

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

KOUROSH SAEEDI,)
Camp Ashraf, Iraq,)

MEHDI ASGARI,)
Camp Ashraf, Iraq,)

MOSHEN KHOSRAVANI,)
Camp Ashraf, Iraq,)

PEYMAN MOJALLAL,)
Camp Ashraf, Iraq,)

Plaintiffs,)

v.)

Civil Action No. _____

ISLAMIC REPUBLIC OF IRAN)
The Office of the Supreme Leader)
Ayatollah Sayed ‘Ali Khamenei)
Islamic Republic Street – End of Shahid)
Keshvar Doust Street)
Tehran, Iran)

and/or)
The Office of the Supreme Leader)
Ayatollah Sayed ‘Ali Khamenei)
Palestine Avenue, Azerbaijan Intersection)
P.O. Box address: 13185/1555)
Tehran, Iran)

and/or)
Office of the President of the Islamic Republic)
of Iran)
Pasteur Street)
Pasteur Square)
Tehran – Iran)

MINISTRY OF INTELLIGENCE AND)
SECURITY OF IRAN (MOIS),)
Pasdaran Street)
Negarestan 2)
Second door)
Tehran, Iran)

ISLAMIC REVOLUTIONARY GUARD)
CORPS (IRGC),)
General Command)
Intersection of Seoul Street and Niayesh Street)
North of Vanak Roundabout)
Tehran, Iran)
)
QODS FORCE,)
Piroozi Street)
Ghasre Firouzeh)
Tehran, Iran)
)
GHASSEM SOLEIMANI,)
Serve upon:)
Islamic Revolutionary Guard Corps)
General Command)
Intersection of Seoul Street and Niayesh Street)
North of Vanak Roundabout)
Tehran, Iran)
)
ABDOL HOSSEIN AL SHEMMARI,)
Ministry of Defense)
(formerly Iraqi Parliament Building))
Green Zone, Baghdad, Iraq)
)
ALI MAJID GH Aidan)
Ministry of Defense)
(formerly Iraqi Parliament Building))
Green Zone, Baghdad, Iraq,)
)
ABDOL-LATIF AL-ANABI,)
Ministry of Defense)
(formerly Iraqi Parliament Building))
Green Zone, Baghdad, Iraq,)
)
and)

JASEM MOHAMMAD OLEIVI ALTAMIMI)
Ministry of Defense)
(formerly Iraqi Parliament Building))
Green Zone, Baghdad, Iraq,)
)
Defendants.)
_____)

PLAINTIFFS' COMPLAINT

INTRODUCTION

Camp Ashraf is in Iraq's Diyala Province, 60 miles northeast of the Iraqi capital, Baghdad, and about 44 miles from Iran's Western border. Since the mid-1980's, the camp acts as the political center of the People's Mojahedin of Iran in Iraq (PMOI/MEK). Camp Ashraf is home to some 3,400 members and sympathizers of Iran's main opposition group and their families.

In July 2004, following an exhaustive 16-month investigation carried out into the members and activities of the residents of Camp Ashraf in Iraq, the Multi-National Force in Iraq (hereafter: MNF-I), and subsequently the United States government, officially recognized members of Camp Ashraf members in Iraq as "protected persons" under the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War (hereafter: Fourth Geneva Convention). The residents of Camp Ashraf lived under the control and protection of the US forces and the MNF-I until January 1, 2009.

On February 28, 2009, Iran's Supreme Leader Ayatollah Ali Khamenei publicly revealed the existence of an agreement with Iraq to take action against residents of Ashraf. He told the Iraqi president Iran's expectation that the agreement would be implemented as soon as possible. Soon after that Iraq imposed severe restrictions on Camp Ashraf and effectively put the camp under siege. The influence of Iran in Iraq is well established and has been acknowledged by U.S. officials and military commanders in Iraq.

In late July 2009 a group comprised of members of Iraqi forces backed by Iranian Qods forces operating freely in Iraq attempted to enter Camp Ashraf, Iraq. These forces used violence, including gunfire, water cannons and batons, killing 11 people and injuring about 400. Videos taken by residents of Camp Ashraf show these scenes. Iraqi security forces stormed Camp Ashraf detained 36 residents. Iraqi and Iranian authorities denied using violent methods, but said unarmed residents used stones, knives and sharp tools to protect themselves and to fight security forces that tried to enter the camp. Journalists were excluded from the area. The Iraqi government has continued to threaten Iranian refugees living in Camp Ashraf with forcible removal from the camp.

Following vicious attacks upon Camp Ashraf in December 2010 and January 2011, on April 8, 2011, Iraqi security forces in bulldozers and Humvees stormed Camp Ashraf. Thirty-six residents were killed and scores wounded. Video clips of the April 2011 clashes uploaded to YouTube.com appear to show Iraqi soldiers indiscriminately firing into the crowds and snipers shooting using vehicles to try and run others down. The Iranian authorities have taken new suppressive measures against Ashraf residents by installing two tall communication poles south of Camp Ashraf, preparing the grounds for next attacks.

Future attacks are a certainty, and not solely because of prior conduct of the Iraqi and Iranian armed forces. The Iraqi government has announced that it plans to close and dismantle Camp Ashraf, by December 31, 2011. This date also happens to be the withdrawal of all US troops from Iraq.

This is a civil action for declaratory relief and compensatory for torts in violation of international and domestic law. Plaintiffs KOUROSH SAEEDI, MEHDI MOSHEN KHOSRAVANI, and PEYMAN MOJALLAL (collectively referred to as "Plaintiffs") through their undersigned attorney, hereby file this Complaint against Defendants Islamic Republic of Iran,

Ministry of Intelligence and Security of Iran (MOIS), Islamic Revolutionary Guards Corps (IRGC), Qods Forces of the IRGC, Iranian General GHASSEM SOLIMANI (Commander of the Quds Forces), Iraqi Lieutenant General ABDOL HOSSEIN AL SHEMMARI, Iraqi Army Commander ALI MAJID GHAIIDAN, Iraqi Lieutenant Colonel ABDOL-LATIF AL-ANABI, and Iraqi Major JASEM MOHAMMAD OLEIVI ALTAMIMI, in their individual capacities and as military commanders of the Iraqi and Iranian forces that attacked and injured Plaintiffs.

Plaintiffs allege that Defendants conspired with, aided and abetted and alternatively exercised command and control over the perpetrators of torture and attacks against the unarmed civilians of Camp Ashraf. The perpetrators belonged to military, security, or paramilitary forces that were directed by and operated with Defendants' express, implicit, or delegated authorization and practical assistance or encouragement. Moreover, Defendants had knowledge of these acts, or had information at the time that should have enabled him to conclude such attacks were occurring or were going to occur, and in these instances had either failed to prevent or stop the attack or waived any punishment for the perpetrators. The Plaintiffs state claims arising under the Torture Victim Protection Act of 1991, Pub. L. 102-256, 106 Stat. 73 (Mar. 12, 1992), and customary international law, which are actionable under the Alien Tort Claims Act, 28 U.S.C. § 1350 (2006).

This action seeks declaratory relief as well as compensatory and punitive damages for torture; cruel, inhuman or degrading treatment and crimes against humanity as violations of international, and domestic law, including the Alien Tort Claims Act, 28 U.S.C. § 1350, and Torture Victim Protection Act of 1991, Pub. L. 102-256, 106 Stat. 73 (Mar. 12, 1992).

This action also seeks declaratory relief as well as compensatory and punitive damages for assault and battery; false imprisonment; and intentional infliction of emotional distress as violations of domestic law of the District of Columbia.

IDENTIFICATION OF THE PARTIES

PLAINTIFFS

1. KOUROSH SAEEDI is an Iranian national and is currently a resident of Camp Ashraf, Iraq. He was in the United States from 1977 after he was granted political asylum in the United States and provided travel documents. Mr. SAEEDI has been in Camp Ashraf, Iraq since 1995. In July 2009 and April 2011, he suffered heavy injuries during the attacks by the Iraqi and Iranian forces.

2. MEHDI ASGARI is an Iranian national and a United States Resident Alien cardholder. He is currently a resident of Camp Ashraf, Iraq. He arrived in the United States in 1979 and was granted political asylum in the United States and given travel documents. He went to Iraq in 1995. In July 2009 and April 2011, he suffered heavy injuries during the attacks by the Iraqi and Iranian forces.

3. MOHSEN KHOSRAVANI is an Iranian national and is currently a resident of Camp Ashraf, Iraq. He was in the United States from 1977 until 1994 and then went to Iraq. In July 2009 and April 2011, he suffered heavy injuries during the attacks by the Iraqi and Iranian forces.

4. PAYMEN MOJALLAL is an Iranian national and a United States Resident Alien card holder. He is currently a resident of Camp Ashraf, Iraq. He lived in the United States from 1979 until 1980. He went back to Iran in 1980 but had to leave due to political situation in the country and returned to the US in 1985 upon which he was granted political asylum. He held United States travel document issued for refugees. He returned to Iraq in late 1980's. In July 2009 and April 2011, he suffered heavy injuries during the attacks by the Iraqi and Iranian forces.

DEFENDANTS

5. Islamic Republic of Iran operated under a constitutional monarchy until January 16,

1979, when Shah Mohammed Reza Pahlavi fled the country after a period of violent unrest orchestrated by the Ayatollah Ruhollah Musawi Khomeini and his followers. On April 1, 1979, Ayatollah Khomeini declared the creation of the Islamic Republic of Iran. Iran is now and has been designated a state sponsor of terrorism pursuant to Section 6(j) of the Export Administration Act of 1979 (50 U.S.C. Appx. § 2405(j)), and section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. § 2371) since January 19, 1984.

6. Defendant Ministry of Intelligence and Security of Iran (MOIS) functions as the Iranian Intelligence Service and, in this capacity it is the secret police and primary intelligence agency of the Islamic Republic of Iran. It is the part of the Iranian government's security apparatus responsible for the assassination of Iranian political dissidents inside and outside the country.

7. Islamic Revolutionary Guards Corps (IRGC) is the lead military organization and agency for protection of the Republic of Iran's Islamic system of rule.

8. Qods Forces of the IRGC, is a special unit of the IRGC responsible for extraterritorial operations of the Revolutionary Guard, including those taking place in Camp Ashraf.

9. GHASSEM SOLEMANI is Commander and a General of the Qods Force of the Islamic Revolutionary Guards Corp (IRGC) of Iran.

10. ABDOL HOSSEIN AL SHEMMARI is a Lieutenant General of the Iraqi paramilitary police. He is the head of Diyala Province paramilitary police.

11. ALI MAJID GHAIKAN is a Lieutenant General and is currently the commander of all Iraqi Army ground forces under Iraqi control.

12. ABDOL-LATIF AL-ANABI is a Lieutenant Colonel of the Iraqi Army.

13. JASEM MOHAMMAD OLEIVI ALTAMIMI is a Major of the Iraqi Army.

SUBJECT MATTER JURISDICTION

14. The Plaintiffs state claims arising under the Torture Victim Protection Act of 1991, Pub. L. 102-256, 106 Stat. 73 (Mar. 12, 1992), and customary international law, which are actionable under the Alien Tort Claims Act, 28 U.S.C. § 1350 (2006).

15. This Court has subject matter jurisdiction over Plaintiffs' claims under 28 U.S.C. §§ 1331, 1350, and 1367.

16. Twenty-eight U.S.C. § 1350 provides for federal jurisdiction for any "civil action by an alien for a tort only, committed in violation of the law of nations or a treaty of the United States."

17. This Court has subject matter jurisdiction under 28 U.S.C. § 1331. Because this lawsuit alleges violations of federal statutes and regulations, it raises questions of federal law. This Court enjoys subject matter jurisdiction over this action because Plaintiffs' claims arise under the Torture Victim Protection Act of 1991, Pub. L. 102-256, 106 Stat. 73 (Mar. 12, 1992) and because Plaintiffs' claims arise under universal norms of customary international law and federal common law cognizable under the Alien Tort Claims Act, 28 U.S.C. § 1350.

18. Supplemental jurisdiction under 28 U.S.C. § 1367 exists as to those claims that are so related to the federal claims that they form part of the same case or controversy.

19. The following laws, agreements, resolutions, and treaties form the basis of Plaintiffs' causes of action:

- a. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Dec. 10, 1984, 1465 U.N.T.S. 85; 23 I.L.M. 1027 (entered into force in the United States Nov. 20, 1994 through 18 U.S.C. § 2340);

- b. Convention on the Elimination of all Forms of Racial Discrimination, 1966 U.S.T. 521, 660 U.N.S.T. 195 (Mar. 7, 1966);
- c. International Covenant on Civil and Political Rights, S. Exec. Doc. E, 95-2, 999 U.N.S.T. 171 (Dec. 16, 1966);
- d. United Nations Charter, 59 Stat. 1031, 3 Bevans 1153 (1945);
- e. Laws of the United States and the District of Columbia, including but not limited to common law principles of battery, assault, and intentional infliction of emotional distress.

20. Defendants committed torts in violation of the law of nations, as codified in the aforementioned international treaties, declarations, laws and resolutions.

21. This Court has the authority to grant injunctive relief, declaratory relief, damages, and other related relief pursuant to § 1331 and the Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202. A substantial, actual, and continuing controversy exists between the parties.

22. Jurisdiction over the subject matter of this case arises under 28 U.S.C. § 1330(a). Defendants Iraq, IGRC, Qods and MOIS are subject to suit in the courts of the United States pursuant to the Foreign Sovereign Immunities Act (“FSIA”), as amended by Pub. L. 110-181, § 1083 (2008), 28 U.S.C. § 1605A, and related statutes.

VENUE

23. Venue is proper in this Court under 18 U.S.C. § 1965(a) and 28 U.S.C. § 1391(f)(4) because Defendants, by and through his conduct and contacts within the forum, have purposefully availed himself of this forum.

STATEMENT OF FACTS

JULY 2009 ATTACK ON CAMP ASHRAF, IRAQ

24. This is an action for compensatory and punitive damages, declaratory judgment, and injunctive relief for torture; cruel, inhuman, or degrading treatment; intentional infliction of emotional distress; and the continuing consequences of such actions inflicted by Defendant in violation of the laws of the United States, the District of Columbia, and international law.

25. For purposes of this lawsuit, at all relevant times in 2009 and 2011, Defendants had a duty under customary international law to ensure the protection of civilians, to prevent violations of international law by government forces, and to ensure that all persons under his command were trained in, and complied with international law, including the prohibitions against intentional targeting of civilians and crimes against humanity.

26. On July 28, 2009, starting at 3:00 p.m. and on July 29, 2009, about 2,000 soldiers belonging to the 9th Badr Brigade, to the special forces of the “Scorpion” brigade of Baghdad, to Battalions 2 and 3 of the police and anti-riot police, in a deliberate and planned action under the command of the defendant, Lieutenant General Abdol Hossein Al Shemmari, equipped with Humvees, mechanical shovels, firearms, axes, metal and wood batons, chains, pepper spray and tear gas, sonic grenades, water cannons and other vehicles launched an assault against unarmed civilians residing in Camp Ashraf and firing indiscriminately on persons protected by the Fourth Geneva Convention, resulting in the deaths of eleven persons, injuring more than 400 and the detention of thirty-six persons.

27. At all times relevant hereto, Defendants’ acts and omissions described above, and the acts committed by his subordinates against the Plaintiffs, were committed under actual or apparent authority, or color of law, of the governments of Iraq and Iran.

28. At all times relevant hereto, the armed forces or persons or groups acting in coordination with the armed forces or under their control in the regions described hereto were acting as agents of Defendants.

APRIL 2011 ATTACK ON CAMP ASHRAF, IRAQ

29. In the night of April 2, 2011 the commanders of the 3rd Battalion of the 21st Brigade of the 9th Division's informed the residents that this Battalion was to be replaced by a 5th Division battalion.

30. At midnight on April 3, 2011, forces from Iraq's 5th Division entered Ashraf with 30 BMP1 and Humvee armored vehicles with the pretext that they were the announced replacement force. They occupied one sector of Camp Ashraf while the previous battalion stayed in its existing position.

31. As of April 3, 2011, representatives of Ashraf residents sent letters to international organizations, to UNAMI and to the United States government warning that Iraqi Prime Minister Mr. Maliki had reportedly decided, at the Iranian authorities' instigation, to order a new bloodbath in Camp Ashraf, asking them to intervene to prevent it.

32. On April 4 and 5, 2011, the USF-I Ashraf supervision unit commander sought to arrange a meeting with representatives of Ashraf residents and commanders of Iraqi forces. The latter said they were under orders from the Prime Minister's Office not to enter into any dialogue with the residents.

33. In the early morning of April 8, 2011, the main body of Iraqi forces inside Ashraf totaled 2,500, with at least 140 vehicles, armored cars and armored personnel carriers. Those stationed around Ashraf went into alert position, taking up an offensive formation.

34. Iraqi troops used sonic, smoke and teargas grenades against the residents, and

eventually resorted to firearms, opening fire on the residents of Camp Ashraf.

35. General Ali Ghaidan led his troops against the residents with machine guns and anti-tank BMP1 vehicles. Soldiers from the Iraqi forces also shot at the residents with sniper fire. The forces repeatedly drove their Humvees at the residents, running them over.

36. Many residents were killed or injured by direct, close-range gunshots from Iraqi forces as they protested peacefully at the occupation of the buildings they lived in, or as they fled their homes to save their lives.

37. On April 9, 2011, a second phase of the operation began, consisting of pillaging and looting the residents' belongings in the occupied buildings. The Iraqi forces entered the buildings and looted all the residents' property, including their vehicles, as also destroyed their homes.

38. The Iraqi forces at first prevented United States personnel from entering the camp to give medical assistance. They were authorized to do so nearly three days later. The UN team was not allowed to enter the camp until April 15, 2011, and that permission was later withdrawn, and remains so to date.

39. Since April 8, 2011, residents have twice been attacked and beaten by Iraqi forces, with twenty-six injured.

40. The UN Special Representative of the Secretary-General, Ad Melkert, referred to these events in his appearance before the UN Security Council on Friday April 8, 2011:

“As I speak, UNAMI is concerned about reports of recent violent incidents in Camp Ashraf, which have resulted in deaths and injuries. I reiterate that efforts are needed to stop violence and aim to peacefully resolve all issues. I would like to call on the Government of Iraq to enable a UNAMI mission to monitor the situation on the ground.”

41. The US State Department spokesman said on April 8, 2011 “this crisis and the loss of life was initiated by the government of Iraq and the Iraqi military.”

42. The killing has been condemned by the UN High Commissioner for Human Rights, on April 15, 2011:

“But it now seems certain that at least 34 people were killed in Camp Ashraf, including seven or more women. Most were shot, and some appear to have been crushed to death, presumably by vehicles. . . The Iraqi military were well aware of the risks attached to launching an operation like this in Ashraf, . . . There is no possible excuse for this number of casualties. There must be a full, independent and transparent inquiry, and any person found responsible for use of excessive force should be prosecuted.”

43. The EU High Representative, Lady Catherine Ashton, on April 9, 2011 stated:

“The EU has continuously and repeatedly called on the Iraqi government to refrain from the use of violence and to respect the human rights of the Camp's residents. This message was reiterated by EU representatives on Monday [4 April] at a meeting with Prime Minister Nouri al-Maliki himself.”

44. The aforesaid facts constitute grave breaches of Geneva Convention IV, as outlined below. A key role in them was played by Defendants.

45. Defendants exercised command and control, authorized and unauthorized, and enjoyed superior authority over forces of armed paramilitary groups and individuals, security services, police, paramilitaries or law enforcement authorities of any type, including judicial or investigative bodies.

46. Defendants are responsible for planning and directing the operations of the units or persons identified in paragraphs in this Complaint.

47. Defendants were present in or actively orchestrated meetings of persons during which a strategy was outlined for the intentional destruction of non-military objects to make certain areas of Camp Ashraf unlivable and to intentionally target unarmed civilians.

48. Defendant Iran is a foreign sovereign state.

49. The Islamic Republic of Iran is now and has been designated a state sponsor of

terrorism pursuant to Section 6(j) of the Export Administration Act of 1979 (50 U.S.C. Appx. § 2405(j)), and section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. § 2371) since January 19, 1984.

50. Defendant MOIS functions as the Iranian Intelligence Service and, in this capacity, as an agent of Iran.

51. MOIS operates both within and outside Iranian territory.

52. Pursuant to 28 U.S.C. § 1605A(c), Defendant Iran is vicariously liable for the acts of its officers, employees, or agents, including those of MOIS.

FIRST CLAIM FOR RELIEF:

**28 U.S.C. § 1605A(c), PRIVATE RIGHT OF ACTION
(AGAINST DEFENDANTS IRGC, QODS, MOIS, and SOLEIMANI)**

53. Paragraphs 1 through 52 are incorporated herein as if fully set forth herein.

54. Iran was a state sponsor of terrorism as described in 28 U.S.C. §1605A(a)(2)(A)(i). Defendants and their agents were acting within the scope of their office, employment or agency in committing the acts alleged herein, including planning and carrying out the 2009 and 2011 attacks on Camp Ashraf.

55. As a direct and proximate result of the willful, wrongful, intentional and reckless acts of Defendants and its members, whose acts were funded and directed by the Islamic Republic of Iran through its agent MOIS, and members of the Iraqi army, Plaintiffs, some who are U.S. nationals, suffered, inter alia, physical pain and suffering, mental anguish, emotional pain and suffering, and/or economic losses resulting from the Defendants' acts.

56. Pursuant to 28 U.S.C. § 1605A(c), Plaintiffs may assert a cause of action against

Defendants for personal injury caused by the provision of material support or resources for such an act, if performed or provided by an official, employee, or agent of Defendants while acting within the scope of his office, employment, or agency.

57. Accordingly, as a result of Defendants' actions, Plaintiffs seek compensatory damages.

WHEREFORE, the individual Plaintiffs demand that judgment be entered, jointly and severally, against Defendants, in the amount of \$5 MILLION DOLLARS (\$5,000,000).

SECOND CLAIM FOR RELIEF:

**TORTURE/CRUEL, INHUMAN, OR DEGRADING TREATMENT
ASSAULT/BATTERY
(AGAINST ALL DEFENDANTS)**

58. Plaintiffs re-allege and incorporate by reference the allegations set forth in paragraphs 1 – 57.

59. The Defendants subjected Plaintiffs to cruel, inhuman, or degrading treatment and assault and battery in violation of customary international law, the common law of the United States, and the laws of the District of Columbia.

60. The acts described herein had the intent and the effect of grossly humiliating and debasing Plaintiffs forcing them to act against their will and conscience, inciting fear and anguish, and breaking physical and moral resistance.

61. The acts described herein had the intent and the effect of grossly humiliating and debasing the Plaintiffs; inciting fear and anguish about themselves and their loved ones; and causing them extreme emotion and physical pain and distress. These acts constitute cruel, inhuman, or degrading treatment and assault and battery in violation of customary international law, the

common law of the United States, and the laws of the District of Columbia.

62. The conduct alleged is actionable under the Alien Tort Claims Act, 28 U.S.C. § 1350, and the Torture Victims Protection Act of 1991, Pub. L. 102-256, 106 Stat. 73 (Mar. 12, 1992); the common law of the United States; and the laws of the District of Columbia. The torture has proximately caused cognizable damage to the Plaintiffs in an amount to be determined at trial.

WHEREFORE, the individual Plaintiffs demand that judgment be entered, jointly and severally, against Defendants, in the amount of \$5 MILLION DOLLARS (\$5,000,000).

THIRD CLAIM FOR RELIEF:

**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(AGAINST ALL DEFENDANTS)**

63. Plaintiffs re-allege and incorporate by reference the allegations set forth in paragraphs 1-62.

64. Defendants intentionally and willfully caused intentional infliction of emotional distress; by engaging in the torture; cruel, inhuman, and degrading treatment; negligence; expropriation of property; and intimidation of Plaintiffs. Such outrageous conduct violates normal standards of decency and was without privilege or justification.

65. Defendants' outrageous conduct constitutes intentional infliction of emotional distress to Plaintiffs and is actionable under the laws of District of Columbia and the United States.

WHEREFORE, the individual Plaintiffs demand that judgment be entered, jointly and severally, against Defendants, in the amount of \$5 MILLION DOLLARS (\$5,000,000).

DAMAGES AND RELIEF

66. As a proximate result of Defendants' actions, Plaintiffs suffered extreme anguish, pain and grief, and were made to experience emotional distress.

67. As a proximate result of Defendants' actions, Plaintiffs have been damaged in an amount to be determined at trial.

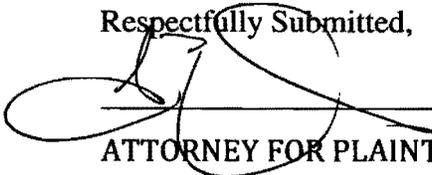
PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray that the Court:

- A. Grant Plaintiffs judgment in their favor against Defendants on Counts I through V;
and,
- B. Award Plaintiffs:
 - 1) Compensatory damages against Defendants, jointly and severally, in the amount of \$5 MILLION DOLLARS (\$5,000,000);
 - 2) Pre-judgment interest;
 - 3) Reasonable costs and expenses;
 - 4) Reasonable attorneys' fees; and
 - 5) Such other and further relief that the Court may determine to be just and equitable under the circumstances.

DATE: December 13, 2011

Respectfully Submitted,



ATTORNEY FOR PLAINTIFFS

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