

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

PATRICK HULETT, JANE KLAUS, SARAH LEATHLEY, CYNTHIA JACOBS, KIM HARRISON, DOUGLAS HARRISON, JOSHUA HARRISON, COLTON BOATRIGHT, TANNA BOATRIGHT, ZOIE BOATRIGHT, MATTHEW STRONG, BOBBY JOHNSON, ROCHELLE BUCKMAN, ANTOINETTE WILLIAMS, KYLEE BRODY, JANIE GONZALEZ, JONI BUNTIN, BRANDON MARION, KEVIN MARION, GEORGIA RITTER, JASON WOOD, TRACY MILLER, SHANNON SILVA, ZOE SILVA, TYLER JOHNSON, DARLENE MOODY, SHAWN ZIESKE, DAVID DERAPS, GLORYGRACE DICKINSON, VICKI DICKINSON, VICKI R. DICKINSON, JOHN MCKENNA III, AMY GALVEZ, ANTHONY GALVEZ, SARAH GALVEZ, TRAVIS GALVEZ, DAVID DEASON II, ASHLEY DEASON, CYNTHIA DEASON, BRIAN HUFF, RACHEL KINCAID, ABIGAIL KINCAID, KENNEDY KINCAID, CASEY MELLEN, REBEKAH ASHWORTH, ELIZABETH HOLLER, CYNTHIA ROBERTS, RACHEL MCFADDEN, MARLON WATTS, RENEE DANIELS, MEKA HAMEED, DEMOND MILLER, KIM MILLER, CARMEN BALINT, ANGELO BALINT, MICHAEL DAUL, MARLENA CLAYTON, HAYES CLAYTON SR., ERIC CLAYTON, ROBIN MAHNESMITH, ANTHONY MAHNESMITH, LYDIA MAHNESMITH, TIMOTHY MILLER, APRIL VANDEVOORDE, ERIC WEINER, KAY ST. JOHN, JON ST. JOHN SR., DANA HOWARD, CARRIE DELMARE, JANET SEYMOUR, TONYA ROELOFS, JESSICA EPPERSON, JAMIE O'NEIL, SARA O'NEIL, SHARRELL SHAW, MELANEY YOUNGBLOOD, BARBARA WATERBURY, STEPHEN WATERBURY, ROBERT WORTHINGTON, ELIZABETH GARDNER, THOMAS SUMMERS, CAROLYN MOORE, ASHLEY BOBBETT, CARRIE CANTARELLI, MELISSA OAKS, ANGELA ROBINSON, RANDALL THOMPSON, JULIE NOBLE, ANDREW NOBLE, KATLIN NOBLE, KEELEY FRANK, JENNIFER MELE, NICHOLAS MELE, LINDA DILLON,

Case No.: _____

TERRENCE DILLON, NICHOLAS DILLON,
STEVEN DILLON, SARAH CONLON-PERNICK,
ROBBIN MASON, JEFFREY MASON, ZACHARY
MASON, JUNE AUGUSTA, CRAIG HERNANDEZ
SR., PATRICIA HERNANDEZ, JOHN AUGUSTA,
JEREMY PIONK, ASHLEY COOKE, BRIAN
CHEVALIER, WILLIAM RUDD JR., MARK REED,
CYNTHIA REED, JOANNE CEMBROOK, THOMAS
LEE JR., ASHLEY LEE, KATIE LEE, JOHN FLINT,
SHARON COLLINS, and BURKITT COLLINS,

Plaintiffs,

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

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

TABLE OF CONTENTS

INTRODUCTION 1

JURISDICTION AND VENUE 3

THE DEFENDANT 3

FACTUAL ALLEGATIONS 4

I. IRAN HAS LONG SUPPORTED TERRORISM THROUGHOUT THE MIDDLE EAST AND CENTRAL ASIA AS PART OF ITS FOREIGN POLICY 4

II. SUNNI TERRORISTS WAGED A DEADLY INSURGENCY AGAINST AMERICANS IN IRAQ..... 10

A. Al-Qaeda 14

B. Al-Qaeda-In-Iraq..... 22

C. Ansar Al-Islam..... 30

III. IRAN PROVIDED MATERIAL SUPPORT AND RESOURCES FOR SUNNI TERRORISTS TARGETING AMERICANS IN IRAQ..... 33

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 36

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 38

2. Iran Used The IRGC To Establish Al-Qaeda-In-Iraq As An Iranian Sunni Terrorist Proxy In Iraq 48

3. Iran Used the IRGC to Establish Ansar Al-Islam as an Iranian Sunni Terrorist Proxy in Iraq 53

B. Iran Provided Its Iraqi Sunni Terrorist Proxies with Weapons, Explosives, and Lethal Substances..... 56

C. Iran Provided Its Iraqi Sunni Terrorist Proxies with Lodging, Training, Expert Advice or Assistance, Safehouses, Personnel, and Transportation 60

D. Iran Provided Its Iraqi Sunni Terrorist Proxies with Financial Support 71

IV. IRANIAN TERRORIST PROXIES KILLED AND INJURED PLAINTIFFS THROUGH TERRORIST ATTACKS FOR WHICH IRAN PROVIDED MATERIAL SUPPORT AND/OR RESOURCES 73

 A. The April 9, 2004 Complex Attack in Baghdad (Hulett Family) 74

 B. The July 20, 2004 Complex Attack in Al Anbar (Godwin Family) 74

 C. The October 7, 2004 IED Attack in Saladin (Jacobs Family) 75

 D. The December 2, 2004 Small Arms Attack in Mosul (Harrison Family)..... 76

 E. The December 4, 2004 IED Attack in Baghdad (Boatright Family) 76

 F. The January 26, 2005 RPG Attack in Al Anbar (Strong Family)..... 77

 G. The October 10, 2005 IED Attack in Al Anbar (Johnson Family)..... 78

 H. The November 3, 2005 IED Attack in Diyala (Wehrly Family) 79

 I. The February 9, 2006 IED Attack in Al Anbar (Chavez Family) 79

 J. The February 22, 2006 IED Attack in Kirkuk (Marion Family) 80

 K. The March 5, 2006 IED Attack in Al Anbar (Jessen Family) 81

 L. The March 13, 2006 IED Attack in Al Anbar (Silva Family) 81

 M. The April 8, 2006 IED Attack in Nineveh (Missildine Family) 82

 N. The May 3, 2006 IED Attack in Kirkuk (Zieske Family)..... 83

 O. The May 6, 2006 IED Attack in Al Anbar (Deraps Family) 84

 P. The July 17, 2006 Small Arms Attack in Al Anbar (Dickinson Family) 84

 Q. The August 16, 2006 Small Arms Attack in Al Anbar (McKenna Family)..... 85

 R. The August 20, 2006 IED Attack in Al Anbar (Galvez Family)..... 86

 S. The August 31, 2006 IED Attack in Saladin (Deason Family) 87

 T. The September 19, 2006 Vehicle Borne IED Attack in Nineveh (Huff Family) 87

 U. The September 23, 2006 IED Attack in Riyadh (Kincaid Family)..... 88

 V. The September 25, 2006 Small Arms Attack in Nineveh (Mellen Family) 89

 W. The November 2, 2006 IED Attack in Al Anbar (Holler Family)..... 90

X. The November 5, 2006 IED Attack in Al Anbar (Desjardins Family)..... 90

Y. The November 21, 2006 IED Attack in Al Anbar (Watts Family)..... 91

Z. The December 3, 2006 Indirect Fire Attack in Baghdad (Miller Family)..... 92

AA.The December 15, 2006 Small Arms Attack in Al Anbar (Balint Family) 92

BB.The December 19, 2006 IED Attack in Al Anbar (Daul Family) 93

CC.The December 25, 2006 IED Attack in Saladin (Clayton Family) 94

DD.The January 7, 2007 Vehicle Borne IED Attack in Baghdad (Miller and Weiner Families) 95

EE.The January 27, 2007 IED Attack in Baghdad (St. John and Swanson Families)..... 96

FF. The February 2, 2007 Small Arms Attack in Al Anbar (Zeimer Family) 97

GG.The February 9, 2007 Bomb Attack in Diyala (Shaw Family)..... 98

HH.The February 18, 2007 Sniper Attack in Al Anbar (Youngblood Family)..... 99

II. The March 14, 2007 Small Arms Attack in Al Anbar (Waterbury Family)..... 99

JJ. The May 22, 2007 IED Attack in Baghdad (Worthington Family)..... 100

KK.The May 28, 2007 IED Attack in Diyala (Summers Family)..... 101

LL.The May 30, 2007 IED Attack in Saladin (Moore Family)..... 102

MM.The June 16, 2007 IED Attack in Kirkuk (Walkup Family) 102

NN.The July 24, 2007 IED Attack in Diyala (Lynch and Noble Families)..... 103

OO.The August 29, 2007 Suicide IED Attack in Al Anbar (Gilbertson Family)..... 104

PP. The September 14, 2007 IED Attack in Baghdad (Mele Family) 105

QQ.The October 6, 2007 Small Arms Attack in Nineveh (Dillon Family)..... 106

RR.The November 1, 2007 IED Attack in Saladin (Schuldheiss Family)..... 106

SS. The November 13, 2007 Small Arms Attack in Nineveh (Mason Family) 107

TT.The December 4, 2007 IED Attack in Saladin (Hernandez Family) 108

UU.The January 9, 2008 IED Attack in Diyala (Pionk Family)..... 109

VV.The July 9, 2008 Grenade Attack in Saladin (Chevalier Family) 110

WW.The October 5, 2008 Small Arms Attack in Nineveh (Rudd Family)..... 110

XX.The March 2, 2009 Grenade Attack in Baghdad (Reed Family) 111

YY.The April 30, 2009 Bomb Attack in Al Anbar (McIlvaine Family) 112

ZZ.The May 29, 2009 IED Attack in Nineveh (Lee Family)..... 112

AAA.The September 8, 2009 IED Attack in Saladin (Lyons Family) 113

BBB.The April 7, 2010 IED Attack in Mosul (Collins Family)..... 114

CLAIM FOR RELIEF 114

PRAYER FOR RELIEF 115

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.¹ 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.

¹ 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.² 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 1984.³ It has maintained that designation at all times since.⁴ 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."⁵

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.⁶ 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."⁷ 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

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

³ 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>.

⁴ *Id.*

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

⁶ 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).

⁷ *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.”⁸

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.⁹ Announcing the designation, President Trump explained that “the IRGC actively participates in, finances, and promotes terrorism as a tool of statecraft.”¹⁰ 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,

⁸ 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).

⁹ See 84 Fed. Reg. 15,278-01 (Apr. 15, 2019).

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

and it has killed U.S. citizens.”¹¹ Through the IRGC’s support for terrorist organizations throughout 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.”¹²

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.”¹³ 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

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

¹² *Id.*

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

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 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.¹⁴ 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.¹⁵

27. The U.S. State Department designated the Qods Force as a Foreign Terrorist Organization in April 2019, along with the IRGC.¹⁶ 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. ...

¹⁴ 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).

¹⁵ *Id.*

¹⁶ See 84 Fed. Reg. 15,278-01 (Apr. 15, 2019).

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. ...

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.¹⁷

28. Iran has also used its lead terrorist agent worldwide, Hezbollah,¹⁸ 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

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

¹⁸ 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).

those between a revolutionary regime with a revolutionary party or organization outside its borders.”¹⁹

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.²⁰ 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

¹⁹ *Killing Americans and Their Allies*.

²⁰ *Id.*

official end of major combat operations was important because it allowed civilian reconstruction teams to enter the country.

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.”²¹

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.²²

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

²¹ Karim Sadjadpour, *The Sinister Genius of Qassem Soleimani*, Wall St. J. (Jan. 10, 2020) (“Sadjadpour, *Sinister Genius*”).

²² Karim Sadjadpour, *quoted in* National Public Radio, *‘Throughline’: The Origins Of Iran’s Gen. Qassem Soleimani* (Jan. 30, 2020) (“NPR, *Throughline*”).

Pakistan and Afghanistan and supported by a latticework of jihadist affiliates and allies around the world.²³

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.

²³ *The al Qaeda-Taliban Connection.*

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 1996.²⁴ 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.²⁵

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

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

²⁵ 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).

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.”

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).²⁶

53. Al-Qaeda also established multiple training camps within Afghanistan reportedly “hosted by the Taliban.”²⁷ 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

²⁶ 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).

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

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 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.”²⁸

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 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

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

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,²⁹ 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.

²⁹ 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."

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 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.³⁰ 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

³⁰ 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.

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 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.”³¹

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

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

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 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.”³²

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, 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

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

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."³³

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."³⁴ These findings by DOD officials accord with the reality that "[a] constant feature of Iran's policy for

³³ Knights, *The Evolution of Iran's Special Groups in Iraq*.

³⁴ 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).

more than 20 years has been the importance of uninterrupted cross-border resupply for Iran's proxies in Iraq."³⁵

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."³⁶

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.³⁷

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

³⁵ Knights, *The Evolution of Iran's Special Groups in Iraq*.

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

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

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.”³⁸ As set forth below, Iran afforded a comprehensive program 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.

³⁸ Knights, *The Evolution of Iran’s Special Groups in Iraq*.

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.”³⁹

[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 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.⁴⁰

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, 2001.⁴¹

³⁹ Sadjadpour, *Sinister Genius*.

⁴⁰ *Id.*

⁴¹ *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).

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.”⁴²

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.

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

⁴² 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).

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."⁴³ "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."⁴⁴

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."⁴⁵

138. "At the 1993 Khartoum conference, representatives of Iran, Hizballah, and al Qaeda worked out an alliance of joint cooperation and support on terrorism."⁴⁶

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

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

⁴⁴ *Id.*

⁴⁵ *Id.* (internal citations and quotations omitted).

⁴⁶ *Id.* (internal citations and quotations omitted).

connection point between Iran and al Qaeda.”⁴⁷ “Osama bin Laden had been a guerilla fighter in Afghanistan and it was Mughniyah who made bin Laden into an accomplished terrorist.”⁴⁸

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.”⁴⁹

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.”⁵⁰

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.”⁵¹

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

⁴⁷ *Id.*

⁴⁸ *Id.* (internal citations and quotations omitted).

⁴⁹ *Id.* (internal citations and quotations omitted).

⁵⁰ *Id.* (internal citations and quotations omitted).

⁵¹ *Id.* at *12 (internal citations and quotations omitted).

met with officers of MOIS [Iran's Ministry of Intelligence and Security], including chief Ali Fallahian, and Qods Force chief Ahmad Vahidi."⁵²

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 9/11.⁵³

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 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."⁵⁴ A court in this District subsequently found that Iran had caused the East Africa Embassy bombings by materially supporting al-Qaeda's operations.⁵⁵

⁵² *Id.* (internal citations and quotations omitted).

⁵³ *Id.*

⁵⁴ 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>.

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

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.⁵⁶

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 preposterous grounds that Zarqawi – 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 Zarqawi'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

⁵⁶ 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).

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.*"⁵⁷

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.⁵⁸ In so doing, the Treasury Department concluded that the secret deal provided that al-Qaeda terrorists "must refrain from conducting any operations 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-

⁵⁷ 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.

⁵⁸ 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).

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."⁵⁹ 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.⁶⁰ 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."⁶¹

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."⁶² It further accused Iran of remaining unwilling to bring to justice or identify al-Qaeda members in its custody.⁶³ The next year, the agency reaffirmed those conclusions and reiterated Iran's close relationship with al-Qaeda.⁶⁴

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,

⁵⁹ *Id.*

⁶⁰ 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).

⁶¹ Press Release, U.S. Treasury Dep't, *Treasury Targets Networks Linked To Iran* (Feb. 6, 2014).

⁶² U.S. State Dep't, *Country Reports on Terrorism 2016* at Iran Section (July 2017).

⁶³ *Id.*

⁶⁴ *Country Reports on Terrorism 2017* at Foreword.

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.”⁶⁵ “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.”⁶⁶

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.”⁶⁷ 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 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.”⁶⁸ The *Post* concluded:

⁶⁵ 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.

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ *Id.*

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.”⁶⁹

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.”⁷⁰

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.⁷¹ 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. 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.

⁶⁹ *Id.*

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

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

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.”⁷²

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” 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

⁷² NPR, *Throughline*.

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.⁷³

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.”⁷⁴ 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.”⁷⁵ 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.”⁷⁶

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

⁷³ Sadjadpour, *Sinister Genius*.

⁷⁴ NPR, *Throughline*.

⁷⁵ Sadjadpour, *quoted in* NPR, *Throughline*.

⁷⁶ *Id.*

⁷⁷ *Id.*

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.⁷⁸

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 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.

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

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."⁷⁹ Simply put, "[i]t served the interests of the Islamic Republic to maintain Iraq in a state of controlled chaos and anarchy."⁸⁰

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 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.

⁷⁹ Sadjadpour, *quoted in NPR, Throughline*.

⁸⁰ NPR, *Throughline*.

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."⁸¹ 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."⁸²

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

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.

⁸¹ 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*").

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

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.”⁸³

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 Iranian border. He said the trucks were loaded with bullets and mortar shells for [an al-

⁸³ 18 U.S.C. § 2339A(b)(1).

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.”⁸⁴ 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.⁸⁵

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.”⁸⁶

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 sourced any of its supplies or fighters without the active cooperation of the IRGC and the Qods

⁸⁴ Thanassis Cambanis, *Along Border, Kurds Say, Iran Gives Boost To Uprising*, Boston Globe (Nov. 7, 2004), 2004 WLNR 6887856 (“Cambanis, *Along Border*”).

⁸⁵ *Id.*

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

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.⁸⁷

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."⁸⁸

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."⁸⁹

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."⁹⁰

⁸⁷ Romano, *An Outline of Kurdish Islamist Groups in Iraq*.

⁸⁸ 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*").

⁸⁹ Cambanis, *Along Border*.

⁹⁰ 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."⁹¹

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.⁹²

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

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

⁹² Bradley, *Real Threat From Iran*.

was 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.”⁹³

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

⁹³ Cambanis, *Along Border*.

United States monitored phones and other forms of communication and recognized that many sensitive deliberations are best done face-to-face. Doing so requires individuals who can travel freely from one area to another.⁹⁴

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.’”⁹⁵

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.’”⁹⁶ “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.”⁹⁷ 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.⁹⁸ In essence, Iran provided al-Qaeda with a safe haven from which to orchestrate its terrorist activities.⁹⁹ 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,

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

⁹⁵ *Id.* at *17 (findings of fact) (internal citations omitted).

⁹⁶ *Id.* (internal citations omitted).

⁹⁷ *Id.* (internal citations omitted).

⁹⁸ *Id.*

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

of numerous al Qaeda leaders, operatives, and their families. The Iran–Afghanistan 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.¹⁰⁰

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;

¹⁰⁰ *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.”¹⁰¹

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

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

one 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.”¹⁰²

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.”¹⁰³

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

¹⁰² 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

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

all of al-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.¹⁰⁴

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

¹⁰⁴ Plaintiffs have redacted every other number in the numbers affiliated with Zarqawi.

from 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.¹⁰⁵ The operatives received advanced explosives training that enabled al-Qaeda to launch large-scale terrorist attacks on American embassies in Africa.¹⁰⁶ 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

¹⁰⁵ *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.”).

¹⁰⁶ *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."¹⁰⁷

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

¹⁰⁷ *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.’”¹⁰⁸

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.’”¹⁰⁹

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.

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

¹⁰⁹ *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.”¹¹⁰

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.”¹¹¹

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:

¹¹⁰ Cambanis, *Along Border*.

¹¹¹ *In re Terrorist Attacks on Sept. 11, 2001*, 2011 WL 13244047, at *26.

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 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.¹¹²

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.

¹¹² Gold and Halevi, *Zarqawi*.

A. The April 9, 2004 Complex Attack in Baghdad (Hulett Family)

247. On April 9, 2004, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a complex attack involving a rocket propelled grenade and small arms fire in Baghdad, Iraq (the “April 9, 2004 Attack”). The April 9, 2004 Attack constituted an extrajudicial killing.

248. **Stephen Hulett** was in Iraq working for KBR at the time of the attack. Stephen Hulett was injured in the April 9, 2004 Attack. Stephen Hulett died on April 9, 2004, as a result of injuries sustained during the attack.

249. Stephen Hulett was a U.S. national at the time of the attack and his death.

250. Plaintiff Patrick Hulett is the brother of Stephen Hulett and a U.S. national.

251. Plaintiff Jane Klaus is the sister of Stephen Hulett and a U.S. national.

252. As a result of the April 9, 2004 Attack and Stephen Hulett’s injuries and death, each member of the Hulett Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Stephen Hulett’s society, companionship, and counsel.

253. As a result of the April 9, 2004 Attack, Stephen Hulett was injured in his person and/or property. The Plaintiff members of the Hulett Family are the survivors and/or heirs of Stephen Hulett and are entitled to recover for the damages Stephen Hulett sustained.

B. The July 20, 2004 Complex Attack in Al Anbar (Godwin Family)

254. On July 20, 2004, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a complex attack involving a rocket propelled grenade and small arms fire in Al Anbar, Iraq (the “July 20, 2004 Attack”). The July 20, 2004 Attack constituted an extrajudicial killing.

255. **Corporal Todd Godwin** served in Iraq as a member of the U.S. Marine Corps at the time of the attack. Cpl Godwin was injured in the July 20, 2004 Attack. Cpl Godwin died on July 20, 2004, as a result of injuries sustained during the attack.

256. Cpl Godwin was a U.S. national at the time of the attack and his death.

257. Plaintiff Sarah Leathley is the sister of Cpl Godwin and a U.S. national.

258. 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.

259. As a result of the July 20, 2004 Attack, Cpl Godwin was injured in his person and/or property. The Plaintiff members of the Godwin Family are the survivors and/or heirs of Cpl Godwin and are entitled to recover for the damages Cpl Godwin sustained.

C. The October 7, 2004 IED Attack in Saladin (Jacobs Family)

260. On October 7, 2004, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Saladin, Iraq (the "October 7, 2004 Attack"). The October 7, 2004 Attack constituted an extrajudicial killing.

261. **Specialist Morgen Jacobs** served in Iraq as a member of the U.S. Army at the time of the attack. SPC Jacobs was injured in the October 7, 2004 Attack. SPC Jacobs died on October 7, 2004, as a result of injuries sustained during the attack.

262. SPC Jacobs was a U.S. national at the time of the attack and his death.

263. Plaintiff Cynthia Jacobs is the mother of SPC Jacobs and a U.S. national.

264. As a result of the October 7, 2004 Attack and SPC Jacobs's injuries and death, each member of the Jacobs Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SPC Jacobs's society, companionship, and counsel.

265. As a result of the October 7, 2004 Attack, SPC Jacobs was injured in his person and/or property. The Plaintiff members of the Jacobs Family are the survivors and/or heirs of SPC Jacobs and are entitled to recover for the damages SPC Jacobs sustained.

D. The December 2, 2004 Small Arms Attack in Mosul (Harrison Family)

266. On December 2, 2004, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a small arms attack in Mosul, Iraq (the “December 2, 2004 Attack”). The December 2, 2004 Attack constituted an extrajudicial killing.

267. **Private First Class George Harrison** served in Iraq as a member of the U.S. Army at the time of the attack. PFC Harrison was injured in the December 2, 2004 Attack. PFC Harrison died on December 2, 2004, as a result of injuries sustained during the attack.

268. PFC Harrison was a U.S. national at the time of the attack and his death.

269. Plaintiff Kim Harrison is the mother of PFC Harrison and a U.S. national.

270. Plaintiff Douglas Harrison is the father of PFC Harrison and a U.S. national.

271. Plaintiff Joshua Harrison is the brother of PFC Harrison and a U.S. national.

272. As a result of the December 2, 2004 Attack and PFC Harrison’s injuries and death, each member of the Harrison Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Harrison’s society, companionship, and counsel.

273. As a result of the December 2, 2004 Attack, PFC Harrison was injured in his person and/or property. The Plaintiff members of the Harrison Family are the survivors and/or heirs of PFC Harrison and are entitled to recover for the damages PFC Harrison sustained.

E. The December 4, 2004 IED Attack in Baghdad (Boatright Family)

274. On December 4, 2004, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Baghdad, Iraq (the “December 4, 2004 Attack”). The December 4, 2004 Attack constituted an extrajudicial killing.

275. **Sergeant Michael Boatright** served in Iraq as a member of the U.S. Army at the time of the attack. SGT Boatright was injured in the December 4, 2004 Attack. SGT Boatright died on December 4, 2004, as a result of injuries sustained during the attack.

276. SGT Boatright was a U.S. national at the time of the attack and his death.

277. Plaintiff Colton Boatright is the son of SGT Boatright and a U.S. national.

278. Plaintiff Tanna Boatright is the daughter of SGT Boatright and a U.S. national.

279. Plaintiff Zoie Boatright is the daughter of SGT Boatright and a U.S. national.

280. As a result of the December 4, 2004 Attack and SGT Boatright's injuries and death, each member of the Boatright Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Boatright's society, companionship, and counsel.

281. As a result of the December 4, 2004 Attack, SGT Boatright was injured in his person and/or property. The Plaintiff members of the Boatright Family are the survivors and/or heirs of SGT Boatright and are entitled to recover for the damages SGT Boatright sustained.

F. The January 26, 2005 RPG Attack in Al Anbar (Strong Family)

282. On January 26, 2005, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a rocket propelled grenade attack in Al Anbar, Iraq (the "January 26, 2005 Attack"). The January 26, 2005 Attack constituted an extrajudicial killing.

283. **Sergeant Jesse Strong** served in Iraq as a member of the U.S. Marine Corps Reserve at the time of the attack. Sgt Strong was injured in the January 26, 2005 Attack. Sgt Strong died on January 26, 2005, as a result of injuries sustained during the attack.

284. Sgt Strong was a U.S. national at the time of the attack and his death.

285. Plaintiff Matthew Strong is the brother of Sgt Strong and a U.S. national.

286. 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.

287. As a result of the January 26, 2005 Attack, Sgt Strong was injured in his person and/or property. The Plaintiff members of the Strong Family are the survivors and/or heirs of Sgt Strong and are entitled to recover for the damages Sgt Strong sustained.

G. The October 10, 2005 IED Attack in Al Anbar (Johnson Family)

288. On October 10, 2005, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Al Anbar, Iraq (the "October 10, 2005 Attack"). The October 10, 2005 Attack constituted an extrajudicial killing.

289. **Sergeant Leon Johnson** served in Iraq as a member of the U.S. Army at the time of the attack. SGT Johnson was injured in the October 10, 2005 Attack. SGT Johnson died on October 10, 2005, as a result of injuries sustained during the attack.

290. SGT Johnson was a U.S. national at the time of the attack and his death.

291. Plaintiff Bobby Johnson is the mother of SGT Johnson and a U.S. national.

292. Plaintiff Rochelle Buckman is the sister of SGT Johnson and a U.S. national.

293. Plaintiff Antoinette Williams is the sister of SGT Johnson and a U.S. national.

294. 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.

295. As a result of the October 10, 2005 Attack, SGT Johnson was injured in his person and/or property. The Plaintiff members of the Johnson Family are the survivors and/or heirs of SGT Johnson and are entitled to recover for the damages SGT Johnson sustained.

H. The November 3, 2005 IED Attack in Diyala (Wehrly Family)

296. On November 3, 2005, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Diyala, Iraq (the “November 3, 2005 Attack”). The November 3, 2005 Attack constituted an extrajudicial killing.

297. **Sergeant First Class Kyle Wehrly** served in Iraq as a member of the U.S. Army National Guard at the time of the attack. SFC Wehrly was injured in the November 3, 2005 Attack. SFC Wehrly died on November 3, 2005, as a result of injuries sustained during the attack.

298. SFC Wehrly was a U.S. national at the time of the attack and his death.

299. Plaintiff Kylee Brody is the daughter of SFC Wehrly and a U.S. national.

300. 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.

301. As a result of the November 3, 2005 Attack, SFC Wehrly was injured in his person and/or property. The Plaintiff members of the Wehrly Family are the survivors and/or heirs of SFC Wehrly and are entitled to recover for the damages SFC Wehrly sustained.

I. The February 9, 2006 IED Attack in Al Anbar (Chavez Family)

302. On February 9, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Al Anbar, Iraq (the “February 9, 2006 Attack”). The February 9, 2006 Attack constituted an extrajudicial killing.

303. **Private First Class Javier Chavez Jr.** served in Iraq as a member of the U.S. Marine Corps at the time of the attack. PFC Chavez was injured in the February 9, 2006 Attack. PFC Chavez died on February 9, 2006, as a result of injuries sustained during the attack.

304. PFC Chavez was a U.S. national at the time of the attack and his death.

305. Plaintiff Janie Gonzalez is the widow of PFC Chavez and a U.S. national.

306. As a result of the February 9, 2006 Attack and PFC Chavez's injuries and death, each member of the Chavez Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Chavez's society, companionship, and counsel.

307. As a result of the February 9, 2006 Attack, PFC Chavez was injured in his person and/or property. The Plaintiff members of the Chavez Family are the survivors and/or heirs of PFC Chavez and are entitled to recover for the damages PFC Chavez sustained.

J. The February 22, 2006 IED Attack in Kirkuk (Marion Family)

308. On February 22, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Kirkuk, Iraq (the "February 22, 2006 Attack"). The February 22, 2006 Attack constituted an extrajudicial killing.

309. **Private First Class Christopher Marion** served in Iraq as a member of the U.S. Army at the time of the attack. PFC Marion was injured in the February 22, 2006 Attack. PFC Marion died on February 22, 2006, as a result of injuries sustained during the attack.

310. PFC Marion was a U.S. national at the time of the attack and his death.

311. Plaintiff Joni Buntin is the sister of PFC Marion and a U.S. national.

312. Plaintiff Brandon Marion is the brother of PFC Marion and a U.S. national.

313. Plaintiff Kevin Marion is the brother of PFC Marion and a U.S. national.

314. Plaintiff Georgia Ritter is the sister of PFC Marion and a U.S. national.

315. Plaintiff Jason Wood is the brother of PFC Marion and a U.S. national.

316. As a result of the February 22, 2006 Attack and PFC Marion's injuries and death, each member of the Marion Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Marion's society, companionship, and counsel.

317. As a result of the February 22, 2006 Attack, PFC Marion was injured in his person and/or property. The Plaintiff members of the Marion Family are the survivors and/or heirs of PFC Marion and are entitled to recover for the damages PFC Marion sustained.

K. The March 5, 2006 IED Attack in Al Anbar (Jessen Family)

318. On March 5, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Al Anbar, Iraq (the “March 5, 2006 Attack”). The March 5, 2006 Attack constituted an extrajudicial killing.

319. **Staff Sergeant Kevin Jessen** served in Iraq as a member of the U.S. Army at the time of the attack. SSG Jessen was injured in the March 5, 2006 Attack. SSG Jessen died on March 5, 2006, as a result of injuries sustained during the attack.

320. SSG Jessen was a U.S. national at the time of the attack and his death.

321. Plaintiff Tracy Miller is the sister of SSG Jessen and a U.S. national.

322. As a result of the March 5, 2006 Attack and SSG Jessen’s injuries and death, each member of the Jessen Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Jessen’s society, companionship, and counsel.

323. As a result of the March 5, 2006 Attack, SSG Jessen was injured in his person and/or property. The Plaintiff members of the Jessen Family are the survivors and/or heirs of SSG Jessen and are entitled to recover for the damages SSG Jessen sustained.

L. The March 13, 2006 IED Attack in Al Anbar (Silva Family)

324. On March 13, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Al Anbar, Iraq (the “March 13, 2006 Attack”). The March 13, 2006 Attack constituted an extrajudicial killing.

325. **Staff Sergeant Marco Silva** served in Iraq as a member of the U.S. Army at the time of the attack. SSG Silva was injured in the March 13, 2006 Attack. SSG Silva died on March 13, 2006, as a result of injuries sustained during the attack.

326. SSG Silva was a U.S. national at the time of the attack and his death.

327. Plaintiff Shannon Silva is the widow of SSG Silva and a U.S. national.

328. Plaintiff Zoe Silva is the daughter of SSG Silva and a U.S. national.

329. Plaintiff Tyler Johnson is the stepson of SSG Silva and a U.S. national. Mr. Johnson lived in the same household as SSG Silva for a substantial period of time and considered SSG Silva the functional equivalent of a biological father.

330. As a result of the March 13, 2006 Attack and SSG Silva's injuries and death, each member of the Silva Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Silva's society, companionship, and counsel.

331. As a result of the March 13, 2006 Attack, SSG Silva was injured in his person and/or property. The Plaintiff members of the Silva Family are the survivors and/or heirs of SSG Silva and are entitled to recover for the damages SSG Silva sustained.

M. The April 8, 2006 IED Attack in Nineveh (Missildine Family)

332. On April 8, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Nineveh, Iraq (the "April 8, 2006 Attack"). The April 8, 2006 Attack constituted an extrajudicial killing.

333. **Private First Class Jody Missildine** served in Iraq as a member of the U.S. Army at the time of the attack. PFC Missildine was injured in the April 8, 2006 Attack. PFC Missildine died on April 8, 2006, as a result of injuries sustained during the attack.

334. PFC Missildine was a U.S. national at the time of the attack and his death.

335. Plaintiff Darlene Moody is the mother of PFC Missildine and a U.S. national.

336. As a result of the April 8, 2006 Attack and PFC Missildine's injuries and death, each member of the Missildine Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Missildine's society, companionship, and counsel.

337. As a result of the April 8, 2006 Attack, PFC Missildine was injured in his person and/or property. The Plaintiff members of the Missildine Family are the survivors and/or heirs of PFC Missildine and are entitled to recover for the damages PFC Missildine sustained.

N. The May 3, 2006 IED Attack in Kirkuk (Zieske Family)

338. On May 3, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Kirkuk, Iraq (the "May 3, 2006 Attack"). The May 3, 2006 Attack constituted an extrajudicial killing.

339. **Private First Class Benjamin Zieske** served in Iraq as a member of the U.S. Army at the time of the attack. PFC Zieske was injured in the May 3, 2006 Attack. PFC Zieske died on May 3, 2006, as a result of injuries sustained during the attack.

340. PFC Zieske was a U.S. national at the time of the attack and his death.

341. Plaintiff Shawn Zieske is the brother of PFC Zieske and a U.S. national.

342. As a result of the May 3, 2006 Attack and PFC Zieske's injuries and death, each member of the Zieske Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Zieske's society, companionship, and counsel.

343. As a result of the May 3, 2006 Attack, PFC Zieske was injured in his person and/or property. The Plaintiff members of the Zieske Family are the survivors and/or heirs of PFC Zieske and are entitled to recover for the damages PFC Zieske sustained.

O. The May 6, 2006 IED Attack in Al Anbar (Deraps Family)

344. On May 6, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Al Anbar, Iraq (the “May 6, 2006 Attack”). The May 6, 2006 Attack constituted an extrajudicial killing.

345. **Lance Corporal Leon Deraps** served in Iraq as a member of the U.S. Marine Corps at the time of the attack. LCpl Deraps was injured in the May 6, 2006 Attack. LCpl Deraps died on May 6, 2006, as a result of injuries sustained during the attack.

346. LCpl Deraps was a U.S. national at the time of the attack and his death.

347. Plaintiff David Deraps is the brother of LCpl Deraps and a U.S. national.

348. 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.

349. As a result of the May 6, 2006 Attack, LCpl Deraps was injured in his person and/or property. The Plaintiff members of the Deraps Family are the survivors and/or heirs of LCpl Deraps and are entitled to recover for the damages LCpl Deraps sustained.

P. The July 17, 2006 Small Arms Attack in Al Anbar (Dickinson Family)

350. On July 17, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a small arms attack in Al Anbar, Iraq (the “July 17, 2006 Attack”). The July 17, 2006 Attack constituted an extrajudicial killing.

351. **Staff Sergeant Michael Dickinson II** served in Iraq as a member of the U.S. Army at the time of the attack. SSG Dickinson was injured in the July 17, 2006 Attack. SSG Dickinson died on July 17, 2006, as a result of injuries sustained during the attack.

352. SSG Dickinson was a U.S. national at the time of the attack and his death.

353. Plaintiff Glorygrace Dickinson is the widow of SSG Dickinson and a U.S. national.

354. Plaintiff Vicki Dickinson is the mother of SSG Dickinson II and a U.S. national.

355. Plaintiff Vicki R. Dickinson is the sister of SSG Dickinson II and a U.S. national.

356. As a result of the July 17, 2006 Attack and SSG Dickinson's injuries and death, each member of the Dickinson Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Dickinson's society, companionship, and counsel.

357. As a result of the July 17, 2006 Attack, SSG Dickinson was injured in his person and/or property. The Plaintiff members of the Dickinson Family are the survivors and/or heirs of SSG Dickinson and are entitled to recover for the damages SSG Dickinson sustained.

Q. The August 16, 2006 Small Arms Attack in Al Anbar (McKenna Family)

358. On August 16, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a small arms attack in Al Anbar, Iraq (the "August 16, 2006 Attack"). The August 16, 2006 Attack constituted an extrajudicial killing.

359. **Captain John McKenna** served in Iraq as a member of the U.S. Marine Corps Reserve at the time of the attack. Capt McKenna was injured in the August 16, 2006 Attack. Capt McKenna died on August 16, 2006, as a result of injuries sustained during the attack.

360. Capt McKenna was a U.S. national at the time of the attack and his death.

361. Plaintiff John McKenna III is the father of Capt McKenna and a U.S. national.

362. As a result of the August 16, 2006 Attack and Capt McKenna's injuries and death, each member of the McKenna Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Capt McKenna's society, companionship, and counsel.

363. As a result of the August 16, 2006 Attack, Capt McKenna was injured in his person and/or property. The Plaintiff members of the McKenna Family are the survivors and/or heirs of Capt McKenna and are entitled to recover for the damages Capt McKenna sustained.

R. The August 20, 2006 IED Attack in Al Anbar (Galvez Family)

364. On August 20, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Al Anbar, Iraq (the “August 20, 2006 Attack”). The August 20, 2006 Attack constituted an extrajudicial killing.

365. **Corporal Adam Galvez** served in Iraq as a member of the U.S. Marine Corps at the time of the attack. Cpl Galvez was injured in the August 20, 2006 Attack. Cpl Galvez died on August 20, 2006, as a result of injuries sustained during the attack.

366. Cpl Galvez was a U.S. national at the time of the attack and his death.

367. Plaintiff Amy Galvez is the mother of Cpl Galvez and a U.S. national.

368. Plaintiff Anthony Galvez is the father of Cpl Galvez and a U.S. national.

369. Plaintiff Sarah Galvez is the sister of Cpl Galvez and a U.S. national.

370. Plaintiff Travis Galvez is the brother of Cpl Galvez and a U.S. national.

371. As a result of the August 20, 2006 Attack and Cpl Galvez’s injuries and death, each member of the Galvez Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Cpl Galvez’s society, companionship, and counsel.

372. As a result of the August 20, 2006 Attack, Cpl Galvez was injured in his person and/or property. The Plaintiff members of the Galvez Family are the survivors and/or heirs of Cpl Galvez and are entitled to recover for the damages Cpl Galvez sustained.

S. The August 31, 2006 IED Attack in Saladin (Deason Family)

373. On August 31, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Saladin, Iraq (the “August 31, 2006 Attack”). The August 31, 2006 Attack constituted an extrajudicial killing.

374. **Staff Sergeant Michael Deason** served in Iraq as a member of the U.S. Army at the time of the attack. SSG Deason was injured in the August 31, 2006 Attack. SSG Deason died on August 31, 2006, as a result of injuries sustained during the attack.

375. SSG Deason was a U.S. national at the time of the attack and his death.

376. Plaintiff David Deason II is the father of SSG Deason and a U.S. national.

377. Plaintiff Ashley Deason is the sister of SSG Deason and a U.S. national.

378. Plaintiff Cynthia Deason is the stepmother of SSG Deason and a U.S. national.

Ms. Deason lived in the same household as SSG Deason for a substantial period of time and considered SSG Deason the functional equivalent of a biological son.

379. As a result of the August 31, 2006 Attack and SSG Deason’s injuries and death, each member of the Deason Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Deason’s society, companionship, and counsel.

380. As a result of the August 31, 2006 Attack, SSG Deason was injured in his person and/or property. The Plaintiff members of the Deason Family are the survivors and/or heirs of SSG Deason and are entitled to recover for the damages SSG Deason sustained.

T. The September 19, 2006 Vehicle Borne IED Attack in Nineveh (Huff Family)

381. On September 19, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a vehicle borne IED attack in Nineveh, Iraq (the “September 19, 2006 Attack”). The September 19, 2006 Attack constituted an extrajudicial killing.

382. **First Lieutenant Ashley Huff** served in Iraq as a member of the U.S. Army at the time of the attack. 1LT Huff was injured in the September 19, 2006 Attack. 1LT Huff died on September 19, 2006, as a result of injuries sustained during the attack.

383. 1LT Huff was a U.S. national at the time of the attack and her death.

384. Plaintiff Brian Huff is the widower of 1LT Huff and a U.S. national.

385. As a result of the September 19, 2006 Attack and 1LT Huff's injuries and death, each member of the Huff Family has experienced severe mental anguish, emotional pain and suffering, and the loss of 1LT Huff's society, companionship, and counsel.

386. As a result of the September 19, 2006 Attack, 1LT Huff was injured in his person and/or property. The Plaintiff members of the Huff Family are the survivors and/or heirs of 1LT Huff and are entitled to recover for the damages 1LT Huff sustained.

U. The September 23, 2006 IED Attack in Riyadh (Kincaid Family)

387. On September 23, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Riyadh, Iraq (the "September 23, 2006 Attack"). The September 23, 2006 Attack constituted an extrajudicial killing.

388. **Private First Class Kenneth Kincaid IV** served in Iraq as a member of the U.S. Army at the time of the attack. PFC Kincaid was injured in the September 23, 2006 Attack. PFC Kincaid died on September 23, 2006, as a result of injuries sustained during the attack.

389. PFC Kincaid was a U.S. national at the time of the attack and his death.

390. Plaintiff Rachel Kincaid is the widow of PFC Kincaid and a U.S. national.

391. Plaintiff Abigail Kincaid is the daughter of PFC Kincaid and a U.S. national.

392. Plaintiff Kennedy Kincaid is the daughter of PFC Kincaid and a U.S. national.

393. As a result of the September 23, 2006 Attack and PFC Kincaid's injuries and death, each member of the Kincaid Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Kincaid's society, companionship, and counsel.

394. As a result of the September 23, 2006 Attack, PFC Kincaid was injured in his person and/or property. The Plaintiff members of the Kincaid Family are the survivors and/or heirs of PFC Kincaid and are entitled to recover for the damages PFC Kincaid sustained.

V. The September 25, 2006 Small Arms Attack in Nineveh (Mellen Family)

395. On September 25, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a small arms attack in Nineveh, Iraq (the "September 25, 2006 Attack"). The September 25, 2006 Attack constituted an extrajudicial killing.

396. **Corporal Casey Mellen** served in Iraq as a member of the U.S. Army at the time of the attack. CPL Mellen was injured in the September 25, 2006 Attack. CPL Mellen died on September 25, 2006, as a result of injuries sustained during the attack.

397. CPL Mellen was a U.S. national at the time of the attack and his death.

398. Plaintiff Casey Mellen is the father of CPL Mellen and a U.S. national.

399. As a result of the September 25, 2006 Attack and CPL Mellen's injuries and death, each member of the Mellen Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Mellen's society, companionship, and counsel.

400. As a result of the September 25, 2006 Attack, CPL Mellen was injured in his person and/or property. The Plaintiff members of the Mellen Family are the survivors and/or heirs of CPL Mellen and are entitled to recover for the damages CPL Mellen sustained.

W. The November 2, 2006 IED Attack in Al Anbar (Holler Family)

401. On November 2, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Al Anbar, Iraq (the “November 2, 2006 Attack”). The November 2, 2006 Attack constituted an extrajudicial killing.

402. **Lance Corporal Luke Holler** served in Iraq as a member of the U.S. Marine Corps Reserve at the time of the attack. LCpl Holler was injured in the November 2, 2006 Attack. LCpl Holler died on November 2, 2006, as a result of injuries sustained during the attack.

403. LCpl Holler was a U.S. national at the time of the attack and his death.

404. Plaintiff Rebekah Ashworth is the sister of LCpl Holler and a U.S. national.

405. Plaintiff Elizabeth Holler is the sister of LCpl Holler and a U.S. national.

406. As a result of the November 2, 2006 Attack and LCpl Holler’s injuries and death, each member of the Holler Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Holler’s society, companionship, and counsel.

407. As a result of the November 2, 2006 Attack, LCpl Holler was injured in his person and/or property. The Plaintiff members of the Holler Family are the survivors and/or heirs of LCpl Holler and are entitled to recover for the damages LCpl Holler sustained.

X. The November 5, 2006 IED Attack in Al Anbar (Desjardins Family)

408. On November 5, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Al Anbar, Iraq (the “November 5, 2006 Attack”). The November 5, 2006 Attack constituted an extrajudicial killing.

409. **Specialist Douglas Desjardins** served in Iraq as a member of the U.S. Army at the time of the attack. SPC Desjardins was injured in the November 5, 2006 Attack. SPC Desjardins died on November 5, 2006, as a result of injuries sustained during the attack.

410. SPC Desjardins was a U.S. national at the time of the attack and his death.

411. Plaintiff Cynthia Roberts is the mother of SPC Desjardins and a U.S. national.

412. Plaintiff Rachel McFadden is the sister of SPC Desjardins and a U.S. national.

413. As a result of the November 5, 2006 Attack and SPC Desjardins's injuries and death, each member of the Desjardins Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SPC Desjardins's society, companionship, and counsel.

414. As a result of the November 5, 2006 Attack, SPC Desjardins was injured in his person and/or property. The Plaintiff members of the Desjardins Family are the survivors and/or heirs of SPC Desjardins and are entitled to recover for the damages SPC Desjardins sustained.

Y. The November 21, 2006 IED Attack in Al Anbar (Watts Family)

415. On November 21, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Al Anbar, Iraq (the "November 21, 2006 Attack"). The November 21, 2006 Attack constituted an extrajudicial killing.

416. **Command Sergeant Major Donovan Watts** served in Iraq as a member of the U.S. Army at the time of the attack. CSM Watts was injured in the November 21, 2006 Attack. CSM Watts died on November 21, 2006, as a result of injuries sustained during the attack.

417. CSM Watts was a U.S. national at the time of the attack and his death.

418. Plaintiff Marlon Watts is the brother of CSM Watts and a U.S. national.

419. As a result of the November 21, 2006 Attack and CSM Watts's injuries and death, each member of the Watts Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CSM Watts's society, companionship, and counsel.

420. As a result of the November 21, 2006 Attack, CSM Watts was injured in his person and/or property. The Plaintiff members of the Watts Family are the survivors and/or heirs of CSM Watts and are entitled to recover for the damages CSM Watts sustained.

Z. The December 3, 2006 Indirect Fire Attack in Baghdad (Miller Family)

421. On December 3, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an indirect fire attack in Baghdad, Iraq (the “December 3, 2006 Attack”). The December 3, 2006 Attack constituted an extrajudicial killing.

422. **Sergeant Marco Miller** served in Iraq as a member of the U.S. Army National Guard at the time of the attack. SGT Miller was injured in the December 3, 2006 Attack. SGT Miller died on December 5, 2006, as a result of injuries sustained during the attack.

423. SGT Miller was a U.S. national at the time of the attack and his death.

424. Plaintiff Renee Daniels is the mother of SGT Miller and a U.S. national.

425. Plaintiff Meka Hameed is the sister of SGT Miller and a U.S. national.

426. Plaintiff Demond Miller is the brother of SGT Miller and a U.S. national.

427. Plaintiff Kim Miller is the sister of SGT Miller and a U.S. national.

428. As a result of the December 3, 2006 Attack and SGT Miller’s injuries and death, each member of the Miller Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Miller’s society, companionship, and counsel.

429. As a result of the December 3, 2006 Attack, SGT Miller was injured in his person and/or property. The Plaintiff members of the Miller Family are the survivors and/or heirs of SGT Miller and are entitled to recover for the damages SGT Miller sustained.

AA. The December 15, 2006 Small Arms Attack in Al Anbar (Balint Family)

430. On December 15, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a small arms attack in Al Anbar, Iraq (the “December 15, 2006 Attack”). The December 15, 2006 Attack constituted an extrajudicial killing.

431. **Private First Class Paul Balint Jr.** served in Iraq as a member of the U.S. Army at the time of the attack. PFC Balint was injured in the December 15, 2006 Attack. PFC Balint died on December 15, 2006, as a result of injuries sustained during the attack.

432. PFC Balint was a U.S. national at the time of the attack and his death.

433. Plaintiff Carmen Balint is the mother of PFC Balint and a U.S. national.

434. Plaintiff Angelo Balint is the brother of PFC Balint and a U.S. national.

435. As a result of the December 15, 2006 Attack and PFC Balint's injuries and death, each member of the Balint Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Balint's society, companionship, and counsel.

436. As a result of the December 15, 2006 Attack, PFC Balint was injured in his person and/or property. The Plaintiff members of the Balint Family are the survivors and/or heirs of PFC Balint and are entitled to recover for the damages PFC Balint sustained.

BB. The December 19, 2006 IED Attack in Al Anbar (Daul Family)

437. On December 19, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Al Anbar, Iraq (the "December 19, 2006 Attack"). The December 19, 2006 Attack constituted an extrajudicial killing.

438. **Specialist Andrew Daul** served in Iraq as a member of the U.S. Army at the time of the attack. SPC Daul was injured in the December 19, 2006 Attack. SPC Daul died on December 19, 2006, as a result of injuries sustained during the attack.

439. SPC Daul was a U.S. national at the time of the attack and his death.

440. Plaintiff Michael Daul is the father of SPC Daul and a U.S. national.

441. As a result of the December 19, 2006 Attack and SPC Daul's injuries and death, each member of the Daul Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SPC Daul's society, companionship, and counsel.

442. As a result of the December 19, 2006 Attack, SPC Daul was injured in his person and/or property. The Plaintiff members of the Daul Family are the survivors and/or heirs of SPC Daul and are entitled to recover for the damages SPC Daul sustained.

CC. The December 25, 2006 IED Attack in Saladin (Clayton Family)

443. On December 25, 2006, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Saladin, Iraq (the “December 25, 2006 Attack”). The December 25, 2006 Attack constituted an extrajudicial killing.

444. **Captain Hayes Clayton Jr.** served in Iraq as a member of the U.S. Army at the time of the attack. CPT Clayton was injured in the December 25, 2006 Attack. CPT Clayton died on December 25, 2006, as a result of injuries sustained during the attack.

445. CPT Clayton was a U.S. national at the time of the attack and his death.

446. Plaintiff Marlena Clayton is the mother of CPT Clayton and a U.S. national.

447. Plaintiff Hayes Clayton Sr. is the father of CPT Clayton and a U.S. national.

448. Plaintiff Eric Clayton is the brother of CPT Clayton and a U.S. national.

449. As a result of the December 25, 2006 Attack and CPT Clayton’s injuries and death, each member of the Clayton Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPT Clayton’s society, companionship, and counsel.

450. As a result of the December 25, 2006 Attack, CPT Clayton was injured in his person and/or property. The Plaintiff members of the Clayton Family are the survivors and/or heirs of CPT Clayton and are entitled to recover for the damages CPT Clayton sustained.

DD. The January 7, 2007 Vehicle Borne IED Attack in Baghdad (Miller and Weiner Families)

451. On January 7, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a vehicle borne IED attack in Baghdad, Iraq (the “January 7, 2007 Attack”). The January 7, 2007 Attack constituted an extrajudicial killing.

452. **Senior Airman Daniel Miller Jr.** served in Iraq as a member of the U.S. Air Force at the time of the attack. SrA Miller was injured in the January 7, 2007 Attack. SrA Miller died on January 7, 2007, as a result of injuries sustained during the attack.

453. SrA Miller was a U.S. national at the time of the attack and his death.

454. Plaintiff Robin Mahnesmith is the mother of SrA Miller and a U.S. national.

455. Plaintiff Anthony Mahnesmith is the brother of SrA Miller and a U.S. national.

456. Plaintiff Lydia Mahnesmith is the sister of SrA Miller and a U.S. national.

457. Plaintiff Timothy Miller is the brother of SrA Miller and a U.S. national.

458. Plaintiff April VanDeVoorde is the sister of SrA Miller and a U.S. national.

459. As a result of the January 7, 2007 Attack and SrA Miller’s injuries and death, each member of the Miller Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SrA Miller’s society, companionship, and counsel.

460. As a result of the January 7, 2007 Attack, SrA Miller was injured in his person and/or property. The Plaintiff members of the Miller Family are the survivors and/or heirs of SrA Miller and are entitled to recover for the damages SrA Miller sustained.

461. **Technical Sergeant Timothy Weiner** served in Iraq as a member of the U.S. Air Force at the time of the attack. TSgt Weiner was injured in the January 7, 2007 Attack. TSgt Weiner died on January 7, 2007, as a result of injuries sustained during the attack.

462. TSgt Weiner was a U.S. national at the time of the attack and his death.

463. Plaintiff Eric Weiner is the brother of TSgt Weiner and a U.S. national.

464. As a result of the January 7, 2007 Attack and TSgt Weiner's injuries and death, each member of the Weiner Family has experienced severe mental anguish, emotional pain and suffering, and the loss of TSgt Weiner's society, companionship, and counsel.

465. As a result of the January 7, 2007 Attack, TSgt Weiner was injured in his person and/or property. The Plaintiff members of the Weiner Family are the survivors and/or heirs of TSgt Weiner and are entitled to recover for the damages TSgt Weiner sustained.

EE. The January 27, 2007 IED Attack in Baghdad (St. John and Swanson Families)

466. On January 27, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Baghdad, Iraq (the "January 27, 2007 Attack"). The January 27, 2007 Attack constituted an extrajudicial killing.

467. **Specialist Jon St. John II** served in Iraq as a member of the U.S. Army at the time of the attack. SPC St. John was injured in the January 27, 2007 Attack. SPC St. John died on January 27, 2007, as a result of injuries sustained during the attack.

468. SPC St. John was a U.S. national at the time of the attack and his death.

469. Plaintiff Kay St. John is the mother of SPC St. John and a U.S. national.

470. Plaintiff Jon St. John Sr. is the father of SPC St. John and a U.S. national.

471. As a result of the January 27, 2007 Attack and SPC St. John's injuries and death, each member of the St. John Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SPC St. John's society, companionship, and counsel.

472. As a result of the January 27, 2007 Attack, SPC St. John was injured in his person and/or property. The Plaintiff members of the St. John Family are the survivors and/or heirs of SPC St. John and are entitled to recover for the damages SPC St. John sustained.

473. **Corporal Timothy Swanson** served in Iraq as a member of the U.S. Army at the time of the attack. CPL Swanson was injured in the January 27, 2007 Attack. CPL Swanson died on January 27, 2007, as a result of injuries sustained during the attack.

474. CPL Swanson was a U.S. national at the time of the attack and his death.

475. Plaintiff Dana Howard is the mother of CPL Swanson and a U.S. national.

476. Plaintiff Carrie Delmare is the sister of CPL Swanson and a U.S. national.

477. As a result of the January 27, 2007 Attack and CPL Swanson's injuries and death, each member of the Swanson Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Swanson's society, companionship, and counsel.

478. As a result of the January 27, 2007 Attack, CPL Swanson was injured in his person and/or property. The Plaintiff members of the Swanson Family are the survivors and/or heirs of CPL Swanson and are entitled to recover for the damages CPL Swanson sustained.

FF. The February 2, 2007 Small Arms Attack in Al Anbar (Zeimer Family)

479. On February 2, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a small arms attack in Al Anbar, Iraq (the "February 2, 2007 Attack"). The February 2, 2007 Attack constituted an extrajudicial killing.

480. **Private Second Class Matthew Zeimer** served in Iraq as a member of the U.S. Army at the time of the attack. PV2 Zeimer was injured in the February 2, 2007 Attack. PV2 Zeimer died on February 2, 2007, as a result of injuries sustained during the attack.

481. PV2 Zeimer was a U.S. national at the time of the attack and his death.

482. Plaintiff Janet Seymour is the mother of PV2 Zeimer and a U.S. national.

483. Plaintiff Tonya Roelofs is the twin sister of PV2 Zeimer and a U.S. national.

484. Plaintiff Jessica Epperson is the sister of PV2 Zeimer and a U.S. national.

485. Plaintiff Jamie O'Neil is the sister of PV2 Zeimer and a U.S. national.

486. Plaintiff Sara O'Neil is the sister of PV2 Zeimer and a U.S. national.

487. As a result of the February 2, 2007 Attack and PV2 Zeimer's injuries and death, each member of the Zeimer Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PV2 Zeimer's society, companionship, and counsel.

488. As a result of the February 2, 2007 Attack, PV2 Zeimer was injured in his person and/or property. The Plaintiff members of the Zeimer Family are the survivors and/or heirs of PV2 Zeimer and are entitled to recover for the damages PV2 Zeimer sustained.

GG. The February 9, 2007 Bomb Attack in Diyala (Shaw Family)

489. On February 9, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a bomb attack in Diyala, Iraq (the "February 9, 2007 Attack"). The February 9, 2007 Attack constituted an extrajudicial killing.

490. **Staff Sergeant Alan Shaw** served in Iraq as a member of the U.S. Army at the time of the attack. SSG Shaw was injured in the February 9, 2007 Attack. SSG Shaw died on February 9, 2007, as a result of injuries sustained during the attack.

491. SSG Shaw was a U.S. national at the time of the attack and his death.

492. Plaintiff Sharrell Shaw is the widow of SSG Shaw and a U.S. national.

493. As a result of the February 9, 2007 Attack and SSG Shaw's injuries and death, each member of the Shaw Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SSG Shaw's society, companionship, and counsel.

494. As a result of the February 9, 2007 Attack, SSG Shaw was injured in his person and/or property. The Plaintiff members of the Shaw Family are the survivors and/or heirs of SSG Shaw and are entitled to recover for the damages SSG Shaw sustained.

HH. The February 18, 2007 Sniper Attack in Al Anbar (Youngblood Family)

495. On February 18, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran committed a sniper attack in Al Anbar, Iraq (the “February 18, 2007 Attack”). The February 18, 2007 Attack constituted an extrajudicial killing.

496. **Private First Class Kelly Youngblood** served in Iraq as a member of the U.S. Army at the time of the attack. PFC Youngblood was injured in the February 18, 2007 Attack. PFC Youngblood died on February 18, 2007, as a result of injuries sustained during the attack.

497. PFC Youngblood was a U.S. national at the time of the attack and his death.

498. Plaintiff Melaney Youngblood is the sister of PFC Youngblood and a U.S. national.

499. 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.

500. As a result of the February 18, 2007 Attack, PFC Youngblood was injured in his person and/or property. The Plaintiff members of the Youngblood Family are the survivors and/or heirs of PFC Youngblood and are entitled to recover for the damages PFC Youngblood sustained.

II. The March 14, 2007 Small Arms Attack in Al Anbar (Waterbury Family)

501. On March 14, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a small arms attack in Al Anbar, Iraq (the “March 14, 2007 Attack”). The March 14, 2007 Attack constituted an extrajudicial killing.

502. **Specialist Forrest Waterbury** served in Iraq as a member of the U.S. Army at the time of the attack. SPC Waterbury was injured in the March 14, 2007 Attack. SPC Waterbury died on March 14, 2007, as a result of injuries sustained during the attack.

503. SPC Waterbury was a U.S. national at the time of the attack and his death.

504. Plaintiff Barbara Waterbury is the mother of SPC Waterbury and a U.S. national.

505. Plaintiff Stephen Waterbury is the father of SPC Waterbury and a U.S. national.

506. As a result of the March 14, 2007 Attack and SPC Waterbury's injuries and death, each member of the Waterbury Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SPC Waterbury's society, companionship, and counsel.

507. As a result of the March 14, 2007 Attack, SPC Waterbury was injured in his person and/or property. The Plaintiff members of the Waterbury Family are the survivors and/or heirs of SPC Waterbury and are entitled to recover for the damages SPC Waterbury sustained.

JJ. The May 22, 2007 IED Attack in Baghdad (Worthington Family)

508. On May 22, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Baghdad, Iraq (the "May 22, 2007 Attack"). The May 22, 2007 Attack constituted an extrajudicial killing.

509. **Private First Class Robert Worthington** served in Iraq as a member of the U.S. Army at the time of the attack. PFC Worthington was injured in the May 22, 2007 Attack. PFC Worthington died on May 22, 2007, as a result of injuries sustained during the attack.

510. PFC Worthington was a U.S. national at the time of the attack and his death.

511. Plaintiff Robert Worthington is the father of PFC Worthington and a U.S. national.

512. As a result of the May 22, 2007 Attack and PFC Worthington's injuries and death, each member of the Worthington Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Worthington's society, companionship, and counsel.

513. As a result of the May 22, 2007 Attack, PFC Worthington was injured in his person and/or property. The Plaintiff members of the Worthington Family are the survivors and/or heirs of PFC Worthington and are entitled to recover for the damages PFC Worthington sustained.

KK. The May 28, 2007 IED Attack in Diyala (Summers Family)

514. On May 28, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Diyala, Iraq (the "May 28, 2007 Attack"). The May 28, 2007 Attack constituted an extrajudicial killing.

515. **Corporal James Summers III** served in Iraq as a member of the U.S. Army at the time of the attack. CPL Summers was injured in the May 28, 2007 Attack. CPL Summers died on May 28, 2007, as a result of injuries sustained during the attack.

516. CPL Summers was a U.S. national at the time of the attack and his death.

517. Plaintiff Elizabeth Gardner is the widow of CPL Summers and a U.S. national.

518. Plaintiff Thomas Summers is the brother of CPL Summers and a U.S. national.

519. 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.

520. As a result of the May 28, 2007 Attack, CPL Summers was injured in his person and/or property. The Plaintiff members of the Summers Family are the survivors and/or heirs of CPL Summers and are entitled to recover for the damages CPL Summers sustained.

LL. The May 30, 2007 IED Attack in Saladin (Moore Family)

521. On May 30, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Saladin, Iraq (the “May 30, 2007 Attack”). The May 30, 2007 Attack constituted an extrajudicial killing.

522. **Corporal Joshua Moore** served in Iraq as a member of the U.S. Army at the time of the attack. CPL Moore was injured in the May 30, 2007 Attack. CPL Moore died on May 30, 2007, as a result of injuries sustained during the attack.

523. CPL Moore was a U.S. national at the time of the attack and his death.

524. Plaintiff Carolyn Moore is the mother of CPL Moore and a U.S. national.

525. Plaintiff Ashley Bobbett is the sister of CPL Moore and a U.S. national.

526. Plaintiff Carrie Cantarelli is the sister of CPL Moore and a U.S. national.

527. As a result of the May 30, 2007 Attack and CPL Moore’s injuries and death, each member of the Moore Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Moore’s society, companionship, and counsel.

528. As a result of the May 30, 2007 Attack, CPL Moore was injured in his person and/or property. The Plaintiff members of the Moore Family are the survivors and/or heirs of CPL Moore and are entitled to recover for the damages CPL Moore sustained.

MM. The June 16, 2007 IED Attack in Kirkuk (Walkup Family)

529. On June 16, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Kirkuk, Iraq (the “June 16, 2007 Attack”). The June 16, 2007 Attack constituted an extrajudicial killing.

530. **First Lieutenant Frank Walkup IV** served in Iraq as a member of the U.S. Army at the time of the attack. 1LT Walkup was injured in the June 16, 2007 Attack. 1LT Walkup died on June 16, 2007, as a result of injuries sustained during the attack.

531. 1LT Walkup was a U.S. national at the time of the attack and his death.

532. Plaintiff Melissa Oaks is the mother of 1LT Walkup and a U.S. national.

533. As a result of the June 16, 2007 Attack and 1LT Walkup's injuries and death, each member of the Walkup Family has experienced severe mental anguish, emotional pain and suffering, and the loss of 1LT Walkup's society, companionship, and counsel.

534. As a result of the June 16, 2007 Attack, 1LT Walkup was injured in his person and/or property. The Plaintiff members of the Walkup Family are the survivors and/or heirs of 1LT Walkup and are entitled to recover for the damages 1LT Walkup sustained.

NN. The July 24, 2007 IED Attack in Diyala (Lynch and Noble Families)

535. On July 24, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Diyala, Iraq (the "July 24, 2007 Attack"). The July 24, 2007 Attack constituted an extrajudicial killing.

536. **Lance Corporal Robert Lynch** served in Iraq as a member of the U.S. Marine Corps at the time of the attack. LCpl Lynch was injured in the July 24, 2007 Attack. LCpl Lynch died on July 24, 2007, as a result of injuries sustained during the attack.

537. LCpl Lynch was a U.S. national at the time of the attack and his death.

538. Plaintiff Angela Robinson is the mother of LCpl Lynch and a U.S. national.

539. Plaintiff Randall Thompson is the brother of LCpl Lynch and a U.S. national.

540. As a result of the July 24, 2007 Attack and LCpl Lynch's injuries and death, each member of the Lynch Family has experienced severe mental anguish, emotional pain and suffering, and the loss of LCpl Lynch's society, companionship, and counsel.

541. As a result of the July 24, 2007 Attack, LCpl Lynch was injured in his person and/or property. The Plaintiff members of the Lynch Family are the survivors and/or heirs of LCpl Lynch and are entitled to recover for the damages LCpl Lynch sustained.

542. **Hospitalman Daniel Noble** served in Iraq as a member of the U.S. Navy at the time of the attack. HN Noble was injured in the July 24, 2007 Attack. HN Noble died on July 24, 2007, as a result of injuries sustained during the attack.

543. HN Noble was a U.S. national at the time of the attack and his death.

544. Plaintiff Julie Noble is the mother of HN Noble and a U.S. national.

545. Plaintiff Andrew Noble is the brother of HN Noble and a U.S. national.

546. Plaintiff Katlin Noble is the sister of HN Noble and a U.S. national.

547. As a result of the July 24, 2007 Attack and HN Noble's injuries and death, each member of the Noble Family has experienced severe mental anguish, emotional pain and suffering, and the loss of HN Noble's society, companionship, and counsel.

548. As a result of the July 24, 2007 Attack, HN Noble was injured in his person and/or property. The Plaintiff members of the Noble Family are the survivors and/or heirs of HN Noble and are entitled to recover for the damages HN Noble sustained.

OO. The August 29, 2007 Suicide IED Attack in Al Anbar (Gilbertson Family)

549. On August 29, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a suicide IED attack in Al Anbar, Iraq (the "August 29, 2007 Attack"). The August 29, 2007 Attack constituted an extrajudicial killing.

550. **Sergeant Kevin Gilbertson** served in Iraq as a member of the U.S. Army at the time of the attack. SGT Gilbertson was injured in the August 29, 2007 Attack. SGT Gilbertson died on August 31, 2007, as a result of injuries sustained during the attack.

551. SGT Gilbertson was a U.S. national at the time of the attack and his death.

552. Plaintiff Keeley Frank is the mother of SGT Gilbertson and a U.S. national.

553. As a result of the August 29, 2007 Attack and SGT Gilbertson's injuries and death, each member of the Gilbertson Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Gilbertson's society, companionship, and counsel.

554. As a result of the August 29, 2007 Attack, SGT Gilbertson was injured in his person and/or property. The Plaintiff members of the Gilbertson Family are the survivors and/or heirs of SGT Gilbertson and are entitled to recover for the damages SGT Gilbertson sustained.

PP. The September 14, 2007 IED Attack in Baghdad (Mele Family)

555. On September 14, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Baghdad, Iraq (the "September 14, 2007 Attack"). The September 14, 2007 Attack constituted an extrajudicial killing.

556. **Sergeant John Mele II** served in Iraq as a member of the U.S. Army at the time of the attack. SGT Mele was injured in the September 14, 2007 Attack. SGT Mele died on September 14, 2007, as a result of injuries sustained during the attack.

557. SGT Mele was a U.S. national at the time of the attack and his death.

558. Plaintiff Jennifer Mele is the widow of SGT Mele and a U.S. national.

559. Plaintiff Nicholas Mele is the brother of SGT Mele and a U.S. national.

560. As a result of the September 14, 2007 Attack and SGT Mele's injuries and death, each member of the Mele Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Mele's society, companionship, and counsel.

561. As a result of the September 14, 2007 Attack, SGT Mele was injured in his person and/or property. The Plaintiff members of the Mele Family are the survivors and/or heirs of SGT Mele and are entitled to recover for the damages SGT Mele sustained.

QQ. The October 6, 2007 Small Arms Attack in Nineveh (Dillon Family)

562. On October 6, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a small arms attack in Nineveh, Iraq (the “October 6, 2007 Attack”). The October 6, 2007 Attack constituted an extrajudicial killing.

563. **Corporal Benjamin Dillon** served in Iraq as a member of the U.S. Army at the time of the attack. CPL Dillon was injured in the October 6, 2007 Attack. CPL Dillon died on October 6, 2007, as a result of injuries sustained during the attack.

564. CPL Dillon was a U.S. national at the time of the attack and his death.

565. Plaintiff Linda Dillon is the mother of CPL Dillon and a U.S. national.

566. Plaintiff Terrence Dillon is the father of CPL Dillon and a U.S. national.

567. Plaintiff Nicholas Dillon is the brother of CPL Dillon and a U.S. national.

568. Plaintiff Steven Dillon is the brother of CPL Dillon and a U.S. national.

569. As a result of the October 6, 2007 Attack and CPL Dillon’s injuries and death, each member of the Dillon Family has experienced severe mental anguish, emotional pain and suffering, and the loss of CPL Dillon’s society, companionship, and counsel.

570. As a result of the October 6, 2007 Attack, CPL Dillon was injured in his person and/or property. The Plaintiff members of the Dillon Family are the survivors and/or heirs of CPL Dillon and are entitled to recover for the damages CPL Dillon sustained.

RR. The November 1, 2007 IED Attack in Saladin (Schuldheiss Family)

571. On November 1, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Saladin, Iraq (the “November 1, 2007 Attack”). The November 1, 2007 Attack constituted an extrajudicial killing.

572. **Special Agent Nathan Schuldheiss** was in Iraq working as a civilian with the US Air Force at the time of the attack. SA Schuldheiss was injured in the November 1, 2007 Attack. SA Schuldheiss died on November 1, 2007, as a result of injuries sustained during the attack.

573. SA Schuldheiss was a U.S. national at the time of the attack and his death.

574. Plaintiff Sarah Conlon-Pernick is the mother of SA Schuldheiss and a U.S. national.

575. As a result of the November 1, 2007 Attack and SA Schuldheiss's injuries and death, each member of the Schuldheiss Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SA Schuldheiss's society, companionship, and counsel.

576. As a result of the November 1, 2007 Attack, SA Schuldheiss was injured in his person and/or property. The Plaintiff members of the Schuldheiss Family are the survivors and/or heirs of SA Schuldheiss and are entitled to recover for the damages SA Schuldheiss sustained.

SS. The November 13, 2007 Small Arms Attack in Nineveh (Mason Family)

577. On November 13, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a small arms attack in Nineveh, Iraq (the "November 13, 2007 Attack"). The November 13, 2007 Attack constituted an extrajudicial killing.

578. **Private First Class Casey Mason** served in Iraq as a member of the U.S. Army at the time of the attack. PFC Mason was injured in the November 13, 2007 Attack. PFC Mason died on November 13, 2007, as a result of injuries sustained during the attack.

579. PFC Mason was a U.S. national at the time of the attack and his death.

580. Plaintiff Robbin Mason is the mother of PFC Mason and a U.S. national.

581. Plaintiff Jeffrey Mason is the father of PFC Mason and a U.S. national.

582. Plaintiff Zachary Mason is the brother of PFC Mason and a U.S. national.

583. As a result of the November 13, 2007 Attack and PFC Mason's injuries and death, each member of the Mason Family has experienced severe mental anguish, emotional pain and suffering, and the loss of PFC Mason's society, companionship, and counsel.

584. As a result of the November 13, 2007 Attack, PFC Mason was injured in his person and/or property. The Plaintiff members of the Mason Family are the survivors and/or heirs of PFC Mason and are entitled to recover for the damages PFC Mason sustained.

TT. The December 4, 2007 IED Attack in Saladin (Hernandez Family)

585. On December 4, 2007, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Saladin, Iraq (the "December 4, 2007 Attack"). The December 4, 2007 Attack constituted an extrajudicial killing.

586. **Sergeant Eric Hernandez** served in Iraq as a member of the U.S. Army at the time of the attack. SGT Hernandez was injured in the December 4, 2007 Attack. SGT Hernandez died on December 4, 2007, as a result of injuries sustained during the attack.

587. SGT Hernandez was a U.S. national at the time of the attack and his death.

588. Plaintiff June Augusta is the mother of SGT Hernandez and a U.S. national.

589. Plaintiff Craig Hernandez Sr. is the father of SGT Hernandez and a U.S. national.

590. Plaintiff Patricia Hernandez is the stepmother of SGT Hernandez and a U.S. national. Ms. Hernandez lived in the same household as SGT Hernandez for a substantial period of time and considered SGT Hernandez the functional equivalent of a biological son.

591. Plaintiff John Augusta is the stepfather of SGT Hernandez and a U.S. national. Mr. Augusta lived in the same household as SGT Hernandez for a substantial period of time and considered SGT Hernandez the functional equivalent of a biological son.

592. As a result of the December 4, 2007 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.

593. As a result of the December 4, 2007 Attack, SGT Hernandez was injured in his person and/or property. The Plaintiff members of the Hernandez Family are the survivors and/or heirs of SGT Hernandez and are entitled to recover for the damages SGT Hernandez sustained.

UU. The January 9, 2008 IED Attack in Diyala (Pionk Family)

594. On January 9, 2008, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Diyala, Iraq (the "January 9, 2008 Attack"). The January 9, 2008 Attack constituted an extrajudicial killing.

595. **Sergeant First Class Matthew Pionk** served in Iraq as a member of the U.S. Army at the time of the attack. SFC Pionk was injured in the January 9, 2008 Attack. SFC Pionk died on January 9, 2008, as a result of injuries sustained during the attack.

596. SFC Pionk was a U.S. national at the time of the attack and his death.

597. Plaintiff Jeremy Pionk is the brother of SFC Pionk and a U.S. national.

598. 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.

599. As a result of the January 9, 2008 Attack, SFC Pionk was injured in his person and/or property. The Plaintiff members of the Pionk Family are the survivors and/or heirs of SFC Pionk and are entitled to recover for the damages SFC Pionk sustained.

VV. The July 9, 2008 Grenade Attack in Saladin (Chevalier Family)

600. On July 9, 2008, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a grenade attack in Saladin, Iraq (the “July 9, 2008 Attack”). The July 9, 2008 Attack constituted an extrajudicial killing.

601. **Sergeant 1st Class Steven Chevalier** served in Iraq as a member of the U.S. Army at the time of the attack. SFC Chevalier was injured in the July 9, 2008 Attack. SFC Chevalier died on July 9, 2008, as a result of injuries sustained during the attack.

602. SFC Chevalier was a U.S. national at the time of the attack and his death.

603. Plaintiff Ashley Cooke is the daughter of SFC Chevalier and a U.S. national.

604. Plaintiff Brian Chevalier is the brother of SFC Chevalier and a U.S. national.

605. As a result of the July 9, 2008 Attack and SFC Chevalier’s injuries and death, each member of the Chevalier Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SFC Chevalier’s society, companionship, and counsel.

606. As a result of the July 9, 2008 Attack, SFC Chevalier was injured in his person and/or property. The Plaintiff members of the Chevalier Family are the survivors and/or heirs of SFC Chevalier and are entitled to recover for the damages SFC Chevalier sustained.

WW. The October 5, 2008 Small Arms Attack in Nineveh (Rudd Family)

607. On October 5, 2008, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a small arms attack in Nineveh, Iraq (the “October 5, 2008 Attack”). The October 5, 2008 Attack constituted an extrajudicial killing.

608. **Sergeant William Rudd** served in Iraq as a member of the U.S. Army at the time of the attack. SGT Rudd was injured in the October 5, 2008 Attack. SGT Rudd died on October 5, 2008, as a result of injuries sustained during the attack.

609. SGT Rudd was a U.S. national at the time of the attack and his death.

610. Plaintiff William Rudd Jr. is the father of SGT Rudd and a U.S. national.

611. As a result of the October 5, 2008 Attack and SGT Rudd's injuries and death, each member of the Rudd Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Rudd's society, companionship, and counsel.

612. As a result of the October 5, 2008 Attack, SGT Rudd was injured in his person and/or property. The Plaintiff members of the Rudd Family are the survivors and/or heirs of SGT Rudd and are entitled to recover for the damages SGT Rudd sustained.

XX. The March 2, 2009 Grenade Attack in Baghdad (Reed Family)

613. On March 2, 2009, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a grenade attack in Baghdad, Iraq (the "March 2, 2009 Attack"). The March 2, 2009 Attack constituted an extrajudicial killing.

614. **Sergeant Jeffrey Reed** served in Iraq as a member of the U.S. Army at the time of the attack. SGT Reed was injured in the March 2, 2009 Attack. SGT Reed died on March 2, 2009, as a result of injuries sustained during the attack.

615. SGT Reed was a U.S. national at the time of the attack and his death.

616. Plaintiff Mark Reed is the father of SGT Reed and a U.S. national.

617. Plaintiff Cynthia Reed is the sister of SGT Reed and a U.S. national.

618. As a result of the March 2, 2009 Attack and SGT Reed's injuries and death, each member of the Reed Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SGT Reed's society, companionship, and counsel.

619. As a result of the March 2, 2009 Attack, SGT Reed was injured in his person and/or property. The Plaintiff members of the Reed Family are the survivors and/or heirs of SGT Reed and are entitled to recover for the damages SGT Reed sustained.

YY. The April 30, 2009 Bomb Attack in Al Anbar (McIlvaine Family)

620. On April 30, 2009, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed a bomb attack in Al Anbar, Iraq (the “April 30, 2009 Attack”). The April 30, 2009 Attack constituted an extrajudicial killing.

621. **Sergeant James McIlvaine** served in Iraq as a member of the U.S. Marine Corps at the time of the attack. Sgt McIlvaine was injured in the April 30, 2009 Attack. Sgt McIlvaine died on April 30, 2009, as a result of injuries sustained during the attack.

622. Sgt McIlvaine was a U.S. national at the time of the attack and his death.

623. Plaintiff Joanne Cembrook is the mother of Sgt McIlvaine and a U.S. national.

624. As a result of the April 30, 2009 Attack and Sgt McIlvaine’s injuries and death, each member of the McIlvaine Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Sgt McIlvaine’s society, companionship, and counsel.

625. As a result of the April 30, 2009 Attack, Sgt McIlvaine was injured in his person and/or property. The Plaintiff members of the McIlvaine Family are the survivors and/or heirs of Sgt McIlvaine and are entitled to recover for the damages Sgt McIlvaine sustained.

ZZ. The May 29, 2009 IED Attack in Nineveh (Lee Family)

626. On May 29, 2009, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Nineveh, Iraq (the “May 29, 2009 Attack”). The May 29, 2009 Attack constituted an extrajudicial killing.

627. **Private Thomas Lee III** served in Iraq as a member of the U.S. Army at the time of the attack. Pvt Lee was injured in the May 29, 2009 Attack. Pvt Lee died on May 29, 2009, as a result of injuries sustained during the attack.

628. Pvt Lee was a U.S. national at the time of the attack and his death.

629. Plaintiff Thomas Lee Jr. is the father of Pvt Lee and a U.S. national.

630. Plaintiff Ashley Lee is the sister of Pvt Lee and a U.S. national.

631. Plaintiff Katie Lee is the sister of Pvt Lee and a U.S. national.

632. As a result of the May 29, 2009 Attack and Pvt Lee's injuries and death, each member of the Lee Family has experienced severe mental anguish, emotional pain and suffering, and the loss of Pvt Lee's society, companionship, and counsel.

633. As a result of the May 29, 2009 Attack, Pvt Lee was injured in his person and/or property. The Plaintiff members of the Lee Family are the survivors and/or heirs of Pvt Lee and are entitled to recover for the damages Pvt Lee sustained.

AAA. The September 8, 2009 IED Attack in Saladin (Lyons Family)

634. On September 8, 2009, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Saladin, Iraq (the "September 8, 2009 Attack"). The September 8, 2009 Attack constituted an extrajudicial killing.

635. **Specialist Thomas Lyons** served in Iraq as a member of the U.S. Army at the time of the attack. SPC Lyons was injured in the September 8, 2009 Attack. SPC Lyons died on September 8, 2009, as a result of injuries sustained during the attack.

636. SPC Lyons was a U.S. national at the time of the attack and his death.

637. Plaintiff John Flint is the stepfather of SPC Lyons and a U.S. national. Mr. Flint lived in the same household as SPC Lyons for a substantial period of time and considered SPC Lyons the functional equivalent of a biological son.

638. As a result of the September 8, 2009 Attack and SPC Lyons's injuries and death, each member of the Lyons Family has experienced severe mental anguish, emotional pain and suffering, and the loss of SPC Lyons's society, companionship, and counsel.

639. As a result of the September 8, 2009 Attack, SPC Lyons was injured in his person and/or property. The Plaintiff members of the Lyons Family are the survivors and/or heirs of SPC Lyons and are entitled to recover for the damages SPC Lyons sustained.

BBB. The April 7, 2010 IED Attack in Mosul (Collins Family)

640. On April 7, 2010, Iranian Sunni Terrorist Proxies, with material support and resources from Iran, committed an IED attack in Mosul, Iraq (the “April 7, 2010 Attack”). The April 7, 2010 Attack constituted an extrajudicial killing.

641. **First Lieutenant Robert Collins** served in Iraq as a member of the U.S. Army at the time of the attack. 1LT Collins was injured in the April 7, 2010 Attack. 1LT Collins died on April 7, 2010, as a result of injuries sustained during the attack.

642. 1LT Collins was a U.S. national at the time of the attack and his death.

643. Plaintiff Sharon Collins is the mother of 1LT Collins and a U.S. national.

644. Plaintiff Burkitt Collins is the father of 1LT Collins and a U.S. national.

645. As a result of the April 7, 2010 Attack and 1LT Collins’s injuries and death, each member of the Collins Family has experienced severe mental anguish, emotional pain and suffering, and the loss of 1LT Collins’s society, companionship, and counsel.

646. As a result of the April 7, 2010 Attack, 1LT Collins was injured in his person and/or property. The Plaintiff members of the Collins Family are the survivors and/or heirs of 1LT Collins and are entitled to recover for the damages 1LT Collins sustained.

CLAIM FOR RELIEF

COUNT ONE: PERSONAL INJURY OR DEATH UNDER 28 U.S.C. § 1605A(c)

647. Plaintiffs incorporate the allegations above.

648. 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.

649. The terrorist attacks that killed or injured Plaintiffs or their family members occurred in Iraq.

650. 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.

651. 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.

652. 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.

653. 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).

654. 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

655. 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: March 7, 2025

Respectfully submitted,

/s/ Nicholas Reddick

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Counsel for Plaintiffs

<input type="radio"/> G. Habeas Corpus/ 2255 <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"/> H. Employment Discrimination <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"/> I. FOIA/Privacy Act <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"/> J. Student Loan <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (excluding veterans)
<input type="radio"/> K. Labor/ERISA (non-employment) <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"/> L. Other Civil Rights (non-employment) <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"/> M. Contract <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"/> N. Three-Judge Court <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. nationals.

VII. REQUESTED IN COMPLAINT	<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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VIII. RELATED CASE(S) IF ANY	(See instruction)	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	If yes, please complete related case form
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DATE: 3/7/2025	SIGNATURE OF ATTORNEY OF RECORD: /s/ Nicholas Reddick
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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**

Patrick Hulett, et al.

Plaintiff

v.

Islamic Republic of Iran

Defendant

)
)
)
)
)
)
)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

ISLAMIC REPUBLIC OF IRAN
Ministry of Foreign Affairs
Imam Khomeini St.
Imam Khomeini Sq.
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:

Nicholas Reddick
Willkie Farr & Gallagher LLP
333 Bush St.
San Francisco, CA 94104
(415) 858-7400

Michael J. Gottlieb
Willkie Farr & Gallagher LLP
1875 K St. NW
Washington, DC 20006
(202) 303-1000

Ryan R. Sparacino
Eli J. Kay-Oliphant
Shuman Sohrn
Sparacino PLLC
1920 L St. NW, Suite 835
Washington, DC 20036

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: