq to help attack Americans there and to directly participate, on occasion, in attacks themselves. For example, in a late 2006 JSOC raid in central Iraq, U.S. forces detained Mohsen Chizari, the Qods Force's head of Operations and Training, as well as the Qods Force's station chiefs for Baghdad and Dubai. In another raid in northern Iraq, U.S. forces captured five Qods Force terrorists. To counter Iran's malign activities in Iraq, JSOC bifurcated its terrorist task forces and created Task Force 16 (to hunt al-Qaeda-in-Iraq) and Task Force 17 (to hunt Shiite terrorists in Iraq). In so doing, JSOC personnel from Task Force 16 and Task Force 17 discovered that Sunni and Shiite terrorists were secretly working together. They concluded that Soleimani and the Qods Force helped al-Qaeda-in-Iraq based on the Iranian conclusion that any agent of chaos and murder in Iraq – no matter whom they were or targeted– would quicken the American exit from Iraq and therefore, on balance, advance their interests given their belief that the U.S. was their top enemy.

126. "A consistent feature of Iran's patronage has been careful efforts to spread Tehran's bets across many different horses."<sup>38</sup> As set forth below, Iran afforded a comprehensive program

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<sup>37</sup> Joseph Felter & Brian Fishman, *Iranian Strategy in Iraq, Politics and "Other Means"* at 18, Combating Terrorism Center (Oct. 13, 2008).

<sup>38</sup> Knights, *The Evolution of Iran's Special Groups in Iraq*.



of material support to Sunni terrorists targeting Americans in Iraq, as long as such groups did not also target Iran itself.

**A. Iran Provided Material Support And Resources To Sunni Terrorists Targeting Americans In Iraq, Including Al-Qaeda, Al-Qaeda-In-Iraq, And Ansar Al-Islam**

127. Through the Qods Force, and other Iranian terrorist relationships, Iran provided material support and resources to all prominent Sunni terrorist groups targeting Americans in Iraq, supporting attacks committed directly by al-Qaeda, al-Qaeda-in-Iraq, and/or Ansar al-Islam.

128. Although there are religious differences between the Shiite Iranian regime and the Sunni terrorist organizations that targeted Americans in Iraq, those differences have not deterred Iran from supporting Sunni terrorist activities. Iran and their Sunni terrorist partners share a core geopolitical aim: to inflict mass casualties on Americans in the region. Sectarian distinctions aside, Iran has supported and funded attacks by Sunni terrorists on U.S. and allied forces in Iraq to harm the United States, including al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam.

129. Soleimani was ready to work with any terrorist group that could grow Iran's "axis of resistance" to the U.S., even if they were Sunnis who ordinarily opposed Iran's Shiite theocracy. As Iran expert Karim Sadjadpour of the Carnegie Endowment for International Peace explained, "[u]nder Soleimani's command, Iran became the only country in the region capable of harnessing both Shiite extremism and, at times, Sunni radicalism too."<sup>39</sup>

[Soleimani's] sinister genius in bridging sectarian divides has given Iran an enormous asymmetric advantage over its great Sunni Arab rival in the Gulf, Saudi Arabia. All Shiite extremists are willing to fight for Iran, while most Sunni extremists—including al Qaeda and Islamic State—want to overthrow Saudi Arabia, which they see as a corrupt, impious agent of the West.

Soleimani conceived of using Sunni jihadists to fight the U.S. in much the same way that the U.S. used Sunni jihadists to fight the Soviet Union in Afghanistan in

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<sup>39</sup> Sadjadpour, *Sinister Genius*.

the 1980s. Iran's Shiite theocracy has managed, at times, to cooperate tactically with deadly Sunni extremist groups—including the Taliban in Afghanistan and the Palestinian groups Hamas and Palestinian Islamic Jihad—against their common foes, the U.S. and Israel, even as Iran has been fighting on the front lines against the Sunni fanatics of Islamic State.<sup>40</sup>

130. Federal judges have made similar findings. For example, in a 9/11-related case against Iran, the Honorable George B. Daniels of the United States District Court for the Southern District of New York found, as a factual matter, that:

The well-known historical religious division between Sunnis and Shi'a did not, in fact, pose an insurmountable barrier to cooperation in regard to terrorist operations by radical Islamic leaders and terrorists. Iran, which is largely Shiite, and its terrorist proxy organization, Hizballah, also Shiite, entered into an alliance with al Qaeda, which is Sunni, to work together to conduct terrorist operations against the United States during the 1990s and continuing through, and after, September 11, 2001.<sup>41</sup>

131. According to Colin P. Clarke, a terrorism expert at the Soufan Center, "Iran uses sectarianism as a cudgel when it suits the regime, but is also willing to overlook the Sunni-Shia divide when it suits Iranian interests," and therefore Iran's assistance to al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam "would not be the first time that Iran had joined forces with Sunni militants, having supported Hamas, Palestinian Islamic Jihad and the Taliban."<sup>42</sup>

132. U.S. officials concurred. As one observed during the height of the Sunni insurgency: "I think it stands to reason that Iran is getting something out of this as well."

133. The "election" of Mahmoud Ahmadinejad in 2005 only deepened Iran's affinity with Sunni extremists who shared a common hatred of America.

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<sup>40</sup> *Id.*

<sup>41</sup> *In re Terrorist Attacks on Sept. 11, 2001*, No. 03 MDL 1570 (GBD), 2011 WL 13244047, at \*12 (S.D.N.Y. Dec. 22, 2011) (findings of fact).

<sup>42</sup> Adam Goldman, Eric Schmitt, Farnaz Fassihi and Ronen Bergman, *Al Qaeda's No. 2, Accused in U.S. Embassy Attacks, Was Killed in Iran*, N.Y. Times (Nov. 13, 2020).

134. Consistent with the alliance between Iran, Lebanese Hezbollah, and al-Qaeda, and pursuing Soleimani's terrorist vision, Iran provided material support to the three primary Sunni terrorist groups that were committing attacks against Americans in Iraq: al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam. These groups committed attacks on their own, as well as in combination with one (or both) of the other groups. In so doing, al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam were part of a grand alliance of Sunni terrorists that targeted Americans in Iraq with the support of Iran.

**1. Iran Provided Material Support And Resources To Al-Qaeda That Established Al-Qaeda's Capabilities Before 9/11, Prevented Al-Qaeda's Collapse After 9/11, And Ensured Al-Qaeda's Status As An Iranian Sunni Terrorist Proxy In Iraq**

135. Iran has long provided material support and resources to al-Qaeda. The sectarian differences between the Shiite regime in Tehran and the Sunni al-Qaeda leadership have not hindered cooperation between the groups. Whatever their religious differences, both groups share a hatred of America and support anti-American violence.

136. Iran has supported al-Qaeda's terrorist activities since the early 1990s, when Osama bin Laden lived in Sudan. As Judge Daniels found, "[i]n 1991 or 1992, discussions in Sudan between al Qaeda and Iranian operatives led to an informal agreement to cooperate in providing support for actions carried out primarily against Israel and the United States."<sup>43</sup> "Thereafter, senior al Qaeda operatives and trainers traveled to Iran to receive training in explosives. Osama bin Laden also sent senior aides to Iran for training with the IRGC and to Lebanon for training with Hizballah."<sup>44</sup>

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<sup>43</sup> *In re Terrorist Attacks on Sept. 11, 2001*, 2011 WL 13244047, at \*11 (findings of fact).

<sup>44</sup> *Id.*

137. “In 1993, in a meeting in Khartoum, Sudan, arranged by Ah Mohamed, a confessed al Qaeda terrorist and trainer now in a U.S. prison, Osama bin Laden and Ayman al Zawahiri met directly with Iran’s master terrorist Imad Mughniyah and Iranian officials, including IRGC Brigadier General Mohammad Baqr Zolqadr, a multipurpose member of the Iranian terrorist structure.”<sup>45</sup>

138. “At the 1993 Khartoum conference, representatives of Iran, Hizballah, and al Qaeda worked out an alliance of joint cooperation and support on terrorism.”<sup>46</sup>

139. “Imad Mughniyah convinced Osama bin Laden of the effectiveness of suicide bombings in driving the U.S. out of Lebanon in the 1980s, and Mughniyah became a major connection point between Iran and al Qaeda.”<sup>47</sup> “Osama bin Laden had been a guerilla fighter in Afghanistan and it was Mughniyah who made bin Laden into an accomplished terrorist.”<sup>48</sup>

140. “The 1993 meeting in Khartoum led to an ongoing series of communications, training arrangements, and operations among Iran and Hizballah and al Qaeda. Osama bin Laden sent more terrorist operatives, including Saef al Adel (who would become number 3 in al Qaeda and its top ‘military’ commander), to Hizballah training camps operated by Mughniyah and the IRGC in Lebanon and Iran. Among other tactics, Hizballah taught bin Laden’s al Qaeda operatives how to bomb large buildings, and Hizballah also gave the al Qaeda operatives training in intelligence and security.”<sup>49</sup>

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<sup>45</sup> *Id.* (internal citations and quotations omitted).

<sup>46</sup> *Id.* (internal citations and quotations omitted).

<sup>47</sup> *Id.*

<sup>48</sup> *Id.* (internal citations and quotations omitted).

<sup>49</sup> *Id.* (internal citations and quotations omitted).

141. “Another al Qaeda group traveled to the Bekaa Valley in Lebanon to receive training in explosives from Hizballah, as well as training in intelligence and security.”<sup>50</sup>

142. “Iran’s *Charge d’Affaires* in Khartoum, Sudan, Majid Kamal, an IRGC commander, coordinated the training expeditions; Kamal had performed the same function in Beirut, Lebanon, in the early 1980s during the formation of Hizballah.”<sup>51</sup>

143. Under its alliance with al-Qaeda, Iran also regularly hosted Zawahiri during al-Qaeda’s formative years. As Judge Daniels previously found, “[a]s a result of the creation of this terrorist alliance, al Qaeda’s Ayman al Zawahiri repeatedly visited Tehran during the 1990s and met with officers of MOIS [Iran’s Ministry of Intelligence and Security], including chief Ali Fallahian, and Qods Force chief Ahmad Vahidi.”<sup>52</sup>

144. “The creation of the Iran–Hizballah–al Qaeda terrorist alliance was followed by a string of terrorist strikes directly against the U.S. and its allies,” leading to the first World Trade Center attack in 1993, the Khobar Towers bombing in 1996, the African embassy bombings in 1998, the USS Cole attack in 2000, and 9/11.<sup>53</sup>

145. As a result of the foregoing, Iran was the proximate and but-for cause of al-Qaeda’s embrace of suicide bombing as a tactic. Qods Force and Hezbollah agents acting at Iran’s direction originally instructed al-Qaeda in the theological, technological, and tactical aspects of suicide bombing as a terrorist strategy based upon Iran’s and Hezbollah’s own successful use of suicide bombers during Iran’s war against Iraq and during the joint Iranian/Hezbollah terrorist campaign

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<sup>50</sup> *Id.* (internal citations and quotations omitted).

<sup>51</sup> *Id.* at \*12 (internal citations and quotations omitted).

<sup>52</sup> *Id.* (internal citations and quotations omitted).

<sup>53</sup> *Id.*

against Americans in Lebanon in 1983, in which Hezbollah terrorists used suicide bombers to kill hundreds of Americans serving in Lebanon.

146. When the U.S. Department of Justice indicted Osama bin Laden for the 1998 bombings of the U.S. embassies in Kenya and Tanzania, the indictment alleged that al-Qaeda had “forged alliances” with “the government of Iran and its associated terrorist group Hezbollah [sic] for the purpose of working together against their perceived common enemies in the West, particularly the United States.”<sup>54</sup> A court in this District subsequently found that Iran had caused the East Africa Embassy bombings by materially supporting al-Qaeda’s operations.<sup>55</sup>

147. The 9/11 Commission has also confirmed that there was solid and substantial proof of Iran’s repeated willingness to support terrorist proxies targeting Americans in the Middle East, including Sunnis with whom the Iranians are normally hostile, which had been demonstrated by Iranian assistance to a litany of terrorists, including 9/11 hijackers.<sup>56</sup>

148. After 9/11, senior al-Qaeda leadership, sheltering in Iran under the patronage and with the counsel of Qods Force operatives, explicitly modeled their post-9/11 organization and tactics on the approach of Hezbollah and the Qods Force.

149. While al-Qaeda was re-building itself in Iran after 9/11, the Iranians were busy rejecting U.S. and allied requests to stop aiding al-Qaeda. For example, on or about 2002 or 2003, Iran rejected a lawfully issued extradition request by the Jordanian government for Zarqawi on the

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<sup>54</sup> Indictment at 3, *United States v. Bin Laden*, No. 1:98-cr-00539-LAK (S.D.N.Y. filed Nov. 5, 1998), Dkt. 1, available at <https://fas.org/irp/news/1998/11/indict1.pdf>.

<sup>55</sup> See *Owens v. Republic of Sudan*, 826 F. Supp. 2d 128, 151 (D.D.C. 2011).

<sup>56</sup> See, e.g., *The 9/11 Commission Report* at 60 (“[T]he evidence of Iranian involvement” in the June 1996 truck bomb attack against Americans in Khobar Tower in Saudi Arabia was “strong” and there were “also signs that al Qaeda played some role.”) (July 1, 2004); see also *id.* at 240-241 (significant Iranian transportation and logistical support for 9/11 attackers).

preposterous grounds that Zaraqawi – whom the Iranians knew well – was not Jordanian but, rather, Syrian. Similarly, in a 2003 face-to-face meeting in Geneva, Switzerland, then-U.S. ambassador to Iraq Ryan Crocker implored Iranian officials to cease their support for al-Qaeda’s terrorism targeting Americans in the Persian Gulf, which request the Iranians refused. By then, al-Qaeda had demonstrated its usefulness to Iran with respect to its ability to kill Americans, and Iran was already sheltering and supporting al-Qaeda’s military leader, Saif al-Adel (who was also al-Qaeda’s manager for Zaraqawi’s activities in Iraq) in his Qods Force-provided Tehran safe house.

150. The Iranians rebuffed U.S. outreach because they had already reached a secret deal with al-Qaeda. Following the 9/11 attacks on the United States and subsequent routing of Sunni terrorists in Afghanistan (including al-Qaeda) in late 2001, Iran met with senior al-Qaeda leaders who had fled Afghanistan into Iran to offer military aid to support al-Qaeda’s fight against America. Iran hosted these meetings for its al-Qaeda “guests” throughout 2001 and 2002. As part of this initial offer of support, Iran pledged to provide funds and logistical support to facilitate the development of terrorist activities targeting Americans in countries bordering Iran. While the focus at the time was on Afghanistan, all involved expected the U.S. to eventually move into Iraq and for their shared terrorist enterprise to follow us there.

151. Under this secret deal between Iran and al-Qaeda after 9/11, Iran intensified its material support for al-Qaeda’s terrorist campaign against Americans around the world. Through the secret deal between Iran and al-Qaeda and the assistance that the former provided to the latter thereafter, Iran was the proximate and but-for cause of al-Qaeda’s survival as a terrorist organization after 9/11 and the al-Qaeda linked terrorist attacks against Americans in Iraq, including Plaintiffs, that inevitably followed.

152. Osama bin Laden personally concluded that al-Qaeda would have collapsed after 2001 without the secret deal and Iran's key support for al-Qaeda in the years following 9/11, and al-Qaeda's subsequent ability to execute terrorist attacks depended upon the "artery" provided by Iran. For example, in 2007, bin Laden criticized an al-Qaeda terrorist who had been planning to strike Iran-linked targets; in a secret internal al-Qaeda communique authored by bin Laden himself, bin Laden identified the key, organization-saving assistance that Iran had been providing to al-Qaeda after 9/11, stating because of Iran's historical support for al-Qaeda's terrorist operations, Iran was al-Qaeda's "*main artery for funds, personnel, and communication.*"<sup>57</sup>

153. Zawahiri also emphasized close strategic cooperation between al-Qaeda and Iran, following a pragmatic approach under which al-Qaeda focused on expanding its presence in Iran. Like bin Laden, Zawahiri agreed that al-Qaeda could not survive and thrive without the support it received from Iran. In a letter reportedly written by Zawahiri, al-Qaeda thanked Iran for the Qods Force's support in setting up al-Qaeda's terrorist network in Yemen in 2008 and stated, in effect, that al-Qaeda could not have established its franchise in Yemen without the IRGC's assistance.

154. The U.S. government has also recognized the close partnership between Iran and al-Qaeda after the secret deal between the two. In July 2011, the U.S. Treasury Department designated as SDGTs six members of al-Qaeda operating in Iran under the previously described secret agreement between Iran and al-Qaeda.<sup>58</sup> In so doing, the Treasury Department concluded that the secret deal provided that al-Qaeda terrorists "must refrain from conducting any operations

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<sup>57</sup> October 18, 2007 translated letter from Osama bin Laden to Karim at 1, *Bin Laden's Bookshelf*, Office of the Director of National Intelligence (2016) (emphasis added). In March 2016, the Office of the Director of National Intelligence declassified items that had been obtained by U.S. special operators in the May 2011 raid on bin Laden's compound, including this letter. See *Bin Laden's Bookshelf*, Office of the Director of National Intelligence.

<sup>58</sup> Press Release, U.S. Treasury Dep't, *Treasury Targets Al-Qa'ida Funding and Support Network Using Iran as a Critical Transit Point* (July 28, 2011).



within Iranian territory and recruiting operatives inside Iran while keeping Iranian authorities informed of their activities. In return, the Government of Iran gave the Iran-based al-Qa'ida network freedom of operation and uninhibited ability to travel for extremists and their families” and permitted al-Qaeda to use Iran as a “critical transit point for funding to support [al-Qaeda’s] activities.” The Treasury Department also found that “Iran’s secret deal with al-Qa’ida” facilitated a terrorist network that “serves as the core pipeline through which al-Qa’ida moves money, facilitators and operatives from across the Middle East to South Asia.”<sup>59</sup> Indeed, al-Qaeda has honored its commitment to Iran despite its attacks on Shiite Muslims elsewhere in the Middle East.

155. The U.S. Treasury Department has repeatedly recognized the link between al-Qaeda and Iran in making SDGT designations under Executive Order 13224. In February 2012, the agency designated the Iranian Ministry of Intelligence and Security (“MOIS”) as a terrorist-sponsoring entity for, among other things, supporting al-Qaeda.<sup>60</sup> In 2014, the agency likewise designated a “key Iran-based” al-Qaeda facilitator who has “assisted extremists and operatives transiting Iran on their way into and out of Pakistan and Afghanistan.”<sup>61</sup>

156. The close relationship between al-Qaeda and Iran has continued in recent years. In 2017, the U.S. State Department explained, “Since at least 2009, Iran has allowed [al-Qaeda] facilitators to operate a core facilitation pipeline through the country, enabling [al-Qaeda] to move funds and fighters to South Asia and Syria.”<sup>62</sup> It further accused Iran of remaining unwilling to

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<sup>59</sup> *Id.*

<sup>60</sup> Press Release, U.S. Treasury Dep’t, *Treasury Designates Iranian Ministry of Intelligence and Security for Human Rights Abuses and Support for Terrorism* (Feb. 16, 2012).

<sup>61</sup> Press Release, U.S. Treasury Dep’t, *Treasury Targets Networks Linked To Iran* (Feb. 6, 2014).

<sup>62</sup> U.S. State Dep’t, *Country Reports on Terrorism 2016* at Iran Section (July 2017).

bring to justice or identify al-Qaeda members in its custody.<sup>63</sup> The next year, the agency reaffirmed those conclusions and reiterated Iran's close relationship with al-Qaeda.<sup>64</sup>

157. Iran also supported al-Qaeda through its proxy, Lebanese Hezbollah. As the *Washington Post* reported at the time in 2002, Iran's lead terrorist proxy, Lebanese Hezbollah, was "increasingly teaming up with al Qaeda on logistics and training for terrorist operations, according to U.S. and European intelligence officials and terrorism experts."<sup>65</sup> "The new cooperation ... includes coordination on explosives and tactics training, money laundering, weapons smuggling and acquiring forged documents, according to knowledgeable sources. This new alliance, even if informal, has greatly concerned U.S. officials in Washington and intelligence operatives abroad who believe the assets and organization of Hezbollah's formidable militant wing will enable a hobbled al Qaeda network to increase its ability to launch attacks against American targets."<sup>66</sup>

158. The "collaboration" between Iran (through Lebanese Hezbollah) and al-Qaeda "illustrate[d] what analysts [said] [was] an evolving pattern of decentralized alliances between terrorist groups and cells that share[d] enough of the same goals to find common ground: crippling the United States, and forcing the U.S. military out of the Middle East and Israel out of Palestinian territory. 'There's a convergence of objectives,' said Steven Simon, a former National Security Council terrorism expert."<sup>67</sup> As the *Washington Post* reported, "[a]lthough cooperation between al Qaeda and Hezbollah may have been going on at some level for years, the U.S. war against al

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<sup>63</sup> *Id.*

<sup>64</sup> *Country Reports on Terrorism 2017* at Foreword.

<sup>65</sup> Dana Priest and Douglas Farah, *Terror Alliance Has U.S. Worried; Hezbollah, Al Qaeda Seen Joining Forces*, *Washington Post* (June 30, 2002), 2002 WLNR 15332564.

<sup>66</sup> *Id.*

<sup>67</sup> *Id.*

Qaeda [] hastened and deepened the relationship. U.S. officials believe that after al Qaeda was driven from Afghanistan, leader Osama bin Laden sanctioned his operatives to ally themselves with helpful Islamic-based groups, said a senior administration official with access to daily intelligence reports.”<sup>68</sup> The *Post* concluded:

European and U.S. intelligence operatives on the ground in Africa and Asia said they have been trying to convince headquarters of the new alliances but have been rebuffed. “We have been screaming at them for more than a year now, and more since September 11th, that these guys all work together,” an overseas operative said. “What we keep hearing back is that it can’t be because al Qaeda doesn’t work that way. *That is [expletive]*. Here, on the ground, these guys all work together as long as they are Muslims. There is no other division that matters.”<sup>69</sup>

159. Al-Qaeda’s alliance with Iran’s lead terrorist proxy, Lebanese Hezbollah, continued at all relevant times and proved the intelligence operatives on the ground had been right all along. For example, in 2012, the Council on Foreign Relations reported that “al-Qaeda ha[d] stepped up its cooperation on logistics and training with Hezbollah, a radical, Iran-backed Lebanese militia drawn from the minority Shiite strain of Islam.”<sup>70</sup>

160. On or about August 7, 2020, on the anniversary of the Iran/al-Qaeda bomb attack against U.S. embassies in Africa, Israeli commandos acting at the request of the United States killed al-Qaeda’s number 2 leader, Abu Muhammad al-Masri, in a covert mission in Tehran.<sup>71</sup> Masri was in Iran as a guest of the Iranian government and was permitted to freely plan attacks against the United States from an Iranian-provided safe-haven in Tehran. The timing of the attack was not a coincidence, but a rather a professional slap in the terrorists’ face extended by the U.S.

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<sup>68</sup> *Id.*

<sup>69</sup> *Id.*

<sup>70</sup> *al-Qaeda (a.k.a. al-Qaida, al-Qa`ida)*, Council on Foreign Relations (June 6, 2012).

<sup>71</sup> Goldman at al., *Al Qaeda’s No. 2, Accused in U.S. Embassy Attacks, Was Killed in Iran*.

and Israeli governments to Iran and al-Qaeda, as the latter allies suffered an embarrassing and catastrophic loss on the anniversary of one of their greatest terrorist triumphs.

161. The mafia-style “syndicate” of which al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam formed a part, made attacks by each group more lethal. Iran’s mutually reinforcing support for al-Qaeda, AQI, and AI therefore made each group more effective.

162. By supporting al-Qaeda, Iran provided material support and resources for the extrajudicial killings that killed or injured Plaintiffs or members of their families. Al-Qaeda directly participated in many of the attacks that killed or injured Plaintiffs or their family members. Moreover, al-Qaeda was closely intertwined with al-Qaeda-in-Iraq and Ansar al-Islam and associated terrorist groups acting in Iraq, and al-Qaeda planned and authorized the Sunni attacks in which it did not directly participate. Material support and resources provided to al-Qaeda thus also flowed to al-Qaeda-in-Iraq and Ansar al-Islam, causing the injury and deaths of Plaintiffs or their family members.

**2. Iran Used The IRGC To Establish Al-Qaeda-In-Iraq As An Iranian Sunni Terrorist Proxy In Iraq**

163. Iran used the IRGC to provide Zarqawi with the Iranian patronage necessary to establish al-Qaeda-in-Iraq and turn it into the terrorist killing machine it would become.

164. “When the Taliban government collapsed, a strange opportunity presented itself. Many members of al-Qaida fled Afghanistan and crossed the border into Iran.”<sup>72</sup>

165. All told, Zarqawi was based in Iran for at least a year after his escape from Afghanistan after 9/11. After bin Laden family members and Zarqawi joined Iran as “guests”

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<sup>72</sup> NPR, *Throughline*.

following 9/11, Soleimani devised a successful plan to turn them into Iranian terrorist assets to carry out attacks against America. As Mr. Sadjadpour explained:

After the U.S. military campaign to topple the Taliban began, Iran detained hundreds of al Qaeda fighters fleeing Afghanistan, including some members of Osama bin Laden’s family and Abu Musab al-Zarqawi, the future leader of al Qaeda in Iraq. Many Iranians saw these jihadists as a threat—Sunni zealots who hated overwhelmingly Shiite Iran. Yet Soleimani, the architect of the Islamic Republic’s plans for regional dominance, realized that they could also be an asset. ... many al Qaeda members [] spent months and even years as “guests” of Iran. Soleimani broke bread with bin Laden’s sons, who affectionately called him Hajji Qassem ... He appointed two senior Quds Force officers to “provide the guests with whatever they needed,” including refrigerators, widescreen TVs and an “unlimited budget” to furnish a religious library. Saif al-Adel, a notorious al Qaeda explosives expert, had access to a sports complex in a posh Tehran neighborhood, where he swam laps alongside Western diplomats.<sup>73</sup>

166. “Now that Soleimani had these al-Qaida fighters on his side, he had to figure out exactly how to use them. And when the U.S. invaded Iraq in 2003, he saw his opening.”<sup>74</sup> As Mr. Sadjadpour of the Carnegie Endowment explained, “[i]f you’re Qassem Soleimani, you think to yourself - we will do everything in our power to make sure that the U.S. war in Iraq is a colossal failure.”<sup>75</sup> Thus, under Soleimani’s plan, Iran “unleashed the al-Qaida fighters into Iraq,” doing so “[w]ith the understanding that you guys, go do what you do. Go after the United States” by deploying terrorist attacks like “car bombings, [and] suicide bombings.”<sup>76</sup>

167. Backed by Iran’s material support, just a few months after Soleimani helped unleash him into Iraq, “Abu Musab al-Zarqawi, the Jordanian al-Qaida leader, [] set[] off these

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<sup>73</sup> Sadjadpour, *Sinister Genius*.

<sup>74</sup> NPR, *Throughline*.

<sup>75</sup> Sadjadpour, *quoted in NPR, Throughline*.

<sup>76</sup> *Id.*

three major bombs which essentially destroy[ed] the American experiment in Iraq in its infancy.”<sup>77</sup>

As terrorism scholar David Blair summarized the Zarqawi-Iran alliance:

By 2002, an Anglo-American invasion of Iraq seemed inevitable. Sensing an opportunity, Iran allowed Zarqawi to travel across its territory and enter northern Iraq in late 2002. Just as the Kaiser’s Germany transported Lenin from Switzerland to Russia in 1917 delivering him “like a plague bacillus”, in Churchill’s phrase so Iran conveyed the virus represented by Zarqawi to Iraq. The Shia rulers of Iran are natural opponents of al-Qaeda’s Sunni zealots, but the evidence suggests that the two have sometimes been tactical if mistrustful allies against a common Western enemy. So it was that al-Qaeda’s plague had arrived in Saddam Hussein’s domain, courtesy of Iran, even before the invasion. By the time that American and British tanks rolled across the Iraqi frontier in 2003, Zarqawi was already in position to organise an insurgency. Later that year, he proclaimed the birth of ‘al-Qaeda in the Land of Two Rivers’. ... From 2005 onwards, he set out to kill as many Iraqi Shias as possible[,] a bitter irony given that Zarqawi owed his very presence in Iraq to the indulgence of Shia Iran.<sup>78</sup>

168. As a result, Iran, through Soleimani’s plan, was the proximate and but-for cause of al-Qaeda-in-Iraq’s existence and ability to commit attacks targeting Americans in Iraq, including against Plaintiffs. As Osama bin Laden himself concluded, without Iran’s key support for al-Qaeda in the years following the 9/11 attacks, al-Qaeda would have collapsed, and al-Qaeda’s subsequent terrorist schemes carried out in Iraq through al-Qaeda-in-Iraq would not have come to fruition.

169. Iran’s strategy recognized that the Iranians could use their sectarian enemies, including Shia-haters like Zarqawi, to harm Iran’s two primary enemies, the United States and Israel, and pragmatically and ruthlessly to pursue Iranian interests throughout the world.

170. Iran and Soleimani pursued this strategy towards Sunni terrorists targeting Americans in Iraq at all relevant times because it inflicted harm on America while providing Iran

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<sup>77</sup> *Id.*

<sup>78</sup> David Blair, *The Rise of the Fanatics that Now Control ISIL*, Sunday Independent (Apr. 12, 2015), 2015 WLNR 10684439.

iron-clad protection from being attacked by these same Sunni terrorists. Indeed, in a May 2014 message to Ayman al-Zawahiri from Abu Muhammad al-Adnani – who was once a Zarqawi ally and former al-Qaeda member but had departed with ISIS becoming its spokesman after ISIS and al-Qaeda split earlier in 2014 – Adnani reminded al-Qaeda, on behalf of ISIS, that:

ISIS has not attacked the Rawafid [Shia] in Iran since its establishment. ... It has kept its anger all these years and endured accusations of collaboration with its worst enemy, Iran, for refraining from targeting it, leaving the Rawafid [Shia] there to live in safety, acting upon the orders of al Qaeda to safeguard its interests and supply lines in Iran. Let history record that Iran owes al Qaeda invaluablely.

171. The four intelligence services that knew Zarqawi the best (other than Iran) – those of the U.S., Iraq, Jordan, and Germany – all concluded that Iran deliberately helped stand up Zarqawi’s terrorist network in Iraq. Like their U.S. and Iraqi counterparts, the Jordanian and German intelligence and law enforcement communities developed overwhelming evidence as to the sustained and substantial nature of Iran’s provision of material support and resources to Zarqawi.

172. Given Zarqawi’s Jordanian roots, Jordan’s intelligence service, the *Mukhabarat*, knew him as well as anyone. Jordanian intelligence concluded that Iran deliberately stood-up Zarqawi’s terrorist network in Iraq in order to inflict pain on Americans there and advance Iranian interests in the country, providing terrorist seed capital in the form of arms and early essential logistical support, and sustained Zarqawi’s network thereafter by permitting them to travel freely between Iran and Iraq as long as they continued attacking Americans in Iraq.

173. German intelligence and law enforcement also confirmed the close nexus between Zarqawi and Iran. In 2002, the German intelligence services, the *Bundesnachrichtendienst* (“BND”), successfully wiretapped and surveilled several members of the Zarqawi network in Germany, which allowed BND agents to precisely track Zarqawi’s travel patterns during and after

his flight from Afghanistan. Based on insights from these leads, German intelligence concluded that Zarqawi received refuge and medical care in Mashhad, Iran on January 5, 2002, and remained in Iran until at least April of 2002, during which time he directed the retreat of his al-Qaeda operatives from Afghanistan, through Iran, into to the Kurdistan region on both sides of the Iran/Iraq border. Thereafter, Zarqawi traveled to Tehran and Zahedan in support of his efforts to stand up al-Qaeda-in-Iraq. During this entire time, Zarqawi benefited from Iranian patronage and protection, including his own personal team of IRGC minders provided by Soleimani himself.

174. German law enforcement also developed solid evidence that Iran had provided essential material support to Zarqawi. According to files from Germany's Federal Office of Criminal Investigation, German prosecutors concluded that Iran gave Zarqawi essential state-sponsored terrorist support and was a key logistical partner for his terrorist enterprise in Iraq.

175. Other European counter-terror authorities concurred with the findings of U.S., Iraqi, Jordanian, and German governments. For example, a noted Spanish terrorism judge, Baltasar Garzon, concluded that al-Qaeda's board of managers were operationally active from their Iranian safe-haven, coordinating operations against America and its Coalition partners. Similarly, in 2004, French intelligence officials concluded that al-Qaeda leaders had permission to move within Iran and support terrorist operations against America from their Iranian safe-haven.

176. Iran – and Soleimani himself – recognized that Iran's support for Zarqawi advanced Iranian interests even after Zarqawi began slaughtering Shiites in Iraq. For example, Soleimani reportedly told the audience at an Iranian military seminar that the Qods Force permitted Zarqawi and more than a dozen of his senior terrorist followers to enter Iran whenever they pleased via border crossings between Ham and Halabja. At this same discussion, when asked why Iran supported Zarqawi given his anti-Shiite attacks, Soleimani reportedly replied that Zarqawi's



attacks in Iraq “serve the supreme interests of Iran” by stopping the formation of pro-American government in Iraq.

177. Even when al-Qaeda-in-Iraq began massacring Iraqi Shiites at scale in 2006, Iranian support for al-Qaeda-in-Iraq still advanced Iran’s perceived self-interest in Iraq by fostering anti-American violence there and by forcing Iraqi Shiites to seek protection from Iranian Shiite terrorist proxies, like Jaysh al-Mahdi, who were also fighting al-Qaeda-in-Iraq. As Mr. Sadjadpour explained, Zarqawi’s attacks against Shiites “totally radicalized the Shiite community in Iraq” and “essentially pushed them into the arms of Iran and Qassem Soleimani, who said to the Shiites of Iraq, we can protect you.”<sup>79</sup> Simply put, “[i]t served the interests of the Islamic Republic to maintain Iraq in a state of controlled chaos and anarchy.”<sup>80</sup>

178. By supporting al-Qaeda-in-Iraq, Iran provided material support and resources for the extrajudicial killings that killed or injured Plaintiffs or members of their families. Al-Qaeda-in-Iraq directly participated in many of the attacks that killed or injured Plaintiffs or their family members. Moreover, al-Qaeda-in-Iraq was closely intertwined with al-Qaeda and Ansar al-Islam and associated terrorist groups acting in Iraq, and al-Qaeda-in-Iraq planned and authorized the Sunni attacks in which it did not directly participate. Material support and resources provided to al-Qaeda-in-Iraq thus also flowed to al-Qaeda and Ansar al-Islam, causing the injury and deaths of Plaintiffs or their family members.

### **3. Iran Used the IRGC to Establish Ansar Al-Islam as an Iranian Sunni Terrorist Proxy in Iraq**

179. To ensure Iranian influence in Kurdish communities on both sides of the Iran/Iraq border, and consistent with Iranian policy supporting anti-American terror in countries bordering

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<sup>79</sup> Sadjadpour, *quoted in NPR, Throughline*.

<sup>80</sup> NPR, *Throughline*.

Iran, Ansar al-Islam has been, and remains to this day, a longstanding terrorist proxy of the IRGC. Iran, through the activities orchestrated by Qassem Soleimani and those acting at his instruction, was the proximate and but-for cause of Ansar al-Islam's existence and ability to commit attacks targeting Americans in Iraq, including against Plaintiffs.

180. Iran's support for Ansar al-Islam is rooted in the former's obsession over Kurdish issues and support for Sunni terrorists in Kurdistan was a foundation of Iranian efforts to exercise influence in Northern Iraq. This region had historically been beyond Baathist reach when Saddam ran Iraq, and it could provide an unbroken Iranian corridor across the "Shiite Crescent," which stretches from Iran through Iraq to Syria and Lebanon.

181. Ansar al-Islam could not exist, let alone pose a terrorist threat to Americans in Iraq, without the key assistance provided by Iran through the IRGC and Qods Force. As the anti-terrorism think tank, the Jamestown Foundation, concluded, "a significant degree of Iranian support was necessary for Ansar al-Islam to function, given that the group's military supplies came in from Iran (the mountainous region they controlled touches the Iranian border), veterans from Afghanistan joined them via Iran, and their cadres (including Mullah Krekar himself) entered and left the area via Iran."<sup>81</sup> Similarly, the International Crisis Group concluded that it was "indisputable ... that [Ansar al-Islam] could not survive without the support of powerful factions in neighbouring Iran, its sole lifeline to the outside world."<sup>82</sup>

182. Contemporaneous American and British intelligence reports concerning Iran and Iraq support these conclusions.

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<sup>81</sup> David Romano, *An Outline of Kurdish Islamist Groups in Iraq* at 12, The Jamestown Foundation (Sept. 2007) ("Romano, *An Outline of Kurdish Islamist Groups in Iraq*").

<sup>82</sup> International Crisis Group, *Radical Islam In Iraqi Kurdistan: The Mouse That Roared?* at 1-2, IRAQ Briefing (Feb. 7, 2003).

183. Al-Qaeda was responsible for the success of Ansar al-Islam's suicide bomb attacks against Americans in Iraq. Through its relationship with al-Qaeda and Ansar al-Islam, Iran was the proximate and but-for cause of Ansar al-Islam's suicide bombing attacks against Americans in Iraq.

184. Iran's support for al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam was mutually reinforcing. Zarqawi's ability to leverage safe havens on Iranian soil and his membership and leadership role in all three groups played a key role in facilitating AQI's development. By providing leadership, training, logistical support, and instruction to al-Qaeda, AQI, and Ansar al-Islam, Zarqawi created a network of al-Qaeda affiliated terrorists working together in a shared campaign against Americans in Iraq, which he then leveraged to attack Americans throughout Iraq.

185. By supporting Ansar al-Islam, Iran provided material support and resources for the extrajudicial killings that killed or injured Plaintiffs or members of their families. Ansar al-Islam directly participated in some of the attacks that killed or injured Plaintiffs or their family members. Moreover, Ansar al-Islam was closely intertwined with al-Qaeda, al-Qaeda-in-Iraq, and associated terrorist groups acting in Iraq, and Ansar al-Islam provided essential logistical support for the entire Sunni campaign by facilitating the smuggling of weapons into Iraq, and therefore Ansar al-Islam aided the Sunni attacks in which it did not directly participate. Material support and resources from Iran provided to Ansar al-Islam thus also flowed to al-Qaeda and al-Qaeda-in-Iraq, causing the injury and deaths of Plaintiffs or their family members.

186. Consistent with Iran's policy of material support to al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam (collectively, Iran's "Sunni Terrorist Proxies") described above, Iran provided material support or resources to al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam for the acts of extrajudicial killing that killed or injured Plaintiffs or their family members. As explained below,

that support took the form of “currency . . . lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, . . . and transportation.”<sup>83</sup>

**B. Iran Provided Its Iraqi Sunni Terrorist Proxies with Weapons, Explosives, and Lethal Substances**

187. Iran provided material support or resources for the acts of extrajudicial killing that killed or injured Plaintiffs, or their family members, by providing (among other things) weapons, explosives, and lethal substances to the al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam.

188. Iran provided a regular flow of weapons and military equipment to Sunni terrorists targeting Americans in Iraq, including al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam. According to a senior al-Qaeda terrorist, “the Quds Force . . . supplied Zarqawi with weapons” and as a result, the al-Qaeda member concluded that, if “Osama was responsible for financing the butchers of Baghdad [i.e., Zarqawi and al-Qaeda-in-Iraq], so was Tehran.”

189. Middle Eastern and Western intelligence services concurred with this assessment and have long documented Iran’s provision of weapons and equipment to Sunni terrorists targeting Americans. As one Jordanian intelligence professional explained, placing himself from the perspective of a Sunni extremist (paraphrased) “I go to the Saudis when I need money and I go to the Iranians when I need arms, training, or supplies.”

190. Regional Kurdish security officials also documented Iran’s provision of weapons and equipment to Sunni terrorists targeting Americans in Iraq. “[I]n the town of Tuwella, the local PUK [Patriotic Union of Kurdistan, a large political party] chief, Ismail Ameen, said [that] . . . [j]ust before the war, in February 2003, he saw six gray Toyota Landcruisers drive into town from the

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<sup>83</sup> 18 U.S.C. § 2339A(b)(1).

Iranian border. He said the trucks were loaded with bullets and mortar shells for [an al-Qaeda affiliate's] fighters. 'They would have run out of ammunition . . . without the supplies they got from Iran,' he said. Two top PUK security officials, and three members of the PUK's political bureau, also contended that Iran has continued to support Islamist insurgents."<sup>84</sup> As one report explained in 2004:

For years, and with the blessing of Iranian officials, Islamist terrorist groups have smuggled weapons ... into Iraq ... many Kurdish intelligence and security officials said. ... [H]ere in the mountains of Kurdistan ... are tangible footprints of Iran's collaboration with terror and insurgent groups responsible for attacks inside Iraq. According to a half-dozen officials in the Patriotic Union of Kurdistan, ... Iran has extended its network of agents inside Iraq. Iran, the officials say, continues to aid groups like Ansar al-Islam and Abu Musab al-Zarqawi's group, now named Al Qaeda in Mesopotamia. Even though Iran is a Shi'ite theocracy, these officials said, it helps Sunni insurgent groups because it wants to prevent a strong unified government from taking shape in Iraq. "They go back and forth after running missions here," said Anwar Haji Othman, head of security in the area ... including a long stretch of the Iranian border.<sup>85</sup>

191. Regional papers in the Middle East also agree with this conclusion. As one Bahraini paper observed, Iran's decision to "transfer[] munitions to Sunni extremists fighting the Americans in Iraq," accords with similar decisions Iran made to "export[] weapons to the Taliban" and other anti-American terrorists who did not follow the Khomeinist school of Iranian theological supremacy like "the Zaidi Houthis" and "Syria's Alawites ... [who] hail from significantly different schools of Islam."<sup>86</sup>

192. Iran also funneled weapons to Sunni terrorists in Iraq through its proxy, Ansar al-Islam. Given its location on both sides of the Iran/Iraq border, Ansar al-Islam could not have

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<sup>84</sup> Thanassis Cambanis, *Along Border, Kurds Say, Iran Gives Boost To Uprising*, Boston Globe (Nov. 7, 2004), 2004 WLNR 6887856 ("Cambanis, *Along Border*").

<sup>85</sup> *Id.*

<sup>86</sup> DT News (Bahrain), *Why is Tehran Recruiting Daesh Jihadists?* (Nov. 5, 2018), 2018 WLNR 34281745

sourced any of its supplies or fighters without the active cooperation of the IRGC and the Qods Force. As the Jamestown Foundation concluded, Ansar al-Islam’s “military supplies came in from Iran,” as did the group’s fighters, who had depended upon the cooperation of Iran to transit through Iran (between Iraq and the Afghanistan-based camps they also attended) as well as to provide a safe-haven from which to plan attacks.<sup>87</sup>

193. After American forces destroyed Ansar al-Islam’s camp in Iraqi Kurdistan in March 2003, Zarqawi and his Ansar al-Islam lieutenants fled to Iran, where they regrouped, rearmed, trained, and continued to plan operations against Americans in Iraq, all while “Iran continued to supply Ansar al-Islam and its ally, Abu Musab al-Zarqawi, smuggling supplies for the insurgency against the U.S. and its coalition partners. In this way, the Zarqawi-Iran connection was maintained from his retreat from Afghanistan to his arrival in Iraq.”<sup>88</sup>

194. Indeed, as the *Boston Globe* reported in 2004, “[f]or years, and with the blessing of Iranian officials,” Ansar al-Islam “smuggled weapons ... into Iraq on this [Iranian] road [near the Iraqi border], many Kurdish intelligence and security officials said.”<sup>89</sup>

195. Ansar al-Islam received weapons and munitions from Iran, including Katyusha rocket launchers, mortar rounds, and the ubiquitous Toyota Land Cruiser SUVs used by Ansar al-Islam, which “could not have been smuggled into the area without the tacit approval of the Iranian government and security apparatus.”<sup>90</sup>

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<sup>87</sup> Romano, *An Outline of Kurdish Islamist Groups in Iraq*.

<sup>88</sup> Dore Gold and Lt. Col. (Res.) Jonathan D. Halevi (Israel Defense Forces), *Zarqawi and Israel: Is There a New Jihadi Threat Destabilizing the Eastern Front?*, Jerusalem Center for Public Affairs, Jerusalem Issue Brief Vol. 5 No. 12 (Dec. 15, 2005) (“Gold and Halevi, *Zarqawi*”).

<sup>89</sup> Cambanis, *Along Border*.

<sup>90</sup> The Washington Institute for Near East Policy, *The Islamist Threat from Iraqi Kurdistan* (Dec. 1, 2001).

196. Iranian support was also key to al-Qaeda's and its affiliates' ability to execute their signature attacks. Al-Qaeda's IEDs and suicide bomb attacks offer two examples. With respect to the former, Iranian aid was key to the success of Sunni terrorists' campaign of IED attacks against Americans in Iraq. Coalition personnel on the ground in Iraq concluded that Iran provided substantial IED-related support to Sunni terrorists targeting Americans in Iraq. For example, by the summer of 2006, Task Force 16 members responsible for hunting al-Qaeda-in-Iraq terrorists had concluded that Iran was providing sophisticated IED technology to Sunni terrorists in Iraq, led by al-Qaeda, in order to inflict casualties on Americans in Iraq. British military personnel in Iraq reached a similar conclusion a year prior when, in 2005, "a senior British general repeated a claim that bomb-making technology is crossing into Iraq from Iran."<sup>91</sup> As reported at the time:

Major-General Jim Dutton, who commands a multinational force in south-eastern Iraq, said the know-how for advanced bombs was coming 'across that border'. ... Defence sources quoted independently by the BBC were more blunt, saying that the Revolutionary Guards, an elite fighting force appointed by the country's supreme leader, were indeed giving original bomb-making training to Iraq's insurgents. At first and even second glance, allegations of an alliance between Iran and Al-Qaeda, especially if it incorporates cells affiliated to the terror organisation presently operating in Iraq, defies all sense and logic. For a start, Iran is Persian/Shi'ite, while Al-Qaeda is Arab/Sunni. ... [I]t now seems clear that Iran and Al-Qaeda generally have been drawn together, despite their obvious ideological and religious differences, by a common goal: To facilitate global jihad and help hasten American failure in Iraq.<sup>92</sup>

197. Iran also helped provide al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam the "weapons" they used when they deployed suicide bombers in Iraq, as Iran was the original source of the groups' collective embrace of suicide bombing as a tactic, and Iranian geography was

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<sup>91</sup> John R. Bradley, *Real Threat From Iran Is Here, Now*, Straits Times (Singapore) (Nov. 14, 2005), 2005 WLNR 18356274 ("Bradley, *Real Threat From Iran*").

<sup>92</sup> Bradley, *Real Threat From Iran*.

necessary for the travel of suicide bombers into Iraq, which in the case of a suicide bomber accomplished the “insertion” of the weapon into the country.

198. Separately, Iranian territorial aid was also key to the success of al-Qaeda’s IED attacks and suicide bombs because only through Iran could al-Qaeda and its affiliates maintain the CAN fertilizer supply chain from the Pakistani supplier upon which they relied. As a result, al-Qaeda could not have executed its campaign of fertilizer-based suicide bomb and IED attacks against Americans in Iraq without the terrorist land bridge provided by Iran. On information and belief, al-Qaeda sourced some of its fertilizer for use in their Iraqi bombs from a supplier in Pakistan and transported such fertilizer across from Pakistan to Iraq by using the terrorist land bridge offered by Iran, which al-Qaeda could not have accomplished without the aid of the IRGC, which controls Iran’s borders with Afghanistan and Iraq, and whose permission is necessary to transport any goods overland from the above-described route from Pakistan to Iraq.

**C. Iran Provided Its Iraqi Sunni Terrorist Proxies with Lodging, Training, Expert Advice or Assistance, Safehouses, Personnel, and Transportation**

199. Iran also provided its Sunni Terrorist Proxies in Iraq with lodging, training, expert advice or assistance, safehouses, and transportation. Iran taught its Sunni Terrorist Proxies attack techniques that were particularly effective against U.S. and Coalition forces. Without the training, lodging, safehouses, and transportation assistance from Iran and its agents, Iran’s Sunni Terrorist Proxies would not have been able to launch as successful a terrorist campaign against Americans in Iraq.

200. **Lodging, Safehouses, and Transportation.** Iran has maintained a decades-long travel assistance relationship with al-Qaeda as part of the terrorist alliance between Iran, al-Qaeda, and Lebanese Hezbollah.



201. By no later than January 2002, the Qods Force had approved a strategic plan to actively support al-Qaeda's post-9/11 terrorist attacks against Americans in the Middle East by providing sanctuary in Iran to senior al-Qaeda terrorists and their family members, directly supported and managed by the Qods Force. To facilitate al-Qaeda members' flight from Afghanistan to their newfound Iranian safe-haven, the Qods Force relied upon the assistance of Zarqawi – whom it already knew based on his travels in the region – to coordinate the travel of senior Qaeda operatives, including Saif al-Adel, from Afghanistan to Iran.

202. Sitting between Iraq and Afghanistan and having a long history of facilitating Sunni terrorist travel and logistics, Iran was ideally suited to aid the ascendant Sunni insurgency in Iraq after March 2003 because al-Qaeda's assistance could only flow from Afghanistan to Iraq via Iran. Reporting the views of Kurdish security officials, one journalist explained in 2004 that there is a long history in the Middle East “of nations giving shelter to their enemies' enemies” and thus “[t]he apparent Iranian ties to [Sunni] mujahedeen groups operating inside Iraq only continue[d] this long Machiavellian tradition,” and reflected Iran's willingness to “work with [Sunni] groups ... whose ideology is so opposed to theirs, because they want to have a card to play in Iraq.”<sup>93</sup>

203. Iran's service as the “terrorist land bridge” by its provision of travel assistance to al-Qaeda and al-Qaeda-in-Iraq was essential to the terrorists' ability to conduct attacks against Americans in Iraq. As Judge Daniels found in another case against Iran,

Perhaps the most important form of aid Iran gave al Qaeda prior to 9/11 (and continues to give today) involves the facilitation of travel. ... Travel assistance “is invaluable,” not only to avoid detection and arrest, but established lines of transit make recruitment and training easier, as individuals can travel to and from training camps without fear of interference. Also, travel facilitation enables better communication and coordination. Even before 9/11, al Qaeda was aware that the United States monitored phones and other forms of communication and recognized

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<sup>93</sup> Cambanis, *Along Border*.

that many sensitive deliberations are best done face-to-face. Doing so requires individuals who can travel freely from one area to another.<sup>94</sup>

204. “In the mid–1990s, when the Iran–Hizballah–al Qaeda terror alliance was forming, al Qaeda operative Mustafa Hamid had ‘negotiated a secret relationship with Iran that allowed safe transit via Iran to Afghanistan.’”<sup>95</sup>

205. “Numerous admissions from lower level al Qaeda members who were interrogated at the detention facility at Guantanamo Bay confirm the existence of the clandestine Iran–Afghanistan passageway, managed by MOIS. Al Qaeda had ‘total collaboration with the Iranians,’ and had its own organization in Iran ‘that takes care of helping the mujahedin brothers cross the border.’”<sup>96</sup> “By ... providing safe passage through Iran and into Afghanistan, and by permitting Hezbollah to receive the traveling group ... Iran, in essence, acted as a state sponsor of terrorist travel.”<sup>97</sup> These trends have continued without interruption since the 1990s.

206. After 9/11, Iran provided safehouses to many senior leaders of al-Qaeda and their families, including Osama bin Laden’s sons. Iran permitted these senior leaders to move freely within Iran in the early 2000s, while they continued to direct, organize, and support al-Qaeda’s terrorist operations throughout the world.<sup>98</sup> In essence, Iran provided al-Qaeda with a safe haven from which to orchestrate its terrorist activities.<sup>99</sup> As Judge Daniels found:

When the United States-led multi-national coalition attacked the Taliban regime in Afghanistan in the fall of 2001, Iran facilitated the exit from Afghanistan, into Iran, of numerous al Qaeda leaders, operatives, and their families. The Iran–Afghanistan

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<sup>94</sup> *In re Terrorist Attacks on Sept. 11, 2001*, 2011 WL 13244047, at \*28 (findings of fact).

<sup>95</sup> *Id.* at \*17 (findings of fact) (internal citations omitted).

<sup>96</sup> *Id.* (internal citations omitted).

<sup>97</sup> *Id.* (internal citations omitted).

<sup>98</sup> *Id.*

<sup>99</sup> *Id.* at 150-51 (“When a foreign sovereign allows a terrorist organization to operate from its territory, this meets the statutory definition of ‘safehouse.’”).

safe passageway, established earlier to get al Qaeda recruits into and out of the training camps in Afghanistan, was utilized to evacuate hundreds of al Qaeda fighters and their families from Afghanistan into Iran for safe haven there. The IRGC knew of, and facilitated, the border crossings of these al Qaeda fighters and their families entering Iran.

Osama bin Laden's friend, Gulbuddin Hekmatyar, who was then in exile in Iran near the Afghan border, was instrumental in the evacuation of al Qaeda into Iran, as were Imad Mughniyah and Iran's Qods Force commander Ahmad Vahidi.

Among the high-level al Qaeda officials who arrived in Iran from Afghanistan at this time were Saad bin Laden and the man who would soon lead "al Qaeda in Iraq," Abu Mussab Zarqawi.<sup>100</sup>

207. The Coalition's civilian military leadership in the United States and Iraq also concluded that Iran provided such safe haven support to Zarqawi and other AQI terrorists.

208. The list of al-Qaeda-affiliated terrorists who supported al-Qaeda attacks against Americans from their post 9/11 Iranian safe-haven reads like an al-Qaeda management roster, featuring nearly two dozen senior leaders, organizers, planners, ideologues, and terrorist operatives from around the world – comprising most of al-Qaeda's military council between from 9/11 through 2015. The following terrorists all sheltered at the Qods Force facility in Tehran, and most (all but Zarqawi, who died a year earlier) were witnessed by a person who visited the facility on or about 2007:

- **Osama bin Laden's family**, including sons Saad, Mohammad, Othman, Ladin, and Hamza (one of whom even got married in Iran), wife Najwa, and daughter Iman;
- **Abu Musab al-Zarqawi**, who launched al-Qaeda-in-Iraq's campaign against America from Iran;
- **Abu Muhammad al-Masri**, al-Qaeda's chief of foreign relations and a senior member of al-Qaeda's military council who became al-Qaeda's the number 2 overall, behind only Zawahiri, after bin Laden was killed in 2011, and who managed al-Qaeda operations from his safe haven in Iran from 9/11 until he was killed in Tehran by Mossad agents on August 7, 2020;

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<sup>100</sup> *Id.* at \*25 (internal citations omitted).

- **Saif al-Adel**, al-Qaeda’s military chief and number 3 overall, who, among other things, personally managed al-Qaeda’s support for Zarqawi and the Zarqawi/bin Laden relationship, was tasked with facilitating al-Qaeda’s support for the Sunni insurgency against Americans in Iraq from Iran, and directed anti-American attacks from Iran under the wing of the Qods Force;
- **Abu Musab al-Suri**, a senior al-Qaeda strategist who was one of the most important thinkers for the group;
- **Mahfouz Ibn El Waleed**, a key member of al-Qaeda’s leadership council and its sharia committee, who helped approve and justify attacks against America from his safe haven in Iran;
- **Abu Dagana al-Alemanni**, a senior al-Qaeda attack planner who coordinated al-Qaeda’s logistical support for its global affiliates from Iran; and
- **Sulaiman Abu Ghaith**, who served as al-Qaeda’s spokesman from Iran and helped rally support for al-Qaeda’s anti-American jihad from there.

209. Among the senior al-Qaeda leaders who fled to Iran after 9/11, most remained ensconced in Iran thereafter, never leaving their Iranian safe-haven while continuing to support the jihad against America. Zarqawi and his lieutenants were the one notable exception: they accepted the Qods Force’s offer of money, arms, and transportation from Kurdistan to Baghdad, all of which they used to launch their terror campaign against Americans in Iraq and launch al-Qaeda-in-Iraq’s campaign against Americans there.

210. Iran’s safe haven support for al-Qaeda did not diminish in the years after 9/11. For example, in 2011, Judge Daniels found, as a matter of law, that “[s]ince the 9/11 attacks, and continuing to the present day, Iran continues to provide material support and resources to al Qaeda in the form of safe haven for al Qaeda leadership and rank-and-file al Qaeda members.”<sup>101</sup>

211. As the *Washington Post* reported after al-Qaeda’s number 2, Masri, was killed in Tehran in 2020, “[m]any of al-Qaeda’s senior commanders have been sheltered in Iran, though one

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<sup>101</sup> *In re Terrorist Attacks on Sept. 11, 2001*, 2011 WL 13244047, at \*41 (findings of fact).

by one, they have been killed in recent years. With Masri's death, the only remaining member of al-Qaeda's shura council — its core leadership — with operational al-Qaeda terrorist experience is Saif al-Adel, who is believed still to be in Iran.”<sup>102</sup>

212. Iran’s assistance also extended to permitting al-Qaeda and its affiliates, like al-Qaeda-in-Iraq, to use Iran as a safe-haven from which to plan and prepare attacks against Americans in Iraq. As Judge Daniels found, after 9/11, “[t]here have been numerous instances of al Qaeda operatives and leaders meeting, planning, and directing international terrorist operations from the safety of Iranian territory. Senior al Qaeda members continued to conduct terrorist operations from inside Iran.”<sup>103</sup>

213. In August 2003, Iran facilitated a meeting in Tehran between lieutenants from al-Qaeda-in-Iraq and Ansar al-Islam, in which the participants agreed in Zarqawi’s name to establish a permanent terrorist base in Kurdistan to facilitate attacks against Americans and ensure the smooth functioning of the pipeline between the Arab world and Afghanistan, which ran through Iran and was essential to Sunni terrorists supply of weapons, funds, and personnel.

214. In Tehran, the Qods Force operated a facility for al-Qaeda and al-Qaeda-in-Iraq leaders and operatives that was known as “Block 300.” At Block 300, the Qods Force provided shelter, communications, training, and other assistance to al-Qaeda and al-Qaeda-in-Iraq terrorists from 2001 through the present day. For example, in August 2007, a visitor to Block 300 saw bin Laden’s sons Saad, Mohammed, Othman, Hamzah, and Ladin, as well as Saif al-Adel, Abu al-Khayr al-Masri, and Sulaiman Abu Ghaith. The same visitor in 2007 observed that all of al-

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<sup>102</sup> Ellen Nakashima, *Israel, At Behest of U.S., Killed al-Qaeda’s Deputy in a Drive-By Attack in Iran*, Washington Post (Nov. 14, 2020), 2020 WLNR 32556539

<sup>103</sup> *In re Terrorist Attacks on Sept. 11, 2001*, 2011 WL 13244047, at \*25 (findings of fact) (internal citations omitted).

Qaeda's military council was present at Block 300 other than Zawahiri and Sheikh Saeed al-Masri. Key female members of bin Laden's family were also housed at Block 300.

215. Soleimani personally assigned two senior Qods Force officers to see to the needs of the senior al-Qaeda leaders and their family members sheltering at Block 300. Throughout, the Qods Force provided senior al-Qaeda leaders with everything they needed to sustain their leadership inside Iran and maintain the morale of their military council and their families, including generous residential accommodations, trips to luxury shopping destinations, gym memberships, and the finest medical care in Iran (which was otherwise only available to the clerics and senior leaders of the Iranian regime).

216. Al-Qaeda's relationship with its Qods Force protectors was so warm that al-Qaeda's military council and bin Laden's sons invited their Qods Force handlers to break their Ramadan fast with them at Block 300. The Qods Force responded by taking al-Qaeda's military council out to a five-star restaurant for an *iftar* meal. Days later, Soleimani himself arrived in person at Block 300 to celebrate Eid with bin Laden's sons, joining them to break the fast.

217. At this time, al-Qaeda depended upon the assistance of the Qods Force to maintain al-Qaeda's Iran pipeline, through which the group moved funds and personnel between the Middle East and its home base in Pakistan.

218. In meetings at Block 300 on or about 2007 and 2008, Iranian officials met with the designated leader of the al-Qaeda and al-Qaeda-in-Iraq terrorists who were sheltering in their Qods Force-provided safe-haven. During these meetings, the Iranian officials told al-Qaeda and al-Qaeda-in-Iraq, through their designated spokesman at Block 300, in sum and substance, that the welfare of bin Laden's family was Soleimani's personal responsibility. By this time, Soleimani had a positive relationship with bin Laden's sons residing in Iran, who referred to Soleimani as

“Hajji Qassem” and relayed to other al-Qaeda leaders that Soleimani and al-Qaeda had both been targeted by America and should therefore work together. At these meetings, the Iranian officials and al-Qaeda agreed that they should cooperate regarding the conflict in Iraq.

219. In one meeting at Block 300 on or about 2008, Soleimani addressed al-Qaeda’s senior leaders, as well as bin Laden’s family, and stated that “I did my best to serve you” and “I stopped those who wanted to hurt you.” Soleimani also made it clear on multiple occasions to al-Qaeda’s leaders that Iran remained willing to continue helping as long as Iran benefited.

220. Soleimani continued to personally tend to his al-Qaeda assets at Block 300 until Soleimani’s own demise in 2020. For example, after bin Laden was killed in 2011, to try to break the malaise that had overtaken Block 300, Soleimani instructed his Qods Force deputies to take the al-Qaeda women and children on a trip for shopping and to an amusement park, while al-Qaeda’s assembled *shura* in Iran could discuss strategy.

221. In 2015, an intelligence review at the Defense Intelligence Agency confirmed additional measures of Iran’s support for al-Qaeda, including Iranian facilitation of al-Qaeda travel between Iraq and Pakistan.

222. Iran also provided transportation assistance, lodging and safe-haven assistance to al-Qaeda-in-Iraq terrorists, including Zarqawi himself and other senior leaders of the group. In doing so, Iran provided similar lodging, training, expert advice or assistance, safehouses, and transportation to al-Qaeda-in-Iraq as it did for al-Qaeda.

223. Zarqawi had deep relations in Iran owing to his status as the top terrorist and operator at al-Qaeda’s training camp in Herat, Afghanistan, close to the Iranian border.

224. After 9/11, Zarqawi took refuge in Iran and established new al-Qaeda training camps and safe houses inside Iran at sites in Zahedan, Isfahan, and Tehran. From his new Iranian

safe-haven, Zarqawi invited his followers, including seasoned terrorists in Europe, to travel to Tehran to meet with him, bringing money and receiving instructions from Zarqawi.

225. To facilitate al-Qaeda-in-Iraq's communications and attack planning, the Qods Force provided AQI with phone and facsimile numbers and facilitated AQI's use of couriers. With respect to the former, the Qods Force provided substantial communications support to al-Qaeda-in-Iraq, including the following numbers for AQI's use courtesy of Iran: 0X9X-9X1X3X1X3X, 0X9X-9X1X3X9X4X, 0X9X-2X8X5X6X8, and 0X9X-9X3X1X3X9X.<sup>104</sup>

226. During this time, the Qods Force also provided false documents to al-Qaeda-in-Iraq leaders and operatives to aid in their ability to move between Iran, Iraq, Afghanistan, Syria, Lebanon, and Jordan. For example, the Qods Force arranged for special passports and false documents for Zarqawi and his fighters to be able to enter Iraq without a visa.

227. Zarqawi's apparent close relationship with the Syrian regime – which is Iran's closest nation-state ally – corroborates the existence of his alliance with Iran. Given the Syrian regime's support for the Iraqi insurgency, the ease with which Zarqawi was able to enter and exit Syria, and the regular flow of some AQI recruits through Syria into western Iraq, it is reasonable to conclude that Zarqawi had a close and collaborative relationship with the Syrian regime. Given Syria's status as an Iranian client, such relations further corroborate Zarqawi's receipt of support from Iran, as Syria would not have supported such activities without Iran's blessing.

228. Iran also provided safe-haven to other senior AQI leaders in addition to Zarqawi. Based on the confession of one of Zarqawi's Jordanian associates, Ahmad Mahmud Salih Al-Riyati, who was detained by Coalition forces in March 2003, Jordanian intelligence confirmed that nearly all the senior leaders of Zarqawi's group had been sheltering and planning attacks from

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<sup>104</sup> Plaintiffs have redacted every other number in the numbers affiliated with Zarqawi.



Iran. Jordanian intelligence also concluded that Zarqawi himself probably directed al-Qaeda-in-Iraq's attacks against Americans in Iraq from his safe-haven in Iran.

229. **Training, Expert Advice or Assistance, and Personnel.** Iran's (including Lebanese Hezbollah's) training of the IRGC's Sunni Proxies in small unit tactics, small arms, explosives, indirect fire, and other techniques enabled the Sunni Proxies to more effectively attack Americans in Iraq. The Sunni Proxies in Iraq used Iran's training to kill or injure Plaintiffs or their family members.

230. Like its transportation assistance to al-Qaeda, Iran has also maintained a decades-long training relationship with al-Qaeda as part of the terrorist alliance between Iran, al-Qaeda, and Lebanese Hezbollah.

231. Iran, through the IRGC and Hezbollah, served as the original trainer for al-Qaeda with respect to suicide bombings, attacks against large buildings, IEDs, explosives, intelligence, and general tactics for attacks directed at American interests. For example, senior al-Qaeda operatives traveled to Iran and Lebanon during this period to camps run by Hezbollah and sponsored by the Qods Force.<sup>105</sup> The operatives received advanced explosives training that enabled al-Qaeda to launch large-scale terrorist attacks on American embassies in Africa.<sup>106</sup> According to one senior al-Qaeda official, trainers at this time were already researching how to develop shaped charges to pierce armor plating – the technology later perfected in Iranian EFPs.

232. As Judge Daniels found in another case against Iran, “[t]hroughout the 1990s, the al Qaeda–Iran–Hizballah terrorist training arrangement continued. Imad Mughniyah himself

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<sup>105</sup> *Owens v. Republic of Sudan*, 826 F. Supp. 2d 128, 151 (D.D.C. 2011) (“Prior to al Qaeda members’ training in Iran and Lebanon, al Qaeda had not carried out any successful large scale bombings.”).

<sup>106</sup> *Id.*

coordinated these training activities, including training of al Qaeda personnel, with Iranian government officials in Iran and with IRGC officers working undercover at the Iranian embassy in Beirut, Lebanon. At all times, Iran's Supreme Leader was fully aware that Hizballah was training such foreign terrorists."<sup>107</sup>

233. Through its relationship with al-Qaeda and al-Qaeda-in-Iraq, Iran was the proximate and but-for cause of al-Qaeda-in-Iraq's suicide bombing attacks against Americans in Iraq, because Al-Qaeda was responsible for the success of al-Qaeda-in-Iraq's suicide bomb attacks against Americans in Iraq, and al-Qaeda itself could not have survived after 9/11 without the key support provided by Iran.

234. Iran also provided training to Zarqawi and other al-Qaeda-in-Iraq terrorists at IRGC training camps in Iran. Indeed, on or about 2004, Soleimani reportedly boasted that Zarqawi had trained at an IRGC camp in Mehran, Iran, and that Zarqawi and his network were free to travel between Iran and Iraq through multiple IRGC-controlled border crossings.

235. Iraqi officials also confirmed Iran's key logistical support for Zarqawi's terrorist campaign in Iraq. For example, in December 2004, a senior Iraqi defense official publicly alleged – based on information derived from an interrogation of an al-Qaeda-in-Iraq operative who had been detained in Iraq – that Iran and Zarqawi were working together to train AQI terrorists at IRGC facilities in Iran.

236. By 2004, Iran's relationship with Zarqawi grew to be so open and notorious that the "United States ... warned Iran against providing any type of support to Al-Qaeda-linked

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<sup>107</sup> *In re Terrorist Attacks on Sept. 11, 2001*, 2011 WL 13244047, at \*12.

foreign militant Abu Mussab al-Zarqawi and his Tawhid wal Jihad (Unity and Holy War) group, saying such backing would be a ‘very, very serious matter.’”<sup>108</sup>

237. As Judge Daniels found, “[t]he IRGC maintained a separate terrorist training camp especially for Saudi nationals because of their distinct cultural habits and religious practices. This training camp was located in Iraqi Kurdistan and controlled first by Iranian intelligence and later by Abu Musab Zarqawi, later to be the notorious head of ‘al Qaeda in Iraq.’”<sup>109</sup>

238. Iran’s provision of lodging, safe harbor, and transportation to key al-Qaeda-in-Iraq leaders, including but not limited to, Zarqawi, was the but for and proximate cause of the formation of al-Qaeda-in-Iraq in the first instance.

239. Iran also provided logistical, training, and safe-haven directly to Ansar al-Islam terrorists targeting Americans in Iraq. As documented in a U.S. intelligence report, “there were approximately 320 Ansar al-Islam terrorists being trained in Iran . . . for various attack scenarios including suicide bombings, assassinations, and general subversion against U.S. forces in Iraq.” Similarly, a British defense report noted “some elements [of Ansar al-Islam] remain in Iran. Intelligence indicates that elements [of Iran’s Islamic Revolutionary Guard Corps] are providing safe haven and basic training to Iran-based [Ansar al-Islam] cadres.”

#### **D. Iran Provided Its Iraqi Sunni Terrorist Proxies with Financial Support**

240. Iran also provided financial support to al-Qaeda, al-Qaeda-in-Iraq, and Ansar al-Islam for the purpose of causing violence against Americans in Iraq. Iran accomplished this financial support through a number of direct and indirect means.

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<sup>108</sup> Agence France Presse English Wire, *US Warns Iran Against Any Support For Zarqawi* (October 18, 2004).

<sup>109</sup> *In re Terrorist Attacks on Sept. 11, 2001*, 2011 WL 13244047, at \*12.

241. In some instances, Iran directly paid money to Sunni terrorists. For example, regional Kurdish security officials documented Iran's provision of cash to Sunni terrorists cycling back and forth between Iraq and their safe havens in Iran:

For years, and with the blessing of Iranian officials, Islamist terrorist groups have smuggled ... money into Iraq ... When US special forces and Kurdish peshmerga fighters attacked Ansar al-Islam, an Al Qaeda affiliate, in March 2003, hundreds of its members fled to Iran, the officials said, and have regrouped in several towns just over this border. There, they continue to ... raise funds, and plan terrorist operations in Iraq ... Iraqi and US officials have grumbled for more than a year about what they perceive as Iranian interference in Iraq. ... According to a half-dozen officials in the Patriotic Union of Kurdistan, known as the PUK, which controls the southern half of the Kurdistan region of Iraq, and commanders in the peshmerga, the force that provides security in the region, Iran has extended its network of agents inside Iraq. Iran, the officials say, continues to aid groups like Ansar al-Islam and Abu Musab al-Zarqawi's group, now named Al Qaeda in Mesopotamia. Even though Iran is a Shi'ite theocracy, these officials said, it helps Sunni insurgent groups because it wants to prevent a strong unified government from taking shape in Iraq. "They go back and forth after running missions here," said Anwar Haji Othman, head of security in the area around Halabja, including a long stretch of the Iranian border. "They bring cash from Iran to Iraq across the border."<sup>110</sup>

242. When it imposed sanctions in 2011, the Obama Administration recognized the funding nexus between Iran and al-Qaeda. Moreover, "Obama Administration officials have stated that senior Iranian officials know about the money transfers and allow the movement of al-Qaeda foot soldiers through Iranian territory."<sup>111</sup>

243. Iran specifically funded Zarqawi's terrorist campaign against Americans in Iraq. According to a senior al-Qaeda terrorist, "the Quds Force ... supplied Zarqawi with ... money. If Osama was responsible for financing the butchers of Baghdad [i.e., Zarqawi], so was Tehran."

244. As two terrorism scholars explained:

The critical point is that there is considerable evidence that Zarqawi may have developed an Iranian connection for financial and logistical support. It was not the

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<sup>110</sup> Cambanis, *Along Border*.

<sup>111</sup> *In re Terrorist Attacks on Sept. 11, 2001*, 2011 WL 13244047, at \*26.

first time Shiite Iran reached out to radical Sunni terrorist organizations. For years, Iran has sponsored Palestinian Islamist groups, particularly Islamic Jihad but also Hamas, as well. Iran had a constant interest to reach out beyond the Shiite Islamic communities of the Middle East to the much wider Sunni Muslim world, and Zarqawi had objective needs that could be met by Iran. Unlike Osama bin Laden, who could fall back on his own family's wealth and the backing of both Saudi charities and individuals, Zarqawi came from a poor background in Jordan. To wage his terrorist campaign, he needed state backing from somewhere. Indeed, *Al-Sharq al-Awsat* wrote in May 2004 that the Iranians had offered Zarqawi about \$900,000 and explosives. The same Arabic source reported in August that Brig.-Gen. Qassem Suleimani of the Revolutionary Guards was asked why Iran backs Zarqawi, given his attacks on Shiites. Suleimani reportedly answered that Zarqawi's actions serve the interests of Iran by undermining the emergence of a pro-U.S. government in Iraq.<sup>112</sup>

245. Like its relationships with al-Qaeda and al-Qaeda-in-Iraq, Iran also provided substantial financial assistance to Ansar al-Islam terrorists to underwrite their attacks against Americans in Iraq.

#### **IV. IRANIAN TERRORIST PROXIES KILLED AND INJURED PLAINTIFFS THROUGH TERRORIST ATTACKS FOR WHICH IRAN PROVIDED MATERIAL SUPPORT AND/OR RESOURCES**

246. Plaintiffs are members of the U.S. military, U.S. government employees, and U.S. government contractors serving in Iraq, and their family members, who were killed or injured in terrorist attacks conducted by one or more of Iran's Sunni Terrorist Proxies: al-Qaeda, al-Qaeda, and/or Ansar al-Islam (each, individually, an "Iranian Terrorist Proxy"). Iran's provision of material support and/or resources for these acts of extrajudicial killing caused Plaintiffs' personal injuries or deaths.

##### **A. The Martino Family**

247. Major Michael David Martino served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

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<sup>112</sup> Gold and Halevi, *Zarqawi*.

248. On November 2, 2005, Maj Martino was injured in attack on the helicopter committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. Maj Martino died on November 2, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

249. Maj Martino was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

250. Plaintiff Mr. Robert Martino is the father of Maj Martino. He is, and has been at all relevant times, a national of the United States.

251. Plaintiff Ms. Sybil Martino is the mother of Maj Martino. She is, and has been at all relevant times, a national of the United States.

252. As a result of the November 2, 2005 attack and Maj Martino's injuries and death, each member of the Martino Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Maj Martino's society, companionship, and counsel.

**B. The Acklin Family**

253. Sergeant Michael D. Acklin II served in Iraq as a member of the U.S. military serving in the U.S. Army.

254. On November 15, 2003, SGT Acklin was injured in attack on the helicopter committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. SGT Acklin died on November 15, 2003 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

255. SGT Acklin was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

256. Plaintiff Ms. Dorothy Acklin is the mother of SGT Acklin. She is, and has been at all relevant times, a national of the United States.

257. As a result of the November 15, 2003 attack and SGT Acklin's injuries and death, each member of the Acklin Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Acklin's society, companionship, and counsel.

**C. The Adams Family**

258. Sergeant 1st Class Brent Allen Adams served in Iraq as a member of the U.S. military serving in the Pennsylvania Army National Guard.

259. On December 1, 2005, SFC Adams was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SFC Adams died on December 1, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

260. SFC Adams was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

261. Plaintiff Mrs. Barbara Benard is the mother of SFC Adams. She is, and has been at all relevant times, a national of the United States.

262. As a result of the December 1, 2005 attack and SFC Adams's injuries and death, each member of the Adams Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SFC Adams's society, companionship, and counsel.

**D. The Allen Family**

263. Corporal Aaron Michael Allen served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

264. On November 14, 2008, Cpl Allen was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. Cpl Allen died on November 14, 2008 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

265. Cpl Allen was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

266. Plaintiff Ms. Mary Allen is the mother of Cpl Allen. She is, and has been at all relevant times, a national of the United States.

267. As a result of the November 14, 2008 attack and Cpl Allen's injuries and death, each member of the Allen Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Cpl Allen's society, companionship, and counsel.

**E. The Anderson Family**

268. Sergeant Ian Christian Anderson served in Iraq as a member of the U.S. military serving in the U.S. Army.

269. On January 15, 2007, SGT Anderson was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. SGT Anderson died on January 15, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

270. SGT Anderson was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

271. Plaintiff Mrs. Elaine Frazier is the mother of SGT Anderson. She is, and has been at all relevant times, a national of the United States.



272. Plaintiff Mrs. Ellen Leach is the sister of SGT Anderson. She is, and has been at all relevant times, a national of the United States.

273. As a result of the January 15, 2007 attack and SGT Anderson's injuries and death, each member of the Anderson Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Anderson's society, companionship, and counsel.

**F. The Anderson Family**

274. Sergeant Phillip R. Anderson served in Iraq as a member of the U.S. military serving in the U.S. Army.

275. On March 10, 2008, SGT Anderson was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. SGT Anderson died on March 10, 2008 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

276. SGT Anderson was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

277. Plaintiff Mr. Kenneth Anderson is the father of SGT Anderson. He is, and has been at all relevant times, a national of the United States.

278. As a result of the March 10, 2008 attack and SGT Anderson's injuries and death, each member of the Anderson Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Anderson's society, companionship, and counsel.

**G. The Arnold Family**

279. Sergeant Larry Richard Arnold Sr. served in Iraq as a member of the U.S. military serving in the Mississippi Army National Guard.

280. On June 11, 2005, SGT Arnold was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SGT Arnold died on June 11, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

281. SGT Arnold was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

282. Plaintiff Ms. JoAnn Arnold is the sister of SGT Arnold. She is, and has been at all relevant times, a national of the United States.

283. As a result of the June 11, 2005 attack and SGT Arnold's injuries and death, each member of the Arnold Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Arnold's society, companionship, and counsel.

#### **H. The Ayro Family**

284. Private 1st Class Lionel Ayro served in Iraq as a member of the U.S. military serving in the U.S. Army.

285. On December 21, 2004, PFC Ayro was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. PFC Ayro died on December 21, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

286. PFC Ayro was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

287. Plaintiff Ms. Iesha Ayro is the sister of PFC Ayro. She is, and has been at all relevant times, a national of the United States.

288. As a result of the December 21, 2004 attack and PFC Ayro's injuries and death, each member of the Ayro Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Ayro's society, companionship, and counsel.

**I. The Baker Family**

289. Corporal Zachary David Baker served in Iraq as a member of the U.S. military serving in the U.S. Army.

290. On May 28, 2007, CPL Baker was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. CPL Baker died on May 28, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

291. CPL Baker was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

292. Plaintiff Ms. Christina Baker is the widow of CPL Baker. She is, and has been at all relevant times, a national of the United States.

293. As a result of the May 28, 2007 attack and CPL Baker's injuries and death, each member of the Baker Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Baker's society, companionship, and counsel.

**J. The Baloga Family**

294. Private 2nd Class Michael Andrew Baloga served in Iraq as a member of the U.S. military serving in the U.S. Army.

295. On July 26, 2007, PV2 Baloga was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. PV2

Baloga died on July 26, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

296. PV2 Baloga was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

297. Plaintiff Mrs. Linda Baloga is the step-mother of PV2 Baloga. She is, and has been at all relevant times, a national of the United States. Mrs. Baloga lived in the same household as PV2 Baloga for a substantial period of time and considered PV2 Baloga the functional equivalent of a biological son.

298. As a result of the July 26, 2007 attack and PV2 Baloga's injuries and death, each member of the Baloga Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PV2 Baloga's society, companionship, and counsel.

**K. The Beery Family**

299. Staff Sergeant Brock Alan Beery served in Iraq as a member of the U.S. military serving in the Kentucky Army National Guard.

300. On March 23, 2006, SSG Beery was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SSG Beery died on March 26, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

301. SSG Beery was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

302. Plaintiff Mr. Tobey Beery is the brother of SSG Beery. He is, and has been at all relevant times, a national of the United States.

303. As a result of the March 23, 2006 attack and SSG Beery's injuries and death, each member of the Beery Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Beery's society, companionship, and counsel.

**L. The Bisson Family**

304. Specialist Jeffrey Dean Bisson served in Iraq as a member of the U.S. military serving in the U.S. Army.

305. On January 20, 2007, SPC Bisson was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SPC Bisson died on January 20, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

306. SPC Bisson was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

307. Plaintiff Mrs. Lauralee Bisson is the mother of SPC Bisson. She is, and has been at all relevant times, a national of the United States.

308. Plaintiff Mr. Richard Bisson is the father of SPC Bisson. He is, and has been at all relevant times, a national of the United States.

309. Plaintiff Mr. Andrew Bisson is the son of SPC Bisson. He is, and has been at all relevant times, a national of the United States.

310. Plaintiff Mr. Christopher Bisson is the brother of SPC Bisson. He is, and has been at all relevant times, a national of the United States.

311. As a result of the January 20, 2007 attack and SPC Bisson's injuries and death, each member of the Bisson Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SPC Bisson's society, companionship, and counsel.

**M. The Blodgett Family**

312. Private 1st Class Nicholas H. Blodgett served in Iraq as a member of the U.S. military serving in the U.S. Army.

313. On July 21, 2004, PFC Blodgett was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Saladin, Iraq. PFC Blodgett died on July 21, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

314. PFC Blodgett was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

315. Plaintiff Ms. Rita Blodgett is the mother of PFC Blodgett. She is, and has been at all relevant times, a national of the United States.

316. As a result of the July 21, 2004 attack and PFC Blodgett's injuries and death, each member of the Blodgett Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Blodgett's society, companionship, and counsel.

**N. The Booth Family**

317. First Lieutenant Joshua Loren Booth served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

318. On October 17, 2006, 1stLt Booth was injured in sniper attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. 1stLt Booth died on October 17, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

319. 1stLt Booth was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

320. Plaintiff Ms. Erica Booth is the widow of 1stLt Booth. She is, and has been at all relevant times, a national of the United States.

321. Plaintiff G.B., by and through her next friend Erica Booth, is the minor daughter of 1stLt Booth. She is, and has been at all relevant times, a national of the United States.

322. Plaintiff T.B., by and through his next friend Erica Booth, is the minor son of 1stLt Booth. He is, and has been at all relevant times, a national of the United States.

323. Plaintiff Ms. Debra Booth is the mother of 1stLt Booth. She is, and has been at all relevant times, a national of the United States.

324. As a result of the October 17, 2006 attack and 1stLt Booth's injuries and death, each member of the Booth Family has experienced severe mental anguish, emotional pain and suffering, and the loss of 1stLt Booth's society, companionship, and counsel.

**O. The Borea Family**

325. Sergeant 1st Class Russell P. Borea served in Iraq as a member of the U.S. military serving in the U.S. Army.

326. On January 19, 2007, SFC Borea was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. SFC Borea died on January 19, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

327. SFC Borea was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

328. Plaintiff Mr. Christopher Borea is the brother of SFC Borea. He is, and has been at all relevant times, a national of the United States.

329. Plaintiff Ms. Kim Borea is the sister of SFC Borea. She is, and has been at all relevant times, a national of the United States.

330. As a result of the January 19, 2007 attack and SFC Borea's injuries and death, each member of the Borea Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SFC Borea's society, companionship, and counsel.

**P. The Bouchard Family**

331. Sergeant Nathan K. Bouchard served in Iraq as a member of the U.S. military serving in the U.S. Army.

332. On August 18, 2005, SGT Bouchard was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Saladin, Iraq. SGT Bouchard died on August 18, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

333. SGT Bouchard was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

334. Plaintiff Mr. John Bouchard is the father of SGT Bouchard. He is, and has been at all relevant times, a national of the United States.

335. As a result of the August 18, 2005 attack and SGT Bouchard's injuries and death, each member of the Bouchard Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Bouchard's society, companionship, and counsel.

**Q. The Butler Family**

336. Corporal Rhett Allen Butler served in Iraq as a member of the U.S. military serving in the U.S. Army.



337. On July 20, 2007, CPL Butler was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. CPL Butler died on July 20, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

338. CPL Butler was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

339. Plaintiff Ms. Shawna Westbrook is the sister of CPL Butler. She is, and has been at all relevant times, a national of the United States.

340. As a result of the July 20, 2007 attack and CPL Butler's injuries and death, each member of the Butler Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Butler's society, companionship, and counsel.

**R. The Byrd Family**

341. Specialist Thomas Harold Byrd served in Iraq as a member of the U.S. military serving in the U.S. Army.

342. On October 15, 2005, SPC Byrd was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SPC Byrd died on October 15, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

343. SPC Byrd was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

344. Plaintiff Ms. Julia Byrd is the mother of SPC Byrd. She is, and has been at all relevant times, a national of the United States.

345. As a result of the October 15, 2005 attack and SPC Byrd's injuries and death, each member of the Byrd Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SPC Byrd's society, companionship, and counsel.

**S. The Cain Family**

346. Corporal Marcus Anthony Cain served in Iraq as a member of the U.S. military serving in the U.S. Army.

347. On September 13, 2006, CPL Cain was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Baghdad, Iraq. CPL Cain died on September 13, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

348. CPL Cain was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

349. Plaintiff Mr. Leroy Cain Jr. is the father of CPL Cain. He is, and has been at all relevant times, a national of the United States.

350. As a result of the September 14, 2006 attack and CPL Cain's injuries and death, each member of the Cain Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Cain's society, companionship, and counsel.

**T. The Cantrell Family**

351. Corporal Joseph Herman Cantrell IV served in Iraq as a member of the U.S. military serving in the U.S. Army.

352. On April 4, 2007, CPL Cantrell was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Baghdad, Iraq. CPL

Cantrell died on April 4, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

353. CPL Cantrell was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

354. Plaintiff Mr. Joseph Cantrell III is the father of CPL Cantrell. He is, and has been at all relevant times, a national of the United States.

355. Plaintiff Ms. Sondra Adkins is the mother of CPL Cantrell. She is, and has been at all relevant times, a national of the United States.

356. As a result of the April 4, 2007 attack and CPL Cantrell's injuries and death, each member of the Cantrell Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Cantrell's society, companionship, and counsel.

**U. The Casavant Family**

357. Mr. Casey Casavant served in Iraq as a civilian government contractor working for Blackwater.

358. On January 23, 2007, Mr. Casavant was injured in attack on the helicopter committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Baghdad, Iraq. Mr. Casavant died on January 23, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

359. Mr. Casavant was a national of the United States at the time of the attack and all other relevant times.

360. Plaintiff Mrs. Barbara Parsons is the mother of Mr. Casavant. She is, and has been at all relevant times, a national of the United States.

361. Plaintiff Mrs. Kristen Swanson is the sister of Mr. Casavant. She is, and has been at all relevant times, a national of the United States.

362. As a result of the January 23, 2007 attack and Mr. Casavant's injuries and death, each member of the Casavant Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Mr. Casavant's society, companionship, and counsel.

**V. The Cawvey Family**

363. Sergeant Jessica L. Cawvey served in Iraq as a member of the U.S. military serving in the Illinois Army National Guard.

364. On October 6, 2004, SGT Cawvey was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SGT Cawvey died on October 6, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

365. SGT Cawvey was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

366. Plaintiff Mrs. Sandra Cawvey is the mother of SGT Cawvey. She is, and has been at all relevant times, a national of the United States.

367. Plaintiff Mr. Kevin Cawvey Sr. is the father of SGT Cawvey. He is, and has been at all relevant times, a national of the United States.

368. Plaintiff Mr. Joshua Cawvey is the brother of SGT Cawvey. He is, and has been at all relevant times, a national of the United States.

369. As a result of the October 6, 2004 attack and SGT Cawvey's injuries and death, each member of the Cawvey Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Cawvey's society, companionship, and counsel.

**W. The Clevenger Family**

370. Sergeant Ross Aaron Clevenger served in Iraq as a member of the U.S. military serving in the U.S. Army Reserve.

371. On February 8, 2007, SGT Clevenger was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SGT Clevenger died on February 8, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

372. SGT Clevenger was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

373. Plaintiff Mr. Brandon Clevenger is the brother of SGT Clevenger. He is, and has been at all relevant times, a national of the United States.

374. Plaintiff Mrs. Nancy Clevenger is the step-mother of SGT Clevenger. She is, and has been at all relevant times, a national of the United States. Mrs. Clevenger lived in the same household as SGT Clevenger for a substantial period of time and considered SGT Clevenger the functional equivalent of a biological son.

375. As a result of the February 8, 2007 attack and SGT Clevenger's injuries and death, each member of the Clevenger Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Clevenger's society, companionship, and counsel.

**X. The Costello Family**

376. Corporal Jeremiah David Costello served in Iraq as a member of the U.S. military serving in the U.S. Army.

377. On June 2, 2007, CPL Costello was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. CPL

Costello died on June 2, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

378. CPL Costello was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

379. Plaintiff Miss Lillian Costello is the daughter of CPL Costello. She is, and has been at all relevant times, a national of the United States.

380. Plaintiff Mrs. Debra Springman is the mother of CPL Costello. She is, and has been at all relevant times, a national of the United States.

381. As a result of the June 2, 2007 attack and CPL Costello's injuries and death, each member of the Costello Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Costello's society, companionship, and counsel.

**Y. The Craig Family**

382. Sergeant James Edward Craig served in Iraq as a member of the U.S. military serving in the U.S. Army.

383. On January 28, 2008, SGT Craig was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. SGT Craig died on January 28, 2008 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

384. SGT Craig was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

385. Plaintiff Mrs. Natalie Jackson is the widow of SGT Craig. She is, and has been at all relevant times, a national of the United States.

386. Plaintiff Mrs. Kelly Inman is the sister of SGT Craig. She is, and has been at all relevant times, a national of the United States.

387. As a result of the January 28, 2008 attack and SGT Craig's injuries and death, each member of the Craig Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Craig's society, companionship, and counsel.

**Z. The Crowley Family**

388. Lance Corporal Kyle Dwayne Crowley served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

389. On April 6, 2004, LCpl Crowley was injured in complex attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LCpl Crowley died on April 6, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

390. LCpl Crowley was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

391. Plaintiff Ms. Nichole Crowley is the sister of LCpl Crowley. She is, and has been at all relevant times, a national of the United States.

392. As a result of the April 6, 2004 attack and LCpl Crowley's injuries and death, each member of the Crowley Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Crowley's society, companionship, and counsel.

**AA. The Darga Family**

393. Chief Petty Officer Paul John Darga served in Iraq as a member of the U.S. military serving in the U.S. Navy.

394. On August 22, 2006, CPO Darga was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. CPO Darga died on August 22, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

395. CPO Darga was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

396. Plaintiff Mr. John Darga is the father of CPO Darga. He is, and has been at all relevant times, a national of the United States.

397. As a result of the August 22, 2006 attack and CPO Darga's injuries and death, each member of the Darga Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPO Darga's society, companionship, and counsel.

**BB. The Davis Family**

398. Sergeant Edward Glen Davis III served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

399. On April 28, 2006, Sgt Davis was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. Sgt Davis died on April 28, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

400. Sgt Davis was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

401. Plaintiff Mr. Edward Davis Jr. is the father of Sgt Davis. He is, and has been at all relevant times, a national of the United States.



402. As a result of the April 28, 2006 attack and Sgt Davis's injuries and death, each member of the Davis Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Sgt Davis's society, companionship, and counsel.

**CC. The Dehn Family**

403. Sergeant Dariek E. Dehn served in Iraq as a member of the U.S. military serving in the U.S. Army.

404. On June 2, 2007, SGT Dehn was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Saladin, Iraq. SGT Dehn died on June 2, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

405. SGT Dehn was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

406. Plaintiff Mr. David Dehn Jr. is the brother of SGT Dehn. He is, and has been at all relevant times, a national of the United States.

407. As a result of the June 2, 2007 attack and SGT Dehn's injuries and death, each member of the Dehn Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Dehn's society, companionship, and counsel.

**DD. The Deraps Family**

408. Lance Corporal Leon Bertrand Deraps served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

409. On May 6, 2006, LCpl Deraps was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LCpl

Deraps died on May 6, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

410. LCpl Deraps was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

411. Plaintiff Mr. Dale Deraps is the father of LCpl Deraps. He is, and has been at all relevant times, a national of the United States.

412. Plaintiff Ms. Dawn Cassil is the sister of LCpl Deraps. She is, and has been at all relevant times, a national of the United States.

413. Plaintiff Mrs. Shanti Johnson is the sister of LCpl Deraps. She is, and has been at all relevant times, a national of the United States.

414. As a result of the May 6, 2006 attack and LCpl Deraps's injuries and death, each member of the Deraps Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Deraps's society, companionship, and counsel.

**EE. The Doyle Family**

415. Staff Sergeant Jeremy W. Doyle served in Iraq as a member of the U.S. military serving in the U.S. Army.

416. On August 18, 2005, SSG Doyle was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Saladin, Iraq. SSG Doyle died on August 18, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

417. SSG Doyle was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

418. Plaintiff Mrs. Cameron Mann is the sister of SSG Doyle. She is, and has been at all relevant times, a national of the United States.

419. As a result of the August 18, 2005 attack and SSG Doyle's injuries and death, each member of the Doyle Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Doyle's society, companionship, and counsel.

**FF. The Dozier Family**

420. Sergeant 1st Class Jonathan Kilian Dozier served in Iraq as a member of the U.S. military serving in the U.S. Army.

421. On January 9, 2008, SFC Dozier was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. SFC Dozier died on January 9, 2008 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

422. SFC Dozier was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

423. Plaintiff Ms. Martha Cabe is the mother of SFC Dozier. She is, and has been at all relevant times, a national of the United States.

424. As a result of the January 9, 2008 attack and SFC Dozier's injuries and death, each member of the Dozier Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SFC Dozier's society, companionship, and counsel.

**GG. The Dreese Family**

425. Private 1st Class Justin Wesley Dreese served in Iraq as a member of the U.S. military serving in the U.S. Army.

426. On September 2, 2006, PFC Dreese was injured in a mortar attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Babylon, Iraq. PFC Dreese died on September 2, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

427. PFC Dreese was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

428. Plaintiff Mrs. Kathryn Hartman is the mother of PFC Dreese. She is, and has been at all relevant times, a national of the United States.

429. As a result of the September 2, 2006 attack and PFC Dreese's injuries and death, each member of the Dreese Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Dreese's society, companionship, and counsel.

**HH. The Ebert Family**

430. Corporal Christopher S. Ebert served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

431. On September 17, 2004, Cpl Ebert was injured in complex attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. Cpl Ebert died on September 17, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

432. Cpl Ebert was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

433. Plaintiff Corporal Brian Ebert is the brother of Cpl Ebert. He is, and has been at all relevant times, a national of the United States.

434. As a result of the September 17, 2004 attack and Cpl Ebert's injuries and death, each member of the Ebert Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Cpl Ebert's society, companionship, and counsel.

**II. The Eckfield Family**

435. Lance Corporal Robert Franklin Eckfield Jr. served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

436. On October 27, 2005, LCpl Eckfield was injured in mortar attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LCpl Eckfield died on October 27, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

437. LCpl Eckfield was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

438. Plaintiff Mr. Robert Eckfield Sr. is the father of LCpl Eckfield. He is, and has been at all relevant times, a national of the United States.

439. As a result of the October 27, 2005 attack and LCpl Eckfield's injuries and death, each member of the Eckfield Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Eckfield's society, companionship, and counsel.

**JJ. The Edens Family**

440. First Lieutenant William Anthony Edens served in Iraq as a member of the U.S. military serving in the U.S. Army.

441. On April 28, 2005, 1LT Edens was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. 1LT

Edens died on April 28, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

442. 1LT Edens was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

443. Plaintiff Ms. Christina Linden is the widow of 1LT Edens. She is, and has been at all relevant times, a national of the United States.

444. As a result of the April 28, 2005 attack and 1LT Edens's injuries and death, each member of the Edens Family has experienced severe mental anguish, emotional pain and suffering, and the loss of 1LT Edens's society, companionship, and counsel.

**KK. The Estes Family**

445. Staff Sergeant Justin Michael Estes served in Iraq as a member of the U.S. military serving in the U.S. Army.

446. On March 5, 2007, SSG Estes was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Saladin, Iraq. SSG Estes died on March 5, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

447. SSG Estes was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

448. Plaintiff Ms. Diane Salyers is the mother of SSG Estes. She is, and has been at all relevant times, a national of the United States.

449. Plaintiff Ms. Kelli Winkler is the sister of SSG Estes. She is, and has been at all relevant times, a national of the United States.

450. As a result of the March 5, 2007 attack and SSG Estes's injuries and death, each member of the Estes Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Estes's society, companionship, and counsel.

**LL. The Feniello Family**

451. Private 1st Class Shelby James Feniello served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

452. On October 9, 2006, PFC Feniello was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. PFC Feniello died on October 9, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

453. PFC Feniello was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

454. Plaintiff Mr. Richard Feniello is the father of PFC Feniello. He is, and has been at all relevant times, a national of the United States.

455. As a result of the October 9, 2006 attack and PFC Feniello's injuries and death, each member of the Feniello Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Feniello's society, companionship, and counsel.

**MM. The Gabbard Family**

456. Command Sergeant Major Marilyn Lea Gabbard served in Iraq as a member of the U.S. military serving in the Iowa Army National Guard.

457. On January 20, 2007, CSM Gabbard was injured in attack on the helicopter committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in

Diyala, Iraq. CSM Gabbard died on January 20, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

458. CSM Gabbard was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

459. Plaintiff Mr. Michael Van Cannon is the brother of CSM Gabbard. He is, and has been at all relevant times, a national of the United States.

460. As a result of the January 20, 2007 attack and CSM Gabbard's injuries and death, each member of the Gabbard Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CSM Gabbard's society, companionship, and counsel.

**NN. The Gernet Family**

461. Mr. Steven A. Gernet served in Iraq as a civilian government contractor working for Blackwater.

462. On January 23, 2007, Mr. Gernet was injured in attack on the helicopter committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Baghdad, Iraq. Mr. Gernet died on January 23, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

463. Mr. Gernet was a national of the United States at the time of the attack and all other relevant times.

464. Plaintiff Mrs. Jerica Johnson is the daughter of Mr. Gernet. She is, and has been at all relevant times, a national of the United States.

465. As a result of the January 23, 2007 attack and Mr. Gernet's injuries and death, each member of the Gernet Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Mr. Gernet's society, companionship, and counsel.



**OO. The Gienau Family**

466. Second Lieutenant Richard Brian Gienau served in Iraq as a member of the U.S. military serving in the Iowa Army National Guard.

467. On February 27, 2005, 2LT Gienau was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. 2LT Gienau died on February 27, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

468. 2LT Gienau was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

469. Plaintiff Mrs. Debbie Way is the mother of 2LT Gienau. She is, and has been at all relevant times, a national of the United States.

470. As a result of the February 27, 2005 attack and 2LT Gienau's injuries and death, each member of the Gienau Family has experienced severe mental anguish, emotional pain and suffering, and the loss of 2LT Gienau's society, companionship, and counsel.

**PP. The Godwin Family**

471. Corporal Todd Justin Godwin served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

472. On July 20, 2004, CPL Godwin was injured in complex attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. CPL Godwin died on July 20, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

473. CPL Godwin was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

474. Plaintiff Ms. Anna Godwin is the sister of CPL Godwin. She is, and has been at all relevant times, a national of the United States.

475. As a result of the July 20, 2004 attack and CPL Godwin's injuries and death, each member of the Godwin Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Godwin's society, companionship, and counsel.

**QQ. The Graham Family**

476. Sergeant James Randolph Graham III served in Iraq as a member of the U.S. military serving in the U.S. Marine Reserve.

477. On August 1, 2005, Sgt Graham was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. Sgt Graham died on August 1, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

478. Sgt Graham was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

479. Plaintiff Mr. James Graham II is the father of Sgt Graham. He is, and has been at all relevant times, a national of the United States.

480. Plaintiff Mrs. Katrina Graham is the mother of Sgt Graham. She is, and has been at all relevant times, a national of the United States.

481. As a result of the August 1, 2005 attack and Sgt Graham's injuries and death, each member of the Graham Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Sgt Graham's society, companionship, and counsel.

**RR. The Grassbaugh Family**

482. Captain Jonathan D. Grassbaugh served in Iraq as a member of the U.S. military serving in the U.S. Army.

483. On April 7, 2007, CPT Grassbaugh was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. CPT Grassbaugh died on April 7, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

484. CPT Grassbaugh was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

485. Plaintiff Mrs. Patricia Grassbaugh is the mother of CPT Grassbaugh. She is, and has been at all relevant times, a national of the United States.

486. As a result of the April 7, 2007 attack and CPT Grassbaugh's injuries and death, each member of the Grassbaugh Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPT Grassbaugh's society, companionship, and counsel.

**SS. The Greene Family**

487. Plaintiff Corporal Travis Greene served in Iraq as a member of the U.S. Marine Corps.

488. On December 7, 2005, Cpl Greene was injured in an IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. The attack severely wounded Cpl Greene, who lost both of his legs. As a result of the December 7, 2005 attack and his injuries, Cpl Greene has experienced severe physical and emotional pain and suffering.

489. Cpl Greene was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

490. As a result of the December 7, 2005 attack and Cpl Greene's injuries, Cpl Greene has experienced severe mental anguish, emotional pain and suffering.

**TT. The Hale Family**

491. Lance Corporal John Edward Hale served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

492. On October 6, 2006, LCpl Hale was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LCpl Hale died on October 6, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

493. LCpl Hale was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

494. Plaintiff Mr. Phillip Hale is the father of LCpl Hale. He is, and has been at all relevant times, a national of the United States.

495. As a result of the October 6, 2006 attack and LCpl Hale's injuries and death, each member of the Hale Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Hale's society, companionship, and counsel.

**UU. The Bryan E. Hall Family**

496. Sergeant 1st Class Bryan Edward Hall served in Iraq as a member of the U.S. military serving in the U.S. Army.

497. On April 10, 2009, SFC Hall was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq.

SFC Hall died on April 10, 2009 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

498. SFC Hall was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

499. Plaintiff Ms. Rachel Hall is the widow of SFC Hall. She is, and has been at all relevant times, a national of the United States.

500. As a result of the April 10, 2009 attack and SFC Hall's injuries and death, each member of the Hall Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SFC Hall's society, companionship, and counsel.

**VV. The William G. Hall Family**

501. Lieutenant Colonel William Gregory Hall served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

502. On March 30, 2008, LtCol Hall was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LtCol Hall died on March 30, 2008 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

503. LtCol Hall was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

504. Plaintiff Ms. Xiomara Hall is the widow of LtCol Hall. She is, and has been at all relevant times, a national of the United States.

505. Plaintiff G.H., by and through her next friend Xiomara Hall, is the minor daughter of LtCol Hall. She is, and has been at all relevant times, a national of the United States.

506. Plaintiff Mr. Cristian Arias is the step-son of LtCol Hall. He is, and has been at all relevant times, a national of the United States. Mr. Arias lived in the same household as LtCol Hall for a substantial period of time and considered LtCol Hall the functional equivalent of a biological father.

507. Plaintiff Mr. Xavier Arias is the step-son of LtCol Hall. He is, and has been at all relevant times, a national of the United States. Mr. Arias lived in the same household as LtCol Hall for a substantial period of time and considered LtCol Hall the functional equivalent of a biological father.

508. As a result of the March 30, 2008 attack and LtCol Hall's injuries and death, each member of the Hall Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LtCol Hall's society, companionship, and counsel.

**WW. The Hanson Family**

509. Staff Sergeant Joshua Robert Hanson served in Iraq as a member of the U.S. military serving in the Minnesota Army National Guard.

510. On August 30, 2006, SSG Hanson was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SSG Hanson died on August 30, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

511. SSG Hanson was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

512. Plaintiff Mrs. Kathleen Hanson is the mother of SSG Hanson. She is, and has been at all relevant times, a national of the United States.

513. Plaintiff Mr. Robert Hanson is the father of SSG Hanson. He is, and has been at all relevant times, a national of the United States.

514. As a result of the August 30, 2006 attack and SSG Hanson's injuries and death, each member of the Hanson Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Hanson's society, companionship, and counsel.

**XX. The Hardy Family**

515. Specialist Richard Allen Hardy served in Iraq as a member of the U.S. military serving in the U.S. Army.

516. On October 15, 2005, SPC Hardy was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SPC Hardy died on October 15, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

517. SPC Hardy was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

518. Plaintiff Ms. Doris Hardy is the mother of SPC Hardy. He is, and has been at all relevant times, a national of the United States.

519. As a result of the October 15, 2005 attack and SPC Hardy's injuries and death, each member of the Hardy Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SPC Hardy's society, companionship, and counsel.

**YY. The Harkins Family**

520. Sergeant Jason Robert Harkins served in Iraq as a member of the U.S. military serving in the U.S. Army.

521. On May 6, 2007, SGT Harkins was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. SGT Harkins died on May 6, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

522. SGT Harkins was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

523. Plaintiff Ms. April Harkins is the mother of SGT Harkins. She is, and has been at all relevant times, a national of the United States.

524. Plaintiff Mr. Robert Harkins Jr. is the father of SGT Harkins. He is, and has been at all relevant times, a national of the United States.

525. As a result of the May 6, 2007 attack and SGT Harkins' injuries and death, each member of the Harkins Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Harkins' society, companionship, and counsel.

**ZZ. The Hendrix Family**

526. Staff Sergeant Jason R. Hendrix served in Iraq as a member of the U.S. military serving in the U.S. Army.

527. On February 16, 2005, SSG Hendrix was injured in explosion committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SSG Hendrix died on February 16, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

528. SSG Hendrix was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.



529. Plaintiff Ms. Renee Amick is the mother of SSG Hendrix. She is, and has been at all relevant times, a national of the United States.

530. Plaintiff Mr. Daniel Amick is the step-father of SSG Hendrix. He is, and has been at all relevant times, a national of the United States. Mr. Amick lived in the same household as SSG Hendrix for a substantial period of time and considered SSG Hendrix the functional equivalent of a biological son.

531. As a result of the February 16, 2005 attack and SSG Hendrix's injuries and death, each member of the Hendrix Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Hendrix's society, companionship, and counsel.

**AAA. The Henkes Family**

532. Sergeant 1st Class Richard Joseph Henkes II served in Iraq as a member of the U.S. military serving in the U.S. Army.

533. On September 3, 2006, SFC Henkes was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. SFC Henkes died on September 3, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

534. SFC Henkes was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

535. Plaintiff Mrs. Christine Stanton is the mother of SFC Henkes. She is, and has been at all relevant times, a national of the United States.

536. As a result of the September 3, 2006 attack and SFC Henkes's injuries and death, each member of the Henkes Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SFC Henkes's society, companionship, and counsel.

**BBB. The Hernandez Family**

537. Sergeant Frank Bustamante Hernandez Jr. served in Iraq as a member of the U.S. military serving in the U.S. Army.

538. On February 17, 2005, SGT Hernandez was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. SGT Hernandez died on February 17, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

539. SGT Hernandez was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

540. Plaintiff Ms. Mary Hernandez is the mother of SGT Hernandez. She is, and has been at all relevant times, a national of the United States.

541. Plaintiff Mr. Frank Hernandez Sr. is the father of SGT Hernandez. He is, and has been at all relevant times, a national of the United States.

542. Plaintiff Ms. Mary Bustamante Hernandez is the sister of SGT Hernandez. She is, and has been at all relevant times, a national of the United States.

543. As a result of the February 17, 2005 attack and SGT Hernandez's injuries and death, each member of the Hernandez Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Hernandez's society, companionship, and counsel.

**CCC. The Hess Family**

544. Sergeant Kenneth Dale Hess served in Iraq as a member of the U.S. military serving in the U.S. Army.

545. On April 11, 2006, SGT Hess was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq.

SGT Hess died on April 11, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

546. SGT Hess was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

547. Plaintiff Ms. Katherine Meeks is the mother of SGT Hess. She is, and has been at all relevant times, a national of the United States.

548. As a result of the April 11, 2006 attack and SGT Hess's injuries and death, each member of the Hess Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Hess's society, companionship, and counsel.

**DDD. The Hodshire Family**

549. Sergeant Michael Paul Hodshire served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

550. On October 29, 2005, Sgt Hodshire was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. Sgt Hodshire died on October 30, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

551. Sgt Hodshire was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

552. Plaintiff Ms. Kimberly Boyd is the sister of Sgt Hodshire. She is, and has been at all relevant times, a national of the United States.

553. As a result of the October 29, 2005 attack and Sgt Hodshire's injuries and death, each member of the Hodshire Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Sgt Hodshire's society, companionship, and counsel.

**EEE. The Hoover Family**

554. Specialist Levi Kenneth Hoover served in Iraq as a member of the U.S. military serving in the U.S. Army.

555. On April 7, 2007, SPC Hoover was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. SPC Hoover died on April 7, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

556. SPC Hoover was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

557. Plaintiff Mrs. Belinda Brewster is the mother of SPC Hoover. She is, and has been at all relevant times, a national of the United States.

558. As a result of the April 7, 2007 attack and SPC Hoover's injuries and death, each member of the Hoover Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SPC Hoover's society, companionship, and counsel.

**FFF. The Jaenke Family**

559. Navy Hospital Corpsman 2nd Class Jaime Suzanne Jaenke served in Iraq as a member of the U.S. military serving in the U.S. Navy.

560. On June 5, 2006, HM2 Jaenke was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. HM2 Jaenke died on June 5, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

561. HM2 Jaenke was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

562. Plaintiff Ms. Susan Jaenke is the mother of HM2 Jaenke. She is, and has been at all relevant times, a national of the United States.

563. As a result of the June 5, 2006 attack and HM2 Jaenke's injuries and death, each member of the Jaenke Family has experienced severe mental anguish, emotional pain and suffering, and the loss of HM2 Jaenke's society, companionship, and counsel.

**GGG. The Johnson Family**

564. Sergeant Leon Montiel Johnson served in Iraq as a member of the U.S. military serving in the U.S. Army.

565. On October 10, 2005, SGT Johnson was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SGT Johnson died on October 10, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

566. SGT Johnson was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

567. Plaintiff Ms. Shalonda Johnson is the widow of SGT Johnson. She is, and has been at all relevant times, a national of the United States.

568. As a result of the October 10, 2005 attack and SGT Johnson's injuries and death, each member of the Johnson Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Johnson's society, companionship, and counsel.

**HHH. The Kinchen Family**

569. Lance Corporal Jeremiah Colt Kinchen served in Iraq as a member of the U.S. military serving in the U.S. Marine Reserve.

570. On April 4, 2005, LCpl Kinchen was injured in explosion committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LCpl Kinchen died on April 4, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

571. LCpl Kinchen was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

572. Plaintiff Ms. Jeanie Kinchen is the mother of LCpl Kinchen. She is, and has been at all relevant times, a national of the United States.

573. Plaintiff Mr. James Kinchen Jr. is the father of LCpl Kinchen. He is, and has been at all relevant times, a national of the United States.

574. Plaintiff Ms. Amie Meredith is the sister of LCpl Kinchen. She is, and has been at all relevant times, a national of the United States.

575. As a result of the April 4, 2005 attack and LCpl Kinchen's injuries and death, each member of the Kinchen Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Kinchen's society, companionship, and counsel.

### **III. The Kurtz Family**

576. Sergeant Russell A. Kurtz served in Iraq as a member of the U.S. military serving in the U.S. Army.

577. On February 11, 2007, SGT Kurtz was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SGT Kurtz died on February 11, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

578. SGT Kurtz was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

579. Plaintiff Mr. Roger Kurtz is the father of SGT Kurtz. He is, and has been at all relevant times, a national of the United States.

580. Plaintiff Ms. Stephanie Kurtz is the sister of SGT Kurtz. She is, and has been at all relevant times, a national of the United States.

581. As a result of the February 11, 2007 attack and SGT Kurtz's injuries and death, each member of the Kurtz Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Kurtz's society, companionship, and counsel.

**JJJ. The Laguna Family**

582. Chief Warrant Officer 4 Arthur Laguna served in Iraq as a civilian government contractor working for Blackwater.

583. On January 23, 2007, CW4 Laguna was injured in attack on the helicopter committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Baghdad, Iraq. CW4 Laguna died on January 23, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

584. CW4 Laguna was a national of the United States at the time of the attack and all other relevant times.

585. Plaintiff Mrs. Marybeth Laguna is the widow of CW4 Laguna. She is, and has been at all relevant times, a national of the United States.

586. Plaintiff Ms. Erin Calvert is the daughter of CW4 Laguna. She is, and has been at all relevant times, a national of the United States.

587. Plaintiff Mr. Milo Laguna is the brother of CW4 Laguna. He is, and has been at all relevant times, a national of the United States.

588. Plaintiff Mrs. Sarah Parker is the step-daughter of CW4 Laguna. She is, and has been at all relevant times, a national of the United States. Mrs. Parker lived in the same household as CW4 Laguna for a substantial period of time and considered CW4 Laguna the functional equivalent of a biological father.

589. As a result of the January 23, 2007 attack and CW4 Laguna's injuries and death, each member of the Laguna Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CW4 Laguna's society, companionship, and counsel.

**KKK. The Large Family**

590. Sergeant Bryan W. Large served in Iraq as a member of the U.S. military serving in the U.S. Army.

591. On October 3, 2005, SGT Large was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SGT Large died on October 4, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

592. SGT Large was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

593. Plaintiff Mr. Larry Large is the father of SGT Large. He is, and has been at all relevant times, a national of the United States.

594. As a result of the October 3, 2005 attack and SGT Large's injuries and death, each member of the Large Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Large's society, companionship, and counsel.



**LLL. The Lemke Family**

595. Corporal Jason Floyd Lemke served in Iraq as a member of the U.S. military serving in the U.S. Army.

596. On January 5, 2008, CPL Lemke was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. CPL Lemke died on January 5, 2008 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

597. CPL Lemke was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

598. Plaintiff Ms. Jill Frederiksen is the sister of CPL Lemke. She is, and has been at all relevant times, a national of the United States.

599. As a result of the January 5, 2008 attack and CPL Lemke's injuries and death, each member of the Lemke Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Lemke's society, companionship, and counsel.

**MMM. The Linder Family**

600. Corporal Darryl Wardlaw Linder served in Iraq as a member of the U.S. military serving in the U.S. Army.

601. On June 19, 2007, CPL Linder was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. CPL Linder died on June 19, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

602. CPL Linder was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

603. Plaintiff Mr. Darryl Linder is the father of CPL Linder. He is, and has been at all relevant times, a national of the United States.

604. As a result of the June 19, 2007 attack and CPL Linder's injuries and death, each member of the Linder Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Linder's society, companionship, and counsel.

**NNN. The Lloyd Family**

605. Sergeant Dale Thomas Lloyd served in Iraq as a member of the U.S. military serving in the U.S. Army.

606. On July 19, 2004, SGT Lloyd was injured in mortar attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Babylon, Iraq. SGT Lloyd died on July 19, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

607. SGT Lloyd was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

608. Plaintiff Mrs. Amy Beaver is the mother of SGT Lloyd. She is, and has been at all relevant times, a national of the United States.

609. Plaintiff Mr. Willis Beaver is the step-father of SGT Lloyd. He is, and has been at all relevant times, a national of the United States. Mr. Beaver lived in the same household as SGT Lloyd for a substantial period of time and considered SGT Lloyd the functional equivalent of a biological son.

610. As a result of the July 19, 2004 attack and SGT Lloyd's injuries and death, each member of the Lloyd Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Lloyd's society, companionship, and counsel.

**OOO. The Lozada Family**

611. Sergeant Angelo L. Lozada Jr. served in Iraq as a member of the U.S. military serving in the U.S. Army.

612. On April 16, 2005, SGT Lozada was injured in mortar attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SGT Lozada died on April 16, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

613. SGT Lozada was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

614. Plaintiff Mr. Michael Lozada is the son of SGT Lozada. He is, and has been at all relevant times, a national of the United States.

615. As a result of the April 16, 2005 attack and SGT Lozada's injuries and death, each member of the Lozada Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Lozada's society, companionship, and counsel.

**PPP. The Lutters Family**

616. Sergeant Derrick Joseph Lutters served in Iraq as a member of the U.S. military serving in the Kansas Army National Guard.

617. On May 1, 2005, SGT Lutters was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Baghdad, Iraq. SGT Lutters died on May 1, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

618. SGT Lutters was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

619. Plaintiff Mr. Ronald Lutters is the father of SGT Lutters. He is, and has been at all relevant times, a national of the United States.

620. As a result of the May 1, 2005 attack and SGT Lutters's injuries and death, each member of the Lutters Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Lutters's society, companionship, and counsel.

**QQQ. The Mahdee Family**

621. Lance Corporal Marcus Mahdee served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

622. On May 9, 2005, LCpl Mahdee was injured in mortar attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LCpl Mahdee died on May 9, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

623. LCpl Mahdee was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

624. Plaintiff Ms. Shirley Mabson is the mother of LCpl Mahdee. She is, and has been at all relevant times, a national of the United States.

625. As a result of the May 9, 2005 attack and LCpl Mahdee's injuries and death, each member of the Mahdee Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Mahdee's society, companionship, and counsel.

**RRR. The Mallard Family**

626. Captain Torre Ramoine Mallard served in Iraq as a member of the U.S. military serving in the U.S. Army.

627. On March 10, 2008, CPT Mallard was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. CPT Mallard died on March 10, 2008 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

628. CPT Mallard was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

629. Plaintiff Ms. Robin Mallard is the mother of CPT Mallard. She is, and has been at all relevant times, a national of the United States.

630. As a result of the March 10, 2008 attack and CPT Mallard's injuries and death, each member of the Mallard Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPT Mallard's society, companionship, and counsel.

**SSS. The Marshall Family**

631. Corporal Evan Andrew Marshall served in Iraq as a member of the U.S. military serving in the U.S. Army.

632. On January 28, 2008, CPL Marshall was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. CPL Marshall died on January 28, 2008 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

633. CPL Marshall was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

634. Plaintiff Ms. Sheila Marshall is the mother of CPL Marshall. She is, and has been at all relevant times, a national of the United States.

635. Plaintiff Mr. Andrew Marshall is the father of CPL Marshall. He is, and has been at all relevant times, a national of the United States.

636. As a result of the January 28, 2008 attack and CPL Marshall's injuries and death, each member of the Marshall Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Marshall's society, companionship, and counsel.

**TTT. The Martinez Family**

637. Sergeant Anselmo Martinez III served in Iraq as a member of the U.S. military serving in the U.S. Army.

638. On May 18, 2007, SGT Martinez was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Baghdad, Iraq. SGT Martinez died on May 18, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

639. SGT Martinez was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

640. Plaintiff Mr. Anselmo Martinez Jr. is the father of SGT Martinez. He is, and has been at all relevant times, a national of the United States.

641. As a result of the May 18, 2007 attack and SGT Martinez's injuries and death, each member of the Martinez Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Martinez's society, companionship, and counsel.

**UUU. The Martone Family**

642. Gunnery Sergeant Justin R. Martone served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

643. On March 7, 2006, GySgt Martone was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. GySgt Martone died on March 7, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

644. GySgt Martone was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

645. Plaintiff Mrs. Paulette Martone is the mother of GySgt Martone. She is, and has been at all relevant times, a national of the United States.

646. Plaintiff Mr. Agostine Martone Jr. is the father of GySgt Martone. He is, and has been at all relevant times, a national of the United States.

647. As a result of the March 7, 2006 attack and GySgt Martone's injuries and death, each member of the Martone Family has experienced severe mental anguish, emotional pain and suffering, and the loss of GySgt Martone's society, companionship, and counsel.

**VVV. The Maynard Family**

648. Lance Corporal Chad Bryant Maynard served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

649. On June 15, 2005, LCpl Maynard was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LCpl Maynard died on June 15, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

650. LCpl Maynard was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

651. Plaintiff Mr. Gene Maynard is the father of LCpl Maynard. He is, and has been at all relevant times, a national of the United States.

652. As a result of the June 15, 2005 attack and LCpl Maynard's injuries and death, each member of the Maynard Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Maynard's society, companionship, and counsel.

**WWW. The McCandless Family**

653. Private 1st Class Rodney Lynn McCandless served in Iraq as a member of the U.S. military serving in the U.S. Army.

654. On April 7, 2007, PFC McCandless was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. PFC McCandless died on April 7, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

655. PFC McCandless was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

656. Plaintiff Mr. Ronald Sumner is the brother of PFC McCandless. He is, and has been at all relevant times, a national of the United States.

657. As a result of the April 7, 2007 attack and PFC McCandless's injuries and death, each member of the McCandless Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC McCandless's society, companionship, and counsel.

**XXX. The McElveen Family**

658. Corporal Anthony T. McElveen served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.



659. On December 1, 2005, Cpl McElveen was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. Cpl McElveen died on December 1, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

660. Cpl McElveen was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

661. Plaintiff Mr. Thomas McElveen is the father of Cpl McElveen. He is, and has been at all relevant times, a national of the United States.

662. As a result of the December 1, 2005 attack and Cpl McElveen's injuries and death, each member of the McElveen Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Cpl McElveen's society, companionship, and counsel.

**YYY. The McGowan Family**

663. Corporal Stephen Michael McGowan served in Iraq as a member of the U.S. military serving in the U.S. Army.

664. On March 4, 2005, CPL McGowan was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. CPL McGowan died on March 4, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

665. CPL McGowan was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

666. Plaintiff Ms. Bobbie McGowan is the mother of CPL McGowan. She is, and has been at all relevant times, a national of the United States.

667. As a result of the March 4, 2005 attack and CPL McGowan's injuries and death, each member of the McGowan Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL McGowan's society, companionship, and counsel.

**ZZZ. The McVicker Family**

668. Lance Corporal Daniel Morgan McVicker served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

669. On October 6, 2005, LCpl McVicker was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LCpl McVicker died on October 6, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

670. LCpl McVicker was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

671. Plaintiff Mrs. Carey Meissner is the mother of LCpl McVicker. She is, and has been at all relevant times, a national of the United States.

672. Plaintiff Mr. Mark McVicker is the father of LCpl McVicker. He is, and has been at all relevant times, a national of the United States.

673. Plaintiff Mrs. Mollie Handy is the sister of LCpl McVicker. She is, and has been at all relevant times, a national of the United States.

674. Plaintiff Mrs. Irma McVicker is the step-mother of LCpl McVicker. She is, and has been at all relevant times, a national of the United States. Mrs. McVicker lived in the same household as LCpl McVicker for a substantial period of time and considered LCpl McVicker the functional equivalent of a biological son.

675. Plaintiff Mr. Edward Ricci is the step-brother of LCpl McVicker. He is, and has been at all relevant times, a national of the United States. Mr. Ricci lived in the same household as LCpl McVicker for a substantial period of time and considered LCpl McVicker the functional equivalent of a biological brother.

676. As a result of the October 6, 2005 attack and LCpl McVicker's injuries and death, each member of the McVicker Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl McVicker's society, companionship, and counsel.

**AAAA. The Medders Family**

677. Captain Michael Joseph Medders served in Iraq as a member of the U.S. military serving in the U.S. Army.

678. On September 24, 2008, CPT Medders was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. CPT Medders died on September 24, 2008 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

679. CPT Medders was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

680. Plaintiff Mrs. Katherine Shrader is the sister of CPT Medders. She is, and has been at all relevant times, a national of the United States.

681. As a result of the September 24, 2008 attack and CPT Medders's injuries and death, each member of the Medders Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPT Medders's society, companionship, and counsel.

**BBBB. The Melo Family**

682. Staff Sergeant Julian S. Melo served in Iraq as a member of the U.S. military serving in the U.S. Army.

683. On December 21, 2004, SSG Melo was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. SSG Melo died on December 21, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

684. SSG Melo was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

685. Plaintiff Mrs. Norma Melo is the widow of SSG Melo. She is, and has been at all relevant times, a national of the United States.

686. As a result of the December 21, 2004 attack and SSG Melo's injuries and death, each member of the Melo Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Melo's society, companionship, and counsel.

**CCCC. The Monschke Family**

687. Sergeant 1st Class Justin S. Monschke served in Iraq as a member of the U.S. military serving in the U.S. Army.

688. On October 14, 2007, SFC Monschke was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Baghdad, Iraq. SFC Monschke died on October 14, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

689. SFC Monschke was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

690. Plaintiff Mrs. Patty Jett is the mother of SFC Monschke. She is, and has been at all relevant times, a national of the United States.

691. As a result of the October 14, 2007 attack and SFC Monschke's injuries and death, each member of the Monschke Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SFC Monschke's society, companionship, and counsel.

**DDDD. The Montgomery Family**

692. Sergeant Robert Joe Montgomery Jr. served in Iraq as a member of the U.S. military serving in the U.S. Army.

693. On May 22, 2007, SGT Montgomery was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Baghdad, Iraq. SGT Montgomery died on May 22, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

694. SGT Montgomery was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

695. Plaintiff Mr. Micah Montgomery is the brother of SGT Montgomery. He is, and has been at all relevant times, a national of the United States.

696. As a result of the May 22, 2007 attack and SGT Montgomery's injuries and death, each member of the Montgomery Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Montgomery's society, companionship, and counsel.

**EEEE. The Morris Family**

697. Lance Corporal Stephen Lloyd Morris served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

698. On December 24, 2006, LCpl Morris was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LCpl Morris died on December 24, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

699. LCpl Morris was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

700. Plaintiff Mr. Lloyd Morris Jr. is the father of LCpl Morris. He is, and has been at all relevant times, a national of the United States.

701. As a result of the December 24, 2006 attack and LCpl Morris's injuries and death, each member of the Morris Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Morris's society, companionship, and counsel.

**FFFF. The Myers Family**

702. Specialist Edward Lee Myers served in Iraq as a member of the U.S. military serving in the U.S. Army.

703. On July 27, 2005, SPC Myers was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Saladin, Iraq. SPC Myers died on July 27, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

704. SPC Myers was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

705. Plaintiff Ms. Imojean Myers is the widow of SPC Myers. She is, and has been at all relevant times, a national of the United States.

706. As a result of the July 27, 2005 attack and SPC Myers's injuries and death, each member of the Myers Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SPC Myers's society, companionship, and counsel.

**GGGG. The Nice Family**

707. Lance Corporal Joseph Lee Nice served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

708. On August 4, 2004, LCpl Nice was injured in complex attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LCpl Nice died on August 4, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

709. LCpl Nice was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

710. Plaintiff Ms. Marilyn Schoonover is the mother of LCpl Nice. She is, and has been at all relevant times, a national of the United States.

711. Plaintiff Mr. Daniel Nice is the brother of LCpl Nice. He is, and has been at all relevant times, a national of the United States.

712. Plaintiff Mr. Jonathon Nice is the brother of LCpl Nice. He is, and has been at all relevant times, a national of the United States.

713. As a result of the August 4, 2004 attack and LCpl Nice's injuries and death, each member of the Nice Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Nice's society, companionship, and counsel.

**HHHH. The Noyes Family**

714. Sergeant Justin Lee Noyes served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

715. On July 2, 2006, Sgt Noyes was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. Sgt Noyes died on July 2, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

716. Sgt Noyes was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

717. Plaintiff Mrs. Stacy Bridges is the mother of Sgt Noyes. She is, and has been at all relevant times, a national of the United States.

718. As a result of the July 2, 2006 attack and Sgt Noyes's injuries and death, each member of the Noyes Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Sgt Noyes's society, companionship, and counsel.

**IIII. The Olson Family**

719. Corporal Nicholas Paul Olson served in Iraq as a member of the U.S. military serving in the U.S. Army.

720. On September 18, 2007, CPL Olson was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. CPL Olson died on September 18, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

721. CPL Olson was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.



722. Plaintiff M.O., by and through her next friend Kevin Harrington, is the minor daughter of CPL Olson. She is, and has been at all relevant times, a national of the United States.

723. Plaintiff Mr. Raymond Olson is the father of CPL Olson. He is, and has been at all relevant times, a national of the United States.

724. As a result of the September 18, 2007 attack and CPL Olson's injuries and death, each member of the Olson Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Olson's society, companionship, and counsel.

**JJJJ. The Orosco Family**

725. Sergeant Adrian Noe Orosco served in Iraq as a member of the U.S. military serving in the U.S. Army.

726. On December 9, 2005, SGT Orosco was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Baghdad, Iraq. SGT Orosco died on December 9, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

727. SGT Orosco was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

728. Plaintiff Mr. Noe Orosco Sr. is the father of SGT Orosco. He is, and has been at all relevant times, a national of the United States.

729. As a result of the December 9, 2005 attack and SGT Orosco's injuries and death, each member of the Orosco Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Orosco's society, companionship, and counsel.

**KKKK. The Otey Family**

730. Lance Corporal DeShon Elisco Otey served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

731. On June 21, 2004, LCpl Otey was injured in complex attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LCpl Otey died on June 21, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

732. LCpl Otey was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

733. Plaintiff Mr. Ronald Otey Jr. is the brother of LCpl Otey. He is, and has been at all relevant times, a national of the United States.

734. As a result of the June 21, 2004 attack and LCpl Otey's injuries and death, each member of the Otey Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Otey's society, companionship, and counsel.

**LLLL. The Pautsch Family**

735. Corporal Jason Graham Pautsch served in Iraq as a member of the U.S. military serving in the U.S. Army.

736. On April 10, 2009, CPL Pautsch was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. CPL Pautsch died on April 10, 2009 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

737. CPL Pautsch was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

738. Plaintiff Mr. Josef Pautsch is the brother of CPL Pautsch. He is, and has been at all relevant times, a national of the United States.

739. As a result of the April 10, 2009 attack and CPL Pautsch's injuries and death, each member of the Pautsch Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Pautsch's society, companionship, and counsel.

**MMMM. The Pearson Family**

740. Sergeant Brice A. Pearson served in Iraq as a member of the U.S. military serving in the U.S. Army.

741. On April 23, 2007, SGT Pearson was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SGT Pearson died on April 23, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

742. SGT Pearson was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

743. Plaintiff Ms. Leslie White is the mother of SGT Pearson. She is, and has been at all relevant times, a national of the United States.

744. Plaintiff Mr. Jeremy Pearson is the brother of SGT Pearson. He is, and has been at all relevant times, a national of the United States.

745. As a result of the April 23, 2007 attack and SGT Pearson's injuries and death, each member of the Pearson Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Pearson's society, companionship, and counsel.

**NNNN. The Pionk Family**

746. Sergeant 1st Class Matthew Ignatius Pionk served in Iraq as a member of the U.S. military serving in the U.S. Army.

747. On January 9, 2008, SFC Pionk was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. SFC Pionk died on January 9, 2008 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

748. SFC Pionk was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

749. Plaintiff Ms. Melanie Pionk is the widow of SFC Pionk. She is, and has been at all relevant times, a national of the United States.

750. Plaintiff Ms. Ashley Pionk is the daughter of SFC Pionk. She is, and has been at all relevant times, a national of the United States.

751. Plaintiff Mr. Dillon Pionk is the son of SFC Pionk. He is, and has been at all relevant times, a national of the United States.

752. Plaintiff Ms. Sandra Pionk is the mother of SFC Pionk. She is, and has been at all relevant times, a national of the United States.

753. Plaintiff Mr. Duane Pionk is the father of SFC Pionk. He is, and has been at all relevant times, a national of the United States.

754. Plaintiff Mr. Joshua Pionk is the brother of SFC Pionk. He is, and has been at all relevant times, a national of the United States.

755. As a result of the January 9, 2008 attack and SFC Pionk's injuries and death, each member of the Pionk Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SFC Pionk's society, companionship, and counsel.

**OOOO. The Plumondore Family**

756. Sergeant Adam Jay Plumondore served in Iraq as a member of the U.S. military serving in the U.S. Army.

757. On February 16, 2005, SGT Plumondore was injured in car bomb attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. SGT Plumondore died on February 16, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

758. SGT Plumondore was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

759. Plaintiff Mrs. Elfriede Plumondore is the mother of SGT Plumondore. She is, and has been at all relevant times, a national of the United States.

760. Plaintiff Mr. Daniel Plumondore is the father of SGT Plumondore. He is, and has been at all relevant times, a national of the United States.

761. As a result of the February 16, 2005 attack and SGT Plumondore's injuries and death, each member of the Plumondore Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Plumondore's society, companionship, and counsel.

**PPPP. The Poulin Family**

762. Staff Sergeant Lynn Robert Poulin Sr. served in Iraq as a member of the U.S. military serving in the Maine Army National Guard.

763. On December 21, 2004, SSG Poulin was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. SSG Poulin died on December 21, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

764. SSG Poulin was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

765. Plaintiff Mr. Lynn Poulin Jr. is the son of SSG Poulin. He is, and has been at all relevant times, a national of the United States.

766. Plaintiff Mr. Michael Poulin is the son of SSG Poulin. He is, and has been at all relevant times, a national of the United States.

767. Plaintiff Miss Nancy Poulin is the sister of SSG Poulin. She is, and has been at all relevant times, a national of the United States.

768. As a result of the December 21, 2004 attack and SSG Poulin's injuries and death, each member of the Poulin Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Poulin's society, companionship, and counsel.

**QQQQ. The Ray Family**

769. First Lieutenant Jeremy Edward Ray served in Iraq as a member of the U.S. military serving in the U.S. Army.

770. On December 20, 2007, 1LT Ray was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. 1LT Ray died on December 20, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

771. 1LT Ray was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

772. Plaintiff Mr. Walter Ray is the father of 1LT Ray. He is, and has been at all relevant times, a national of the United States.

773. As a result of the December 20, 2007 attack and 1LT Ray's injuries and death, each member of the Ray Family has experienced severe mental anguish, emotional pain and suffering, and the loss of 1LT Ray's society, companionship, and counsel.

**RRRR. The Romero Family**

774. Private 1st Class Ramon Romero served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

775. On August 22, 2005, PFC Romero was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. PFC Romero died on August 22, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

776. PFC Romero was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

777. Plaintiff Mrs. Maria Romero is the mother of PFC Romero. She is, and has been at all relevant times, a national of the United States.

778. Plaintiff Mr. Juan Romero is the father of PFC Romero. He is, and has been at all relevant times, a national of the United States.

779. Plaintiff SGT Bernardo Romero is the brother of PFC Romero. He is, and has been at all relevant times, a national of the United States.

780. As a result of the August 22, 2005 attack and PFC Romero's injuries and death, each member of the Romero Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Romero's society, companionship, and counsel.

**SSSS. The Runyan Family**

781. First Lieutenant Michael Louis Runyan served in Iraq as a member of the U.S. military serving in the U.S. Army.

782. On July 21, 2010, 1LT Runyan was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. 1LT Runyan died on July 21, 2010 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

783. 1LT Runyan was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

784. Plaintiff Mr. Alex Runyan is the brother of 1LT Runyan. He is, and has been at all relevant times, a national of the United States.

785. As a result of the July 21, 2010 attack and 1LT Runyan's injuries and death, each member of the Runyan Family has experienced severe mental anguish, emotional pain and suffering, and the loss of 1LT Runyan's society, companionship, and counsel.

**TTTT. The Saba Family**

786. Corporal Thomas E. Saba served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

787. On February 7, 2007, Cpl Saba was injured in attack on the helicopter committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar,



Iraq. Cpl Saba died on July 7, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

788. Cpl Saba was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

789. Plaintiff Mrs. Barbara Saba is the mother of Cpl Saba. She is, and has been at all relevant times, a national of the United States.

790. Plaintiff Mr. Anthony Saba Sr. is the father of Cpl Saba. He is, and has been at all relevant times, a national of the United States.

791. Plaintiff Mr. Anthony Saba Jr. is the brother of Cpl Saba. He is, and has been at all relevant times, a national of the United States.

792. Plaintiff Mrs. Mary Saba is the sister of Cpl Saba. She is, and has been at all relevant times, a national of the United States.

793. As a result of the February 7, 2007 attack and Cpl Saba's injuries and death, each member of the Saba Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Cpl Saba's society, companionship, and counsel.

**UUUU. The Sandri Family**

794. Sergeant Matthew J. Sandri served in Iraq as a member of the U.S. military serving in the U.S. Army.

795. On March 20, 2004, SGT Sandri was injured in rocket attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SGT Sandri died on March 20, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

796. SGT Sandri was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

797. Plaintiff Mr. Robert Sandri is the father of SGT Sandri. He is, and has been at all relevant times, a national of the United States.

798. Plaintiff Ms. Juliann Sandri is the sister of SGT Sandri. She is, and has been at all relevant times, a national of the United States.

799. Plaintiff Ms. Lydia Sandri is the sister of SGT Sandri. She is, and has been at all relevant times, a national of the United States.

800. As a result of the March 20, 2004 attack and SGT Sandri's injuries and death, each member of the Sandri Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Sandri's society, companionship, and counsel.

**VVVV. The Santos Family**

801. Corporal Jonathan Jose Santos served in Iraq as a member of the U.S. military serving in the U.S. Army.

802. On October 15, 2004, CPL Santos was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. CPL Santos died on October 15, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

803. CPL Santos was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

804. Plaintiff Mrs. Doris Kent is the mother of CPL Santos. She is, and has been at all relevant times, a national of the United States.

805. Plaintiff Mr. Jared Santos is the brother of CPL Santos. He is, and has been at all relevant times, a national of the United States.

806. Plaintiff Mr. Justin Santos is the brother of CPL Santos. He is, and has been at all relevant times, a national of the United States.

807. Plaintiff Mr. Christopher Kent is the step-father of CPL Santos. He is, and has been at all relevant times, a national of the United States. Mr. Kent lived in the same household as CPL Santos for a substantial period of time and considered CPL Santos the functional equivalent of a biological son.

808. As a result of the October 15, 2004 attack and CPL Santos's injuries and death, each member of the Santos Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Santos's society, companionship, and counsel.

**WWWW. The Sayles Family**

809. Specialist Phillip Nicholas Sayles served in Iraq as a member of the U.S. military serving in the U.S. Army.

810. On May 28, 2005, SPC Sayles was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. SPC Sayles died on May 28, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

811. SPC Sayles was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

812. Plaintiff Ms. Pearl Sayles is the mother of SPC Sayles. She is, and has been at all relevant times, a national of the United States.

813. Plaintiff Mr. Joseph Sayles is the brother of SPC Sayles. He is, and has been at all relevant times, a national of the United States.

814. Plaintiff Mr. Wesley Sayles is the brother of SPC Sayles. He is, and has been at all relevant times, a national of the United States.

815. As a result of the May 28, 2005 attack and SPC Sayles's injuries and death, each member of the Sayles Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SPC Sayles's society, companionship, and counsel.

**XXXX. The Scates Family**

816. Staff Sergeant William Daniel Scates served in Iraq as a member of the U.S. military serving in the U.S. Army.

817. On August 11, 2007, SSG Scates was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Baghdad, Iraq. SSG Scates died on August 11, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

818. SSG Scates was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

819. Plaintiff Mrs. Shannon Owens is the sister of SSG Scates. She is, and has been at all relevant times, a national of the United States.

820. As a result of the August 11, 2007 attack and SSG Scates's injuries and death, each member of the Scates Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Scates's society, companionship, and counsel.

**YYYY. The Scheibner Family**

821. Sergeant 1st Class Daniel E. Scheibner served in Iraq as a member of the U.S. military serving in the U.S. Army.

822. On August 30, 2007, SFC Scheibner was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. SFC Scheibner died on August 30, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

823. SFC Scheibner was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

824. Plaintiff Mr. David Scheibner is the brother of SFC Scheibner. He is, and has been at all relevant times, a national of the United States.

825. As a result of the August 30, 2007 attack and SFC Scheibner's injuries and death, each member of the Scheibner Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SFC Scheibner's society, companionship, and counsel.

**ZZZZ. The Schiavoni Family**

826. Lance Corporal Nickolas David Schiavoni served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

827. On November 15, 2005, LCpl Schiavoni was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LCpl Schiavoni died on November 15, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

828. LCpl Schiavoni was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

829. Plaintiff Mr. David Schiavoni is the father of LCpl Schiavoni. He is, and has been at all relevant times, a national of the United States.

830. As a result of the November 15, 2005 attack and LCpl Schiavoni's injuries and death, each member of the Schiavoni Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Schiavoni's society, companionship, and counsel.

**AAAAA. The Schmit Family**

831. Sergeant Joshua Andrew Schmit served in Iraq as a member of the U.S. military serving in the U.S. Army.

832. On April 14, 2007, SGT Schmit was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SGT Schmit died on April 14, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

833. SGT Schmit was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

834. Plaintiff Ms. Kimberly Schmit is the mother of SGT Schmit. She is, and has been at all relevant times, a national of the United States.

835. As a result of the April 14, 2007 attack and SGT Schmit's injuries and death, each member of the Schmit Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Schmit's society, companionship, and counsel.

**BBBBB. The Shannon Family**

836. Corporal Stephen Daniel Shannon served in Iraq as a member of the U.S. military serving in the U.S. Army Reserve.

837. On January 31, 2007, CPL Shannon was injured in rocket attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. CPL Shannon died on January 31, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

838. CPL Shannon was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

839. Plaintiff Ms. Joan Shannon is the mother of CPL Shannon. She is, and has been at all relevant times, a national of the United States.

840. Plaintiff Mr. Daniel Shannon is the father of CPL Shannon. He is, and has been at all relevant times, a national of the United States.

841. As a result of the January 31, 2007 attack and CPL Shannon's injuries and death, each member of the Shannon Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Shannon's society, companionship, and counsel.

**CCCCC. The Squires Family**

842. Corporal Brad D. Squires served in Iraq as a member of the U.S. military serving in the U.S. Marine Reserve.

843. On June 9, 2005, Cpl Squires was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. Cpl Squires died on June 9, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

844. Cpl Squires was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

845. Plaintiff Mr. Bruce Squires is the father of Cpl Squires. He is, and has been at all relevant times, a national of the United States.

846. As a result of the June 9, 2005 attack and Cpl Squires' injuries and death, each member of the Squires Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Cpl Squires' society, companionship, and counsel.

**DDDDD. The Stack Family**

847. Sergeant Major Michael Boyd Stack served in Iraq as a member of the U.S. military serving in the U.S. Army.

848. On April 11, 2004, SGM Stack was injured in complex attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SGM Stack died on April 11, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

849. SGM Stack was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

850. Plaintiff Mrs. Virginia Maitland is the daughter of SGM Stack. She is, and has been at all relevant times, a national of the United States.

851. Plaintiff Mrs. Milissa Wojtowicz is the daughter of SGM Stack. She is, and has been at all relevant times, a national of the United States.

852. As a result of the April 11, 2004 attack and SGM Stack's injuries and death, each member of the Stack Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGM Stack's society, companionship, and counsel.



**EEEE. The Strong Family**

853. Sergeant Jesse Warner Strong served in Iraq as a member of the U.S. military serving in the U.S. Marine Reserve.

854. On January 26, 2005, Sgt Strong was injured in RPG attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. Sgt Strong died on January 26, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

855. Sgt Strong was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

856. Plaintiff Mrs. Victoria Strong is the mother of Sgt Strong. She is, and has been at all relevant times, a national of the United States.

857. Plaintiff Rev. Nathan Strong is the father of Sgt Strong. He is, and has been at all relevant times, a national of the United States.

858. As a result of the January 26, 2005 attack and Sgt Strong's injuries and death, each member of the Strong Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Sgt Strong's society, companionship, and counsel.

**FFFF. The Summers Family**

859. Corporal James E. Summers III served in Iraq as a member of the U.S. military serving in the U.S. Army.

860. On May 28, 2007, CPL Summers was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. CPL Summers died on May 28, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

861. CPL Summers was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

862. Plaintiff Sergeant Michael Summers is the brother of CPL Summers. He is, and has been at all relevant times, a national of the United States.

863. As a result of the May 28, 2007 attack and CPL Summers's injuries and death, each member of the Summers Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Summers's society, companionship, and counsel.

**GGGGG. The Swaim Family**

864. Lance Corporal Daniel Freeman Swaim served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

865. On November 10, 2005, LCpl Swaim was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LCpl Swaim died on November 10, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

866. LCpl Swaim was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

867. Plaintiff Ms. Rebecca Swaim is the mother of LCpl Swaim. She is, and has been at all relevant times, a national of the United States.

868. Plaintiff Mr. Michael Swaim is the father of LCpl Swaim. He is, and has been at all relevant times, a national of the United States.

869. As a result of the November 10, 2005 attack and LCpl Swaim's injuries and death, each member of the Swaim Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Swaim's society, companionship, and counsel.

**HHHHH. The Szwydek Family**

870. Lance Corporal Steven Walter Szwydek served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

871. On October 20, 2005, LCpl Szwydek was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. LCpl Szwydek died on October 20, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

872. LCpl Szwydek was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

873. Plaintiff Mrs. Nancy Szwydek is the mother of LCpl Szwydek. She is, and has been at all relevant times, a national of the United States.

874. Plaintiff Mr. Wallace Szwydek is the father of LCpl Szwydek. He is, and has been at all relevant times, a national of the United States.

875. As a result of the October 20, 2005 attack and LCpl Szwydek's injuries and death, each member of the Szwydek Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Szwydek's society, companionship, and counsel.

**IIII. The Towns Family**

876. Sergeant 1st Class Robin L. Towns Sr. served in Iraq as a member of the U.S. military serving in the District of Columbia Army National Guard.

877. On October 24, 2007, SFC Towns was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. SFC Towns died on October 24, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

878. SFC Towns was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

879. Plaintiff Mrs. Shelia Towns is the widow of SFC Towns. She is, and has been at all relevant times, a national of the United States.

880. As a result of the October 24, 2007 attack and SFC Towns's injuries and death, each member of the Towns Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SFC Towns's society, companionship, and counsel.

**JJJJ. The Valdez Family**

881. Corporal Ramona M. Valdez served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

882. On June 23, 2005, Cpl Valdez was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. Cpl Valdez died on June 23, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

883. Cpl Valdez was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

884. Plaintiff Ms. Estefani Valdez is the sister of Cpl Valdez. She is, and has been at all relevant times, a national of the United States.

885. As a result of the June 23, 2005 attack and Cpl Valdez's injuries and death, each member of the Valdez Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Cpl Valdez's society, companionship, and counsel.

**KKKKK. The Voelz Family**

886. Staff Sergeant Kimberly Ann Voelz served in Iraq as a member of the U.S. military serving in the U.S. Army.

887. On December 14, 2003, SSG Voelz was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Babylon, Iraq. SSG Voelz died on December 14, 2003 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

888. SSG Voelz was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

889. Plaintiff Mr. Floyd Fahnestock is the father of SSG Voelz. He is, and has been at all relevant times, a national of the United States.

890. As a result of the December 14, 2003 attack and SSG Voelz's injuries and death, each member of the Voelz Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Voelz's society, companionship, and counsel.

**LLLLL. The Wade Family**

891. Chief Petty Officer Patrick L. Wade served in Iraq as a member of the U.S. military serving in the U.S. Navy.

892. On July 17, 2007, CPO Wade was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Saladin, Iraq. CPO Wade died on July 17, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

893. CPO Wade was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

894. Plaintiff Ms. Shirley Wade is the mother of CPO Wade. She is, and has been at all relevant times, a national of the United States.

895. Plaintiff Mr. Gary Wade is the brother of CPO Wade. He is, and has been at all relevant times, a national of the United States.

896. As a result of the July 17, 2007 attack and CPO Wade's injuries and death, each member of the Wade Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPO Wade's society, companionship, and counsel.

**MMMMM. The Wagoner Family**

897. Staff Sergeant Terry Daniel Wagoner served in Iraq as a member of the U.S. military serving in the U.S. Army.

898. On September 14, 2007, SSG Wagoner was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. SSG Wagoner died on September 14, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

899. SSG Wagoner was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

900. Plaintiff Ms. Katherine Wagoner is the widow of SSG Wagoner. She is, and has been at all relevant times, a national of the United States.

901. As a result of the September 14, 2007 attack and SSG Wagoner's injuries and death, each member of the Wagoner Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Wagoner's society, companionship, and counsel.

**NNNNN. The Wallace Family**

902. Sergeant Brandon L. Wallace served in Iraq as a member of the U.S. military serving in the U.S. Army.

903. On April 14, 2007, SGT Wallace was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. SGT Wallace died on April 14, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

904. SGT Wallace was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

905. Plaintiff Ms. Robin Wallace is the mother of SGT Wallace. She is, and has been at all relevant times, a national of the United States.

906. Plaintiff Ms. Rachel Tucker is the sister of SGT Wallace. She is, and has been at all relevant times, a national of the United States.

907. Plaintiff Ms. Sarah Wallace is the sister of SGT Wallace. She is, and has been at all relevant times, a national of the United States.

908. As a result of the April 14, 2007 attack and SGT Wallace's injuries and death, each member of the Wallace Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Wallace's society, companionship, and counsel.

**OOOOO. The Walsh Family**

909. Navy Hospital Corpsman 2nd Class Christopher Walsh served in Iraq as a member of the U.S. military serving in the U.S. Naval Reserve.

910. On September 4, 2006, HM2 Walsh was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. HM2

Walsh died on September 4, 2006 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

911. HM2 Walsh was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

912. Plaintiff Mrs. Maureen Walsh is the mother of HM2 Walsh. She is, and has been at all relevant times, a national of the United States.

913. Plaintiff Ms. Erin Watson is the sister of HM2 Walsh. She is, and has been at all relevant times, a national of the United States.

914. Plaintiff Mr. Joseph Walsh is the brother of HM2 Walsh. He is, and has been at all relevant times, a national of the United States.

915. Plaintiff Ms. Meghan Turner is the sister of HM2 Walsh. She is, and has been at all relevant times, a national of the United States.

916. Plaintiff Mr. Patrick Walsh is the brother of HM2 Walsh. He is, and has been at all relevant times, a national of the United States.

917. As a result of the September 4, 2006 attack and HM2 Walsh's injuries and death, each member of the Walsh Family has experienced severe mental anguish, emotional pain and suffering, and the loss of HM2 Walsh's society, companionship, and counsel.

**PPPPP. The Watkins Family**

918. Corporal Glenn J. Watkins served in Iraq as a member of the U.S. military serving in the Washington Army National Guard.

919. On April 5, 2005, CPL Watkins was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Baghdad, Iraq. CPL



Watkins died on April 5, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

920. CPL Watkins was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

921. Plaintiff Mrs. Anne Watkins is the widow of CPL Watkins. She is, and has been at all relevant times, a national of the United States.

922. As a result of the April 5, 2005 attack and CPL Watkins's injuries and death, each member of the Watkins Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Watkins's society, companionship, and counsel.

**QQQQQ. The Wehrly Family**

923. Sergeant 1st Class Kyle Brett Wehrly served in Iraq as a member of the U.S. military serving in the Illinois Army National Guard.

924. On November 3, 2005, SFC Wehrly was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. SFC Wehrly died on November 3, 2005 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

925. SFC Wehrly was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

926. Plaintiff Ms. Nita Cross is the mother of SFC Wehrly. She is, and has been at all relevant times, a national of the United States.

927. As a result of the November 3, 2005 attack and SFC Wehrly's injuries and death, each member of the Wehrly Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SFC Wehrly's society, companionship, and counsel.

**RRRRR. The West Family**

928. First Lieutenant Kile G. West served in Iraq as a member of the U.S. military serving in the U.S. Army.

929. On May 28, 2007, 1LT West was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Diyala, Iraq. 1LT West died on May 28, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

930. 1LT West was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

931. Plaintiff Ms. Nanette West is the mother of 1LT West. She is, and has been at all relevant times, a national of the United States.

932. Plaintiff Mr. Clark West is the father of 1LT West. He is, and has been at all relevant times, a national of the United States.

933. Plaintiff Ms. Kelli Anderson is the sister of 1LT West. She is, and has been at all relevant times, a national of the United States.

934. Plaintiff Mr. Carter West is the brother of 1LT West. He is, and has been at all relevant times, a national of the United States.

935. Plaintiff Ms. Kara West is the sister of 1LT West. She is, and has been at all relevant times, a national of the United States.

936. As a result of the May 28, 2007 attack and 1LT West's injuries and death, each member of the West Family has experienced severe mental anguish, emotional pain and suffering, and the loss of 1LT West's society, companionship, and counsel.

**SSSSS. The Witteveen Family**

937. Private 1st Class Brett A. Witteveen served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

938. On February 18, 2007, PFC Witteveen was injured in IED attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. PFC Witteveen died on February 18, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

939. PFC Witteveen was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

940. Plaintiff Ms. Heather Kaufman is the sister of PFC Witteveen. She is, and has been at all relevant times, a national of the United States.

941. Plaintiff Mr. Trent Witteveen is the brother of PFC Witteveen. He is, and has been at all relevant times, a national of the United States.

942. As a result of the February 18, 2007 attack and PFC Witteveen's injuries and death, each member of the Witteveen Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Witteveen's society, companionship, and counsel.

**TTTTT. The Woods Family**

943. Staff Sergeant Gary Lee Woods Jr. served in Iraq as a member of the U.S. military serving in the U.S. Army.

944. On April 10, 2009, SSG Woods was injured in suicide bomber attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Nineveh, Iraq. SSG Woods died on April 10, 2009 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

945. SSG Woods was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

946. Plaintiff Ms. Becky Johnson is the mother of SSG Woods. She is, and has been at all relevant times, a national of the United States.

947. Plaintiff Ms. Britteny Woods is the sister of SSG Woods. She is, and has been at all relevant times, a national of the United States.

948. As a result of the April 10, 2009 attack and SSG Woods's injuries and death, each member of the Woods Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Woods's society, companionship, and counsel.

**UUUUU. The Wroblewski Family**

949. Second Lieutenant John Thomas Wroblewski served in Iraq as a member of the U.S. military serving in the U.S. Marine Corps.

950. On April 6, 2004, 2ndLt Wroblewski was injured in complex attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. 2ndLt Wroblewski died on April 6, 2004 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

951. 2ndLt Wroblewski was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

952. Plaintiff Mr. David Wroblewski is the brother of 2ndLt Wroblewski. He is, and has been at all relevant times, a national of the United States.

953. As a result of the April 6, 2004 attack and 2ndLt Wroblewski's injuries and death, each member of the Wroblewski Family has experienced severe mental anguish, emotional pain and suffering, and the loss of 2ndLt Wroblewski's society, companionship, and counsel.

**VVVVV. The Youngblood Family**

954. Private 1st Class Kelly David Youngblood served in Iraq as a member of the U.S. military serving in the U.S. Army.

955. On February 18, 2007, PFC Youngblood was injured in sniper attack committed by Iranian Sunni Terrorist Proxies, with material support and resources from Iran, in Al Anbar, Iraq. PFC Youngblood died on February 18, 2007 as a result of injuries sustained during the attack. The attack constituted an extrajudicial killing.

956. PFC Youngblood was a national of the United States and a member of the armed forces at the time of the attack and all other relevant times.

957. Plaintiff Ms. Kristen Simon is the mother of PFC Youngblood. She is, and has been at all relevant times, a national of the United States.

958. Plaintiff Mr. Richard Gervasi II is the brother of PFC Youngblood. He is, and has been at all relevant times, a national of the United States.

959. As a result of the February 18, 2007 attack and PFC Youngblood's injuries and death, each member of the Youngblood Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Youngblood's society, companionship, and counsel.

**CLAIM FOR RELIEF**

**COUNT ONE: PERSONAL INJURY OR DEATH UNDER 28 U.S.C. § 1605A(c)**

960. Plaintiffs incorporate the allegations above.

961. Plaintiffs or their family members were killed or injured by acts of torture, extrajudicial killing, aircraft sabotage, hostage taking, or the provision of material support or resources for such acts, and such acts or provision of material support or resources were committed

by officials, employees, or agents of Iran while acting within the scope of their office, employment, or agency.

962. The terrorist attacks that killed or injured Plaintiffs or their family members occurred in Iraq.

963. Iran was designated as a State Sponsor of Terrorism at the time of the terrorist acts that killed or injured Plaintiffs or their family members and remains so today.

964. At the time of the attacks in which they or their family members were killed or injured, Plaintiffs or their attacked family members were U.S. nationals, members of the U.S. armed forces, and/or employees or contractors of the U.S. government acting within the scope of their employment.

965. Plaintiffs are currently nationals of the United States, members of the U.S. armed forces, employees or contractors of the United States government acting within the scope of their employment, or the legal representatives of one of the foregoing.

966. Iran's conduct was criminal, outrageous, extreme, wanton, willful, malicious, and a threat to the public, warranting an award of punitive damages against Iran pursuant to 28 U.S.C. § 1605A(c).

967. As a result of Defendant's liability under 28 U.S.C. § 1605A(c), Plaintiffs are entitled to recover compensatory damages, including, but not limited to, damages for their severe physical injuries, extreme mental anguish, pain and suffering, economic damages, solatium damages, and punitive damages as determined by the trier of fact.

#### **PRAYER FOR RELIEF**

968. Plaintiffs request that the Court:

- a. Enter judgment against Iran finding it liable under 28 U.S.C. § 1605A(c);

- b. Award Plaintiffs compensatory and punitive damages to the maximum extent permitted by law, 28 U.S.C. § 1605A(c), including but not limited to pain and suffering, economic damages, solatium damages, and punitive damages;
- c. Award Plaintiffs prejudgment interest;
- d. Award Plaintiffs costs, expenses, and attorneys' fees; and
- e. Award Plaintiffs any such further relief the Court deems just and proper.

Dated: July 7, 2021

Respectfully submitted,

/s/ Michael J. Gottlieb

Michael J. Gottlieb (D.C. Bar No. 974960)  
Randall Jackson (D.C. Bar No. 490798)  
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eli.kay-oliphant@sparacinopllc.com

*Counsel for Plaintiffs*



**CIVIL COVER SHEET**

JS-44 (Rev. 11/2020 DC)

<p><b>I. (a) PLAINTIFFS</b> Robert Martino, et al.</p> <p>(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF <u>88888</u> (EXCEPT IN U.S. PLAINTIFF CASES)</p>	<p><b>DEFENDANTS</b> Islamic Republic of Iran</p> <p>COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT <u>99999</u> (IN U.S. PLAINTIFF CASES ONLY)</p> <p><small>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED</small></p>
---	---

<p>(c) ATTORNEYS (FIRMNAME, ADDRESS, AND TELEPHONE NUMBER)</p> <p>Michael J. Gottlieb (D.C. Bar No. 974960)      Ryan R. Sparacino (D.C. Bar No. 493700)          Randall Jackson (D.C. Bar No. 490798)      Eli J. Kay-Oliphant (D.C. Bar No. 503235)          Nicholas Reddick (D.C. Bar No. 1670683)      Sparacino PLLC          Willkie Farr &amp; Gallagher LLP      1920 L Street, NW, Suite 535          1875 K Street, N.W.      Washington, D.C. 20036          Washington, DC 20006-1238      Tel: (202) 629-3530          Tel: (202) 303-1000</p>	<p>ATTORNEYS (IF KNOWN)</p>
---	-----------------------------

<p><b>II. BASIS OF JURISDICTION</b> (PLACE AN x IN ONE BOX ONLY)</p> <p><input type="radio"/> 1 U.S. Government Plaintiff      <input checked="" type="radio"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="radio"/> 2 U.S. Government Defendant      <input type="radio"/> 4 Diversity (Indicate Citizenship of Parties in item III)</p>	<p><b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) <b>FOR DIVERSITY CASES ONLY!</b></p> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">PTF</th> <th style="text-align: center;">DFT</th> <th></th> <th style="text-align: center;">PTF</th> <th style="text-align: center;">DFT</th> </tr> </thead> <tbody> <tr> <td>Citizen of this State</td> <td style="text-align: center;"><input type="radio"/> 1</td> <td style="text-align: center;"><input type="radio"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td style="text-align: center;"><input type="radio"/> 4</td> <td style="text-align: center;"><input type="radio"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="radio"/> 2</td> <td style="text-align: center;"><input type="radio"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="radio"/> 5</td> <td style="text-align: center;"><input type="radio"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="radio"/> 3</td> <td style="text-align: center;"><input type="radio"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="radio"/> 6</td> <td style="text-align: center;"><input type="radio"/> 6</td> </tr> </tbody> </table>		PTF	DFT		PTF	DFT	Citizen of this State	<input type="radio"/> 1	<input type="radio"/> 1	Incorporated or Principal Place of Business in This State	<input type="radio"/> 4	<input type="radio"/> 4	Citizen of Another State	<input type="radio"/> 2	<input type="radio"/> 2	Incorporated and Principal Place of Business in Another State	<input type="radio"/> 5	<input type="radio"/> 5	Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input type="radio"/> 6
	PTF	DFT		PTF	DFT																				
Citizen of this State	<input type="radio"/> 1	<input type="radio"/> 1	Incorporated or Principal Place of Business in This State	<input type="radio"/> 4	<input type="radio"/> 4																				
Citizen of Another State	<input type="radio"/> 2	<input type="radio"/> 2	Incorporated and Principal Place of Business in Another State	<input type="radio"/> 5	<input type="radio"/> 5																				
Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input type="radio"/> 6																				

**IV. CASE ASSIGNMENT AND NATURE OF SUIT**

(Place an X in one category, A-N, that best represents your Cause of Action and one in a corresponding Nature of Suit)

<p><input type="radio"/> <b>A. Antitrust</b></p> <p><input type="checkbox"/> 410 Antitrust</p>	<p><input checked="" type="radio"/> <b>B. Personal Injury/Malpractice</b></p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel &amp; Slander</p> <p><input type="checkbox"/> 330 Federal Employers Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input checked="" type="checkbox"/> 360 Other Personal Injury</p> <p><input type="checkbox"/> 362 Medical Malpractice</p> <p><input type="checkbox"/> 365 Product Liability</p> <p><input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability</p> <p><input type="checkbox"/> 368 Asbestos Product Liability</p>	<p><input type="radio"/> <b>C. Administrative Agency Review</b></p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><u>Social Security</u></p> <p><input type="checkbox"/> 861 HIA (1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p> <p><u>Other Statutes</u></p> <p><input type="checkbox"/> 891 Agricultural Acts</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input type="checkbox"/> 890 Other Statutory Actions (If Administrative Agency is Involved)</p>	<p><input type="radio"/> <b>D. Temporary Restraining Order/Preliminary Injunction</b></p> <p>Any nature of suit from any category may be selected for this category of case assignment.</p> <p>*(If Antitrust, then A governs)*</p>
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<p><input type="radio"/> <b>E. General Civil (Other)</b>      <b>OR</b>      <input type="radio"/> <b>F. Pro Se General Civil</b></p>			
<p><u>Real Property</u></p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure</p> <p><input type="checkbox"/> 230 Rent, Lease &amp; Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 290 All Other Real Property</p> <p><u>Personal Property</u></p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 371 Truth in Lending</p> <p><input type="checkbox"/> 380 Other Personal Property Damage</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p>	<p><u>Bankruptcy</u></p> <p><input type="checkbox"/> 422 Appeal 27 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p><u>Prisoner Petitions</u></p> <p><input type="checkbox"/> 535 Death Penalty</p> <p><input type="checkbox"/> 540 Mandamus &amp; Other</p> <p><input type="checkbox"/> 550 Civil Rights</p> <p><input type="checkbox"/> 555 Prison Conditions</p> <p><input type="checkbox"/> 560 Civil Detainee – Conditions of Confinement</p> <p><u>Property Rights</u></p> <p><input type="checkbox"/> 820 Copyrights</p> <p><input type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 835 Patent – Abbreviated New Drug Application</p> <p><input type="checkbox"/> 840 Trademark</p> <p><input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 (DTSA)</p>	<p><u>Federal Tax Suits</u></p> <p><input type="checkbox"/> 870 Taxes (US plaintiff or defendant)</p> <p><input type="checkbox"/> 871 IRS-Third Party 26 USC 7609</p> <p><u>Forfeiture/Penalty</u></p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</p> <p><input type="checkbox"/> 690 Other</p> <p><u>Other Statutes</u></p> <p><input type="checkbox"/> 375 False Claims Act</p> <p><input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))</p> <p><input type="checkbox"/> 400 State Reapportionment</p> <p><input type="checkbox"/> 430 Banks &amp; Banking</p> <p><input type="checkbox"/> 450 Commerce/ICC Rates/etc</p> <p><input type="checkbox"/> 460 Deportation</p> <p><input type="checkbox"/> 462 Naturalization Application</p>	<p><input type="checkbox"/> 465 Other Immigration Actions</p> <p><input type="checkbox"/> 470 Racketeer Influenced &amp; Corrupt Organization</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 485 Telephone Consumer Protection Act (TCPA)</p> <p><input type="checkbox"/> 490 Cable/Satellite TV</p> <p><input type="checkbox"/> 850 Securities/Commodities/Exchange</p> <p><input type="checkbox"/> 896 Arbitration</p> <p><input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p> <p><input type="checkbox"/> 890 Other Statutory Actions (if not administrative agency review or Privacy Act)</p>

<input type="radio"/> <b>G. Habeas Corpus/ 2255</b>  <input type="checkbox"/> 530 Habeas Corpus – General <input type="checkbox"/> 510 Motion/Vacate Sentence <input type="checkbox"/> 463 Habeas Corpus – Alien Detainee	<input type="radio"/> <b>H. Employment Discrimination</b>  <input type="checkbox"/> 442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation)  *(If pro se, select this deck)*	<input type="radio"/> <b>I. FOIA/Privacy Act</b>  <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 890 Other Statutory Actions (if Privacy Act)  *(If pro se, select this deck)*	<input type="radio"/> <b>J. Student Loan</b>  <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (excluding veterans)
<input type="radio"/> <b>K. Labor/ERISA (non-employment)</b>  <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Labor Railway Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="radio"/> <b>L. Other Civil Rights (non-employment)</b>  <input type="checkbox"/> 441 Voting (if not Voting Rights Act) <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 445 Americans w/Disabilities – Employment <input type="checkbox"/> 446 Americans w/Disabilities – Other <input type="checkbox"/> 448 Education	<input type="radio"/> <b>M. Contract</b>  <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 153 Recovery of Overpayment of Veteran’s Benefits <input type="checkbox"/> 160 Stockholder’s Suits <input type="checkbox"/> 190 Other Contracts <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="radio"/> <b>N. Three-Judge Court</b>  <input type="checkbox"/> 441 Civil Rights – Voting (if Voting Rights Act)

**V. ORIGIN**  
 1 Original Proceeding  
  2 Removed from State Court  
  3 Remanded from Appellate Court  
  4 Reinstated or Reopened  
  5 Transferred from another district (specify)  
  6 Multi-district Litigation  
  7 Appeal to District Judge from Mag. Judge  
  8 Multi-district Litigation – Direct File

**VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)**  
 28 U.S.C. § 1605A(c) provides a federal right of action against a State Sponsor of Terrorism for injury to U.S. citizens.

<b>VII. REQUESTED IN COMPLAINT</b>	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23	DEMAND \$ _____	JURY DEMAND: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
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<b>VIII. RELATED CASE(S) IF ANY</b>	(See instruction)	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If yes, please complete related case form
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DATE: 7/7/2021	SIGNATURE OF ATTORNEY OF RECORD: /s/Michael Gottlieb
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**INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44**  
 Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and services of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil coversheet. These tips coincide with the Roman Numerals on the cover sheet.

- I.** COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff if resident of Washington, DC, 88888 if plaintiff is resident of United States but not Washington, DC, and 99999 if plaintiff is outside the United States.
- III.** CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV.** CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of the case.
- VI.** CAUSE OF ACTION: Cite the U.S. Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII.** RELATED CASE(S), IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk’s Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

Robert Martino, et al.	)	
<i>Plaintiff</i>	)	
	)	
v.	)	Civil Action No.
Islamic Republic of Iran	)	
<i>Defendant</i>	)	

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)*  
 ISLAMIC REPUBLIC OF IRAN  
 Ministry of Foreign Affairs  
 Khomeini Ave.  
 United Nations St.  
 Tehran, Iran

A lawsuit has been filed against you.

Within 60 days after service of this summons on you (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Michael J. Gottlieb Randall Jackson Nicholas Reddick Willkie Farr & Gallagher LLP 1875 K Street, N.W. Washington, DC 20006-1238 Tel: (202) 303-1000	Ryan R. Sparacino Eli J. Kay-Oliphant Sparacino PLLC 1920 L Street, NW, Suite 535 Washington, D.C. 20036 Tel: (202) 629-3530
---	---

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*ANGELA D. CAESAR, CLERK OF COURT*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify):* \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

ROBERT MARTINO, *et al.*,

Plaintiffs,

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

Case No.: 1:21-cv-01808

**PLAINTIFFS' EX PARTE MOTION FOR WAIVER OF LOCAL CIVIL RULE 5.1(c)**

Plaintiffs seek relief from Local Civil Rule 5.1(c)'s requirement that their Complaint (filed concurrently with this motion) include "the name and full residence address" of each Plaintiff. In support of their request, Plaintiffs state the following:

1. This is a civil action under the Foreign Sovereign Immunities Act (28 U.S.C. § 1605A) alleging that Iran sponsored terrorist attacks against Americans in Iraq. Plaintiffs are U.S. nationals and their family members who were killed or injured by terrorist attacks for which Iran provided material support and resources.

2. Plaintiffs each have experienced severe emotional trauma stemming from the attacks set forth in the Complaint. *See* Compl. ¶¶ 246-959.

3. Publicly disclosing Plaintiffs' home addresses could subject them to possible harassment or threats to their personal safety. Any such threats or harassment would likely intensify the emotional trauma that Plaintiffs have already experienced. *See Yaman v. U.S. Dep't*

*of State*, 786 F. Supp. 2d 148, 153 (D.D.C. 2011) (listing relevant factors for granting relief from Rule 5.1(c), including any “risk of retaliatory physical or mental harm to the requesting party”).

4. Courts in this District routinely grant relief from Local Civil Rule 5.1(c) in comparable terrorism cases brought by U.S. citizens. *See, e.g.*, Minute Order, *Cabrera v. Islamic Republic of Iran*, No. 19-cv-03835-JDB (D.D.C. Jan. 2, 2020); Minute Order, *Atchley v. Astrazeneca*, No. 17-cv-02136-RJL (D.D.C. Oct. 23, 2017); Minute Order, *Holladay v. Islamic Republic of Iran*, No. 17-cv-00915-RDM (D.D.C. May 22, 2017); Minute Order, *Hake v. Bank Markazi Jomhuri Islami Iran*, No. 17-cv-00114-TJK (D.D.C. Jan. 27, 2017); Minute Order, *Stearns v. Islamic Republic of Iran*, No. 17-cv-00131-TJK (D.D.C. Jan. 27, 2017); Minute Order, *Ofisi v. BNP Paribas, S.A.*, No. 15-cv-02010-JDB (D.D.C. Nov. 20, 2015).

5. Plaintiffs are prepared to file under seal a list of all Plaintiffs’ names and residence addresses within 30 days. That is consistent with the relief that courts in this District typically order in terrorism cases, *see supra* ¶ 4, and such a sealed filing will neither prejudice Defendant nor interfere with the efficient administration of this case.

6. Pursuant to Local Civil Rule 7(c), Plaintiffs attach to this motion a proposed order entering the relief requested above.

Dated: July 7, 2021

Respectfully submitted,

/s/ Michael J. Gottlieb

Michael J. Gottlieb (D.C. Bar No. 974960)  
Randall Jackson (D.C. Bar No. 490798)  
Willkie Farr & Gallagher LLP  
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eli.kay-oliphant@sparacinopllc.com

*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 7th day of July, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing to all counsel of record.

/s/ Michael J. Gottlieb

Michael J. Gottlieb



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ROBERT MARTINO, *et al.*,

Plaintiffs,

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

Case No.: 1:21-cv-01808

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' EX PARTE MOTION FOR WAIVER OF LOCAL CIVIL RULE 5.1(c)**

On consideration of Plaintiffs' *Ex Parte* Motion for Waiver of Local Civil Rule 5.1(c),  
the Court grants the motion and orders that:

- (1) Plaintiffs are excused from publicly filing their residence address information with their Complaint in accordance with Local Civil Rule 5.1(c); and
- (2) Plaintiffs shall file under seal a list containing the names and full residential addresses of all Plaintiffs within 30 days of this Order.

Dated: \_\_\_\_\_, 2021.

\_\_\_\_\_  
United States District Judge