

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

<b>EURO BROKERS INC.,</b>	)	
	)	
<b>MAXCOR FINANCIAL GROUP INC.,</b>	)	
	)	
<b>MAXCOR FINANCIAL INC.,</b>	)	
	)	
<b>MAXCOR FINANCIAL ASSET MANAGEMENT INC.,</b>	)	
	)	
<b>TRADESOFT TECHNOLOGIES, INC.,</b>	)	
	)	
<b>MAXCOR INFORMATION INC.,</b>	)	<b>Complaint</b>
	)	
<b>EURO BROKERS LTD.,</b>	)	<b>Civil Action</b>
	)	
<b>EURO BROKERS FINANCIAL SERVICES LIMITED,</b>	)	
	)	
<b>EURO BROKERS MEXICO, S.A. DE C.V.,</b>	)	<b>Jury Trial Demanded</b>
	)	
<b>EURO BROKERS (SWITZERLAND) S.A.,</b>	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
<b>AL BARAKA INVESTMENT AND DEVELOPMENT</b>	)	
<b>CORPORATION, a/k/a AL BARAKA BANK, a/k/a DALLAH</b>	)	
<b>ALBARAKA GROUP, LLC (D1)</b>	)	
	)	
<b>NATIONAL COMMERCIAL BANK (D2)</b>	)	
	)	
<b>FAISAL ISLAMIC BANK – SUDAN (D3)</b>	)	
	)	
<b>AL RAJHI BANKING AND INVESTMENT, a/k/a AL RAJHI</b>	)	
<b>BANK (D4)</b>	)	
	)	
<b>AL BARAKAAT EXCHANGE LLC, a/k/a AL-BARAKAAT</b>	)	
<b>BANK (D5)</b>	)	
	)	
<b>AL SHAMAL ISLAMIC BANK, a/k/a SHAMEL BANK, a/k/a</b>	)	
<b>BANK EL SHAMAR (D7)</b>	)	
	)	
<b>TADAMON ISLAMIC BANK (D8)</b>	)	

**INTERNATIONAL ISLAMIC RELIEF ORGANIZATION,**  
a/k/a ISLAMIC RELIEF ORGANIZATION, a/k/a  
INTERNATIONAL RELIEF ORGANIZATION, a/k/a  
SUCCESS FOUNDATION (D9)

**SUCCESS FOUNDATION, INC. (D10)**

**MOHAMED S. OMEISH (D11)**

**ABDURAHMAN ALAMOUDI (D12)**

**SULAIMAN AL-ALI (D14)**

**TAREQ M. AL-SWAIDAN (D16)**

**M. YAQUB MIRZA (D19)**

**SANABEL AL KHEER, INC.,** a/k/a THE SANA-BELL, INC.,  
a/k/a SANABEL AL KHAIR, a/k/a SANABIL AL-KHAIR (D20)

**MUSLIM WORLD LEAGUE,** a/k/a RABITA AL-ALAM  
AL-ISLAMI, a/k/a ISLAMIC WORLD LEAGUE (D21)

**MUSLIM WORLD LEAGUE OFFICES (D22)**

**ABDULLAH BIN SALEH AL-OBAID (D23)**

**HASSAN A.A. BAHAFZALLAH (D24)**

**YAQUB M. MIRZA (D25)**

**SAAR FOUNDATION,** a/k/a SAAR NETWORK (D26)

**ABU SULAYMAN (D27)**

**AHMED TOTONJI (D28)**

**HISHAM AL-TALIB (D29)**

**IQBAL YUNUS (D30)**

**M. OMAR ASHRAF (D32)**

**MOHAMMED JAGHLIT (D33)**

MUHAMMAD ASHRAF (D34) )  
)  
TAHA JABER AL-ALWANI (D35) )  
)  
TARIK HAMDY (D36) )  
)  
YAQUB MIRZA (D37) )  
)  
SHERIF SEDKY (D38) )  
)  
AFRICAN MUSLIM AGENCY (D39) )  
)  
ARADI, INC. (D40) )  
)  
GROVE CORPORATE, INC. (D41) )  
)  
HERITAGE EDUCATION TRUST (D42) )  
)  
INTERNATIONAL INSTITUTE OF )  
ISLAMIC THOUGHT (D43) )  
)  
MAR-JAC INVESTMENTS, INC. (D44) )  
)  
MAR-JAC POULTRY, INC. (D45) )  
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MENA CORPORATION (D46) )  
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RESTON INVESTMENTS, INC. (D47) )  
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SAAR INTERNATIONAL (D48) )  
)  
SAFA TRUST (D49) )  
)  
STERLING CHARITABLE GIFT FUND (D50) )  
)  
STERLING MANAGEMENT GROUP, INC. (D51) )  
)  
YORK FOUNDATION (D52) )  
)  
RABITA TRUST (D53) )  
)  
AL-HARAMAIN ISLAMIC FOUNDATION, INC., a/k/a AL- )  
HARAMAIN ISLAMIC FOUNDATION, a/k/a ISLAMIC AL- )  
HARAMAIN (D54) )  
)  
AL HARAMAIN FOUNDATION (D55) )

**AL HARAMAIN ISLAMIC FOUNDATION, INC.** (D56) )  
)  
**AQEEL ABDUL-AZEEL AL-AQEEL** (D57) )  
)  
**MANSOUR AL-KADI** (D58) )  
)  
**SOLIMAN H.S. AL-BUTHE** (D59) )  
)  
**PEROUZ SEDA GHATY** (D60) )  
)  
**BENEVOLENCE INTERNATIONAL FOUNDATION, a/k/a** )  
**AL BIR AL DAWALIA, a/k/a AL BIR SOCIETY** )  
**ORGANIZATION** (D61) )  
)  
**BENEVOLENCE INTERNATIONAL** )  
**FOUNDATION – USA** (D62) )  
)  
**BENEVOLENCE INTERNATIONAL FOUNDATION –** )  
**CANADA** (D63) )  
)  
**SYED SULEMAN AHMER** (D64) )  
)  
**ENAAM MAHMOUD ARNAOUT, a/k/a ABDEL SAMIA,** )  
**a/k/a ABU MAHMOUD, a/k/a ABU MAHMOUD AL SURI,** )  
**a/k/a ABU MAHMOUD AL HAMAWI** (D65) )  
)  
**MAZIN M.H. BAHARETH** (D66) )  
)  
**SHAHIR ABDULRAOOF BATTERJEE** (D67) )  
)  
**MUZAFFAR KHAN** (D69) )  
)  
**JAMAL NYRABEH** (D71) )  
)  
**WORLD ASSEMBLY OF MUSLIM YOUTH, a/k/a WAMY** )  
**INTERNATIONAL, INC., a/k/a WORLD ASSOCIATION FOR** )  
**MUSLIM YOUTH** (D72) )  
)  
**THE GLOBAL RELIEF FOUNDATION, a/k/a GRF, a/k/a** )  
**FONDATION SECOURS MONDIAL, a/k/a AL-NAJDA** (D76) )  
)  
**ABDULLAH BIN LADEN** (D77) )  
)  
**OSAMA BIN LADEN, a/k/a ABU ABDALLAH** (D78) )  
)

**TAREK M. BIN LADEN (D79)** )  
)  
**SAUDI BIN LADEN GROUP, a/k/a BIN LADEN** )  
**CORPORATION (D80)** )  
)  
**KHALID BIN SALIM BIN MAHFOUZ (D81)** )  
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**ABDULRAHMAN BIN KHALID BIN MAHFOUZ (D82)** )  
)  
**SALEH ABDULLAH KAMEL (D83)** )  
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**MOHAMMED AL FAISAL AL SAUD (D84)** )  
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**TURKI AL FAISAL AL SAUD (D85)** )  
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**SULTAN BIN ABDUL AZIZ AL SAUD (D86)** )  
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**SULAIMAN BIN ABDUL AZIZ AL RAJHI (D87)** )  
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**SALEH ABDUL AZIZ AL RAJHI (D88)** )  
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**ABDULLAH SULAIMAN AL-RAJHI (D89)** )  
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**KHALID SULAIMAN AL-RAJHI (D90)** )  
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**YASSIN ABDULLAH AL KADI (D91)** )  
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**MOHAMMAD JAMAL AL KHALIFA a/k/a ABU BARAA** )  
**(D92)** )  
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**ADEL ABDUL JALIL BATTERJEE, a/k/a ABU SULAFI** )  
**(D93)** )  
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**AQUEEL AL-AQUEEL (D94)** )  
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**WA'EL HAMZA JALAIAN, a/k/a ABU AL-HASSEN AL-** )  
**MADANI (D96)** )  
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**ABDULLAH OMAR NASEEF (D97)** )  
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**THE REPUBLIC OF SUDAN (D98)** )  
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**THE REPUBLIC OF SUDAN MINISTRY OF INTERIOR** )  
**(D99)** )  
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**THE REPUBLIC OF SUDAN MINISTRY OF DEFENSE** )

(D100) )  
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**ARAB BANK, PLC (D103)** )  
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**DUBAI ISLAMIC BANK (D104)** )  
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**BANK AL-TAQWA LIMITED (D105)** )  
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**AL TAQWA TRADE, PROPERTY AND INDUSTRY** )  
**COMPANY LIMITED (D106)** )  
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**AKIDA BANK PRIVATE LIMITED (D107)** )  
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**AKIDA INVESTMENT CO. LTD. (D108)** )  
**ASAT TRUST REG. (D109)** )  
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**BA TAQWA FOR COMMERCE AND REAL ESTATE** )  
**COMPANY LIMITED (D110)** )  
)  
**GULF CENTER S.R.L. (D111)** )  
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**MIGA-MALAYSIAN SWISS (D112)** )  
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**GULD AND AFRICAN CHAMBER (D113)** )  
)  
**NADA INTERNATIONAL ANSTALT (D114)** )  
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**NADA MANAGEMENT ORGANIZATION SA (D115)** )  
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**NASCO BUSINESS RESIDENCE CENTER SAS DI** )  
**NASREDDIN AHMED IDRIS EC (D116)** )  
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**NASCO NASREDDIN HOLDING A.S. (D117)** )  
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**NASCOSERVICE S.R.L. (D118)** )  
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**NASCOTEX S.A. (D119)** )  
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**NASREDDIN COMPANY NASCO SAS DI AHMED** )  
**IDRIS NASREDDIN EC (D120)** )  
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**NASREDDIN FOUNDATION (D121)** )  
)  
**NASREDDIN GROUP INTERNATIONAL HOLDING** )  
**LIMITED (D122)** )  
)

**NASREDDIN INTERNATIONAL GROUP LIMITED** )  
**HOLDING (D123)** )  
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**YOUSSEF M. NADA & CO. (D124)** )  
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**AHMED IDRIS NASREDDIN (D125)** )  
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**YOUSSEF M. NADA (D126)** )  
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**SAUDI AMERICAN BANK (SAMBA) (D127)** )  
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**TAIBAH INTERNATIONAL AID ASSOCIATION (D128)** )  
 )  
**MERCY INTERNATIONAL RELIEF AGENCY (MIRA),** )  
**a/k/a MERCY INTERNATIONAL, a/k/a MERCY (D129)** )  
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**ARY GROUP (D130)** )  
 )  
**GLOBAL DIAMOND RESOURCES (D131)** )  
 )  
**ISLAMIC CULTURAL CENTER OF MILAN, a/k/a CENTRO** )  
**CULTURAL ISLAMICO DE MILANO, a/k/a ISLAMIC** )  
**CULTURAL INSTITUTE OF MILAN, a/k/a ISTITUTO** )  
**CULTURALE ISLAMICO DE MILANO (D132)** )  
 )  
**ISLAMIC CULTURAL CENTER OF GENEVA** )  
**(D133)** )  
 )  
**HANI RAMADAN (D134)** )  
 )  
**THE ADVICE AND REFORMATION COMMITTEE (ARC)** )  
**(D135)** )  
 )  
**THE COMMITTEE FOR THE DEFENSE OF LEGITIMATE** )  
**RIGHTS (CDLR) (D136)** )  
 )  
**GHASOUB AL ABRASH (D147)** )  
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**KHALID SHEIK MOHAMMED (D148)** )  
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**RAMZI BINALSHIBH (D149)** )  
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**MUSTAF AHMED AL-HISAWI, a/k/a SHEIK SAEED (D150)** )  
 )  
**IMAD EDDIN BARAKAT YARKAS, a/k/a ABU DAHDAH** )  
**(D151)** )

MUHAMMED GALEB KALAJE ZOUAYDI, a/k/a ABU  
TALHA (D152)  
BASSAM DALATI SATUT (D153)  
ABDALRAHMAN ALARNAOT ABU ALJER, a/k/a ABU  
OBED (D154)  
MOHAMMAD KHAIR AL SAQQA, a/k/a ABU AL DARDA  
(D155)  
GHASOUB AL ABRASH GHALYOUN, a/k/a ABU MUSAB  
(D156)  
MOHAMMED ALI SAYED MUSHAYT (D157)  
ABDULLAH BIN ABDUL MUHSEN AL TURKI (D158)  
KHALID AL-FAWWAZ (D159)  
ABU QATADA AL-FILISTINI, a/k/a ABU ISMAIL, a/k/a ABU  
UMAR, a/k/a ABU OMAR OMAR, a/k/a ABU UMR TAKFIRI,  
a/k/a ABU UMAR UMAR, a/k/a ALI-SAMMAN UTHMAN,  
a/k/a OMAR MAHMOUD UTHMAN, a/k/a UMAR UTHMAN  
(D161)  
YASSIR AL-SIRRI, a/k/a AMMAR (D162)  
ABDULLAH AL FAISAL BIN ABDULAZIZ AL SAUD  
(D163)  
NAIF BIN ABDULAZIZ AL SAUD (D164)  
MOHAMMED AL MASSARI (D165)  
LUJAIN AL-IMAN (D166)  
ZIYAD KHALEEL (D167)  
IBRAHIM BAH (D168)  
ABU ZUBAYDAH (D169)  
AHMED ALI JUMALE (D170)  
MAMDOUH MAHMUD SALIM a/k/a ABU HAJER AL IRAQI

(D171) )  
)  
**OMAR AL BAYOUMI** (D172) )  
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**ZACARIAS MOUSSAOUI** (D173) )  
)  
**ISLAMIC INVESTMENT COMPANY OF THE GULF** )  
**(BAHRAIN) EC** (D174) )  
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**SAUDI HIGH COMMISSION** a/k/a **SAUDI HIGH RELIEF** )  
**COMMISSION** (D175) )  
)  
**SALMAN BIN ABDULAZIZ AL SAUD** (D176) )  
)  
**SHEIK ABDULLAH AZZAM**, a/k/a **ABU MUHAMMED** )  
**(D177)** )  
)  
**ALBERT FRIEDRICH ARMAND HUBER**, a/k/a **AHMED** )  
**HUBER** (D178) )  
)  
**ABDULLAH SALIM BAHAMDAN** (D179) )  
)  
**BAKR M BIN LADEN** (D180) )  
**OMAR M BIN LADEN** (D181) )  
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**YESLAM M BIN LADEN** (D182) )  
)  
**ALFAISALIAH GROUP**, a/k/a **AL FAISAL GROUP** )  
**HOLDING CO.** (D183) )  
)  
**HASSAN AL-TURABI** (D184) )  
)  
**ESSAM AL RIDI** (D185) )  
)  
**IBRAHIM BIN ABDULAZIZ AL IBRAHIM FOUNDATION** )  
**(D186)** )  
)  
**WADI AL AQIQ** (D187) )  
)  
**SOCIETY OF ISLAMIC COOPERATION**, a/k/a **JAM'YAH** )  
**TA'AWUN AL-ISLAMIA** (D188) )  
)  
**OMAR ABU OMAR**, a/k/a **ABU KUTADA** (D189) )  
)  
**ABU HAFS THE MAURITANIAN**, a/k/a **MAHFOUZ OULD** )  
**AL-WALID**, a/k/a **KHALID AL-SHANQITI**, a/k/a **MAFOUZ** )

WALAD AL-WALID (D190) )  
)  
MOHAMED ALBANNA (D191) )  
)  
QUEEN CITY CIGARETTES AND CANDY (D192) )  
)  
AGUS BUDIMAN (D193) )  
)  
AL-BARAKA BANCORP INC. (D194) )  
)  
AHMED RESSAM (D195) )  
)  
SAID BHAJJI (D196) )  
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ZAKARIYA ESSABAR (D197) )  
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MAMOUN DARKAZANLI (D198) )  
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MOHAMMED ALI HASAN AL MOAYAD (D199) )  
)  
AL FAROOQ MOSQUE (D200) )  
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YOUSEF JAMEEL (D201) )  
)  
IBRAHIM MUHAMMAD AFANDI (D202) )  
)  
MOHAMMED BIN ABDULLAH AL-JOMAITH (D203) )  
)  
ABDULRAHMAN HASSAN SHARBATLY (D204) )  
)  
AHMED ZAKI YAMANI (D206) )  
)  
AHMAD AL HARBI (D207) )  
)  
MOHAMMED AL-ISSAI (D208) )  
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HAMAD HUSSAINI (D209) )  
)  
ABU RIDA AL SURI, a/k/a MOHAMED LOAY BAYAZID )  
(D210) )  
)  
SAUDI RED CRESCENT (D211) )  
)  
AHMED BRAHIM (D212) )  
)  
ABU MUSAB AL-ZARQAWI (D213) )

**AYMAN AL-ZAWAHIR (D214)**

**ABU IBRAHIM AL-MASRI (D215)**

**SADDAM HUSSEIN (D216)**

**DAR AL MAAL AL ISLAMI TRUST (D217)**

**DMI ADMINISTRATIVE SERVICES S.A. (D218)**

**ISLAMIC ASSEMBLY OF NORTH AMERICA (D219)**

**SALMAN AL-OUDA (D220)**

**SAFAR AL-HAWALI (D221)**

**SALEH AL-HUSSAYEN (D222)**

**SAMI OMAR AL-HUSSAYEN (D223)**

**MUHAMMAD J. FAKIHI (D224)**

**YOUSSEF M. NADA & CO. GESELLSCHAFT M.B.H.  
(D225)**

**ABDULLAH BIN KHALID AL THANI (D226)**

**QATAR CHARITABLE SOCIETY (D227)**

Defendants.

## **COMPLAINT**

Plaintiffs Euro Brokers Inc., Maxcor Financial Group Inc., Maxcor Financial Inc., Maxcor Financial Asset Management Inc., Tradesoft Technologies, Inc., Maxcor Information Inc., Euro Brokers Ltd., Euro Brokers Financial Services Limited, Euro Brokers Mexico, S.A. de C.V., Euro Brokers (Switzerland) S.A. (hereinafter “Euro Brokers” and “Plaintiffs”) by their attorneys, allege the following upon information and belief.

## **BACKGROUND**

1. This is an action to recover for property damage (including damage to physical property as well as business interruption and lost profits) sustained as a result of the hijacking and crash of United Airlines Flight 175 (“Flight 175”) into the South Tower of the World Trade Center on September 11, 2001.

2. At approximately 9:03 a.m. on September 11, Flight 175 was deliberately flown into the South Tower of the World Trade Center, crashing and exploding directly into Plaintiffs’ New York headquarters on the 84th floor, where its employees were located.

3. The crash and resulting destruction and collapse of the South Tower of the World Trade Center caused the deaths of 61 of Plaintiffs’ employees, demolished entirely Plaintiffs’ property and business offices located on the premises, and damaged Plaintiffs’ ability to conduct its business, promote and pursue business opportunities, and pursue business profits.

4. After September 11, 2001, an international terrorist organization called “Al Qaeda” and its leaders took responsibility for hijacking and intentionally crashing Flight 175. They also claimed responsibility for the airplane hijackings and crashes into the North Tower of the World Trade Center, the Pentagon, and in Shanksville, Pennsylvania on the same date.

5. The attacks of September 11, 2001 were acts of international terrorism, and could not have been accomplished without the knowing and intentional financial support lent to Al

Qaeda and its leaders by a global network of banks, financial institutions, charities, relief organizations, businesses, individual financiers, foreign governments and foreign governmental officials.

### **JURISDICTION**

6. This Court is vested with jurisdiction over this action pursuant to 28 U.S.C. § 1331 (federal question jurisdiction), 28 U.S.C. § 1367 (supplemental jurisdiction), 18 U.S.C. §§ 2333 and 2334 (Anti-Terrorism Act) (“ATA”), 28 U.S.C. § 1330(a) (foreign state jurisdiction), and 28 U.S.C. §§ 1603-1611 (Foreign Sovereign Immunities Act) (“FSIA”).

### **VENUE**

7. Venue lies in the Southern District of New York pursuant to 28 U.S.C. §§ 1391(b)(2), 28 U.S.C. § 1391(f)(1), and 28 U.S.C. § 1407.

### **PARTIES**

#### **A. PLAINTIFFS**

8. Plaintiff Euro Brokers Inc. is a New York corporation. Euro Brokers Inc. conducts inter-dealer brokerage operations in money market products and various derivatives.

9. Plaintiff Maxcor Financial Group Inc. is a Delaware corporation. It is a publicly-held financial holding company that owns brokerage and financial services entities through which it conducts business.

10. Plaintiff Maxcor Financial Inc. is a New York corporation with branch offices in Connecticut and London. Maxcor Financial Inc. conducts inter-dealer brokerage operations and sales and trading operations in various securities.

11. Plaintiff Maxcor Financial Asset Management Inc. is a Delaware corporation. Maxcor Financial Asset Management Inc. conducts various investment adviser activities.

12. Plaintiff Tradesoft Technologies Inc. is a Delaware corporation. Tradesoft Technologies, Inc. is a technology developer and provider.

13. Plaintiff Maxcor Information Inc. is a Delaware corporation. Maxcor Information Inc. is a data information vendor.

14. Plaintiff Euro Brokers Ltd. is an international company duly formed under the laws of the United Kingdom and is headquartered in London, England. Euro Brokers Ltd. is a brokerage and financial services entity.

15. Plaintiff Euro Brokers Financial Services Limited is an international company duly formed under the laws of the United Kingdom. Euro Brokers Financial Services Limited is a brokerage and financial services entity.

16. Plaintiff Euro Brokers Mexico, S.A. de C.V. is a corporation duly formed under the laws of Mexico. Euro Brokers Mexico, S.A. de C.V. is a brokerage and financial services entity.

17. Plaintiff Euro Brokers (Switzerland) S.A. is a corporation duly formed under the laws of Switzerland. Euro Brokers (Switzerland) S.A. is a brokerage and financial services entity.

**B. DEFENDANTS**

18. For the purposes of this Complaint the Defendants are divided into four sub-groups: the Al Qaeda Defendants, the Charity and Relief Organization Defendants, the Banking and Financial Defendants, and the Foreign Governmental Defendants.

19. As set forth more fully below, the United States government has designated many of the Defendants as terrorists, terrorist organizations, and terrorist supporters pursuant to the Immigration and Nationality Act and Executive Order 13244 (Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism).

### *The Al Qaeda Defendants*

20. Defendant Osama bin Laden (“OBL”) is a Saudi national who is believed to be in hiding currently in or near Afghanistan. OBL formed defendant Al Qaeda in or about 1988 with the help of other Muslim *mujahideen* who traveled to Afghanistan in the 1980s to wage *jihād* against Soviet occupation forces. At all times relevant to this Complaint, Al Qaeda financed and directed the activities of Islamic militants worldwide.

21. OBL heads the Al Qaeda organization. Underneath OBL is defendant Ayman al-Zawahiri, an Egyptian national. Al-Zawahiri heads Egyptian Islamic Jihad, a terrorist organization affiliated with Al Qaeda, and acts as OBL’s second in command. Ayman al-Zawahiri has also played a key role in developing and shaping Al Qaeda’s brand of *Wahhabism*, the radical Islamic ideology justifying violence against American interests in the United States and abroad.

22. Al Qaeda was designated a Foreign Terrorist Organization by the United States in 1999. The Secretary of State designates Foreign Terrorist Organizations (“FTOs”) in consultation with the Attorney General and the Secretary of the Treasury. These designations are undertaken pursuant to the Immigration and Nationality Act, as amended by the Antiterrorism and Effective Death Penalty Act of 1996.

23. Originally based in Afghanistan, Al Qaeda’s stated purpose is the overthrow of secular non-Muslim governments through violent, terrorist means in favor of radical Islamic theocracies governed by *Shari’a* (Islamic law). As a matter of organizational doctrine, Al Qaeda views western-style democratic societies and their institutions, particularly the United States, as enemies of Islam. To this end, OBL’s 1996 *fatwah* (or religious decree) declared war on America and called upon Muslims to take up arms against the United States to destroy it. OBL’s subsequent 1998 *fatwah* similarly defined the nature of Al Qaeda’s commonly held purpose:

The ruling to kill the Americans and their allies-civilians and military-is an individual duty for every Muslim who can do it in any country in which it is possible to do it...

We - with God's help - call on every Muslim who believes in God and wishes to be rewarded to comply with God's order to kill the Americans and plunder their money wherever and whenever they find it. We also call on Muslim ulema (scholars), leaders, youths,

and soldiers to launch the raid on Satan's U.S. troops and the devil's supporters allying with them, and to displace those who are behind them so that they may learn a lesson.

24. For years, Al Qaeda and its members (both individuals and affiliated terrorist organizations operating under the Al Qaeda organizational umbrella) repeatedly acted upon this shared anti-American, anti-democratic purpose, the September 11th attacks being the most dramatic in a series of terrorist operations against American interests:

- Al Qaeda members participated in attacks on United States military personnel in Somalia in October, 1993, killing 19 soldiers and wounding 73 others;
- Al Qaeda was linked to the 1993 bombing of the World Trade Center;
- OBL was charged and convicted in connection with the August 7, 1998 bombings of the U.S. Embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania. These attacks resulted in the deaths of more than 200 people, including 12 American citizens, and injuries to more than 4,000 individuals;
- Al Qaeda orchestrated the bombing of the U.S.S. Cole, killing 17 American servicemen; and
- Al Qaeda claimed responsibility for having planned, organized, and committed the September 11th attacks, killing thousands and causing tens of billions of dollars in property damage.

25. Al Qaeda is highly organized and exhibits a definitive structure, separate and apart from its terrorist operations. Its internal organizational structure allows it to build relationships with other terrorist organizations while maintaining and promoting its own goals and terrorist operations around the world.

26. Al Qaeda is run by a council that “discusses and approves major undertakings, including terrorist operations.” It also uses a treasurer and operation and planning chiefs to design and plan terrorist attacks.

27. Al Qaeda operations are conducted around the world through the efforts of individual members and affiliated groups. Al Qaeda members swear an oath of loyalty to Al Qaeda’s aims and mission. These members carry out the terrorist directives received from their superiors.

28. Al Qaeda is a sophisticated global terrorist network which uses a variety of business and financial transactions to further its operations. These transactions include but are not limited to transferring funds between accounts to purchase communications equipment, electronics equipment, and land (for use as training camps and to store explosives and weapons). These transactions are accomplished through, *inter alia*, the use of interstate and international faxes, telephones, wire transfers and transmissions, and mailings.

29. Al Qaeda relies upon a global network of charities and relief organizations, banks and financial institutions, businesses, individual financiers, and illegal activity (including narcotics trafficking) to generate material support to continue its terrorist operations.

**The Charity and Relief Organization Defendants**

30. One of the pillars of Islam is the moral obligation of each Muslim to contribute towards Muslims in need. The Islamic rule of *Zakat*, or almsgiving, is supposed to be used to help the poor and dispossessed.

31. *Zakat* donations are made by individuals, businesses, and public and private entities, as well as charities and relief organizations, who ostensibly operate for humanitarian purposes. *Zakat* donations can be made directly to the needy, but in certain Muslim countries, *Zakat* is administered by the State.

32. In Saudi Arabia, *Zakat* is levied on Saudi nationals (corporate and individual), pursuant to Saudi Royal Decree and is administered by the Department of *Zakat*. The Kingdom of Saudi Arabia (alternatively “KSA”) manages, directs, and/or oversees the activities of Saudi-based charities through the Supreme Council for Islamic Affairs (“Supreme Council”), the Saudi Minister of Interior, and the Saudi High Commission for Relief.

33. The Supreme Council was created in 1994 by a royal decree, which banned the collection of money in the Kingdom for charitable purposes without official government permission. Once independent efforts to raise money for charities were made illegal, KSA Prince Sultan Bin Abdulaziz al Saud (“Prince Sultan”) was installed as chairman of the Supreme Council and was charged with centralizing, supervising, and reviewing aid requests from Islamic groups.

34. KSA Prince Naif bin Abdulaziz al Saud (“Prince Naif”) is the Saudi Minister of Interior. As such, he is responsible for controlling the activities of charities and relief organizations in Saudi Arabia and is authorized and empowered to verify their legality and their conduct.

35. KSA Prince Salman bin Abdul Aziz al Saud (“Prince Salman”) founded defendant Saudi High Commission for Relief in or about 1993. According to the CIA, the Saudi High Commission is the official Saudi governmental organization charged with collecting and disbursing humanitarian aid. The Saudi High Commission also has, on occasion, held itself out as a charity and relief organization in its own right though branch offices located in various countries.

36. The charity and relief organization defendants described herein knowingly and intentionally collected, diverted and transferred *Zakat* funds to Al Qaeda and otherwise lent

material support to Al Qaeda. As noted by the recent report of the 9/11 Commission, Al Qaeda “collected money from employees of corrupt charities” and relied upon relief organizations who, inter alia, “wittingly participated in funneling money” to Al Qaeda. Among other material support, they also provided “access to bank accounts” and served as “cover” to Al Qaeda members who were able to travel undetected “under the guise of working for” these humanitarian organizations.

37. The charity and relief defendants were funded, authorized, supervised, directed, and/or controlled by, among others, Prince Sultan, Prince Naif, Prince Salman, and the Saudi High Commission for Relief. The charity and relief organization defendants: (A) raised funds directly as well as through donations made by Prince Sultan, Prince Salman, and other members of the royal family; (C) operated under the auspices of the Supreme Council, the Ministry of Interior, and the Saudi High Commission for Relief; and (D) otherwise functioned as a sponsor of Al Qaeda openly, with full knowledge, endorsement, and/or approval of the Foreign Governmental Defendants named herein.

**Defendant International Islamic Relief Organization**

38. Defendant International Islamic Relief Organization is headquartered in Saudi Arabia, and has branch offices in Canada and the United States.

39. Defendants Sana-Bell, Inc. and Sanabel al-Kheer, Inc. (“Sana-Bell”) are District of Columbia corporations operating in Herndon, Virginia. Sana-Bell was established to generate funds for defendant Islamic Relief Organization (“IRO”), which is the United States arm of the International Islamic Relief Organization. IRO is located in Falls Church, Virginia.

40. Defendants Success Foundation and Success Foundation, Inc., (collectively “Success Foundation”) were formed shortly before the U.S. Embassy bombings in East Africa in 1998. On and before September 11, 2001 Success Foundation served as a financial arm of IRO

and received and transferred funds on IRO's behalf. It also shared some of the same management with IRO. For instance, Mohamed Omeish, a Saudi national, served as President and Director of both Success Foundation and IRO.

41. Defendants IRO, International Islamic Relief Organization, Sana-Bell, and Success Foundation, are inter-dependent and are closely linked both financially and operationally. For instance, these defendants shared and transferred funds among themselves, and relied upon interlocking executives and directors in their day-to-day operations. Therefore, these defendants are hereinafter collectively referred to as "IIRO".

42. On and before September 11, 2001, IIRO served as a major financial branch of a larger charity, defendant Muslim World League ("MWL"), described separately below. MWL and IIRO often functioned together as one entity. According to the sworn testimony of an IIRO executive,

[T]he IIRO and the Muslim World League is one, but sometimes they have two offices, although the umbrella organization is the same, which is the Muslim World League.

Let me tell you one thing. The Muslim World League, which is the mother of IIRO, is a fully government funded organization. In other words, I work for the [government of Saudi Arabia. I am an employee of that government. Second, the IIRO is the relief branch of that organization which means that we are controlled in all our activities and plans by the [government of Saudi Arabia.

43. Defendant IIRO holds itself out as a charity with humanitarian goals, and has raised, solicited and distributed funds under the pretense that the funds would be used for legal and humanitarian purposes. Yet, IIRO has knowingly and intentionally lent material support to Al Qaeda through, *inter alia*, the use of interstate and international faxes, telephones, wire transfers and transmissions, and mailings.

44. IIRO provides material support, instructions, and funding to terrorists around the world. IIRO has used funds ostensibly raised to provide for food, shelter, and medical assistance

to innocent Muslims in need, to help pay for and support at least six terrorist training camps including Camp Darunta, a facility used for chemical and biological weapons testing.

45. IIRO was founded by OBL's brother-in-law, Mohamed Jamal Khalifa. The United States Central Intelligence Agency ("CIA") has linked Khalifa to plots to assassinate the Pope and to bomb a U.S. airplane. The CIA has also linked Khalifa with funding the 1993 World Trade Center bombing, and U.S. Embassy cables confirm that Khalifa is a "known financier of terrorist operations" who has controlled and directed IIRO's offices to coordinate and support terrorist operations in various parts of the world.

46. IIRO's links to terrorism also extend through Defendant Sana-Bell. Defendant Sana-Bell received and transferred funds on behalf of and as directed by IIRO.

47. Sana-Bell was founded by defendants Saleh Abdullah Kamel and Ibrahim Afandi.

48. Defendants Saleh Abdullah Kamel and Ibrahim Afandi are Saudi nationals. Both men appear on a list of wealthy Al Qaeda donors referred to by Al Qaeda as the "Golden Chain". Golden Chain financiers donated funds earmarked for OBL directly and also through charities, including Defendant Muslim World League. As noted by the recent report of the 9/11 Commission, Al Qaeda's "Golden Chain" financial support network was organized "mainly by financiers in Saudi Arabia" and other Persian Gulf states and "[d]onations flowed through charities and other nongovernmental organizations" to OBL.

49. IIRO's links to terrorism also extend through the Success Foundation. The Success Foundation's Secretary has publicly supported Hamas and Hezbollah, two notorious FTOs. On and before September 11, 2001 the Success Foundation served as a financial arm of IIRO and received and transferred funds on IIRO's behalf. IIRO has funneled money through IIRO accounts to other terrorist sponsoring organizations, including the Holy Land Foundation, a

designated terrorist entity whose assets have been frozen by the United States government because of its support of terrorism.

50. IIRO defendants include International Islamic Relief Organization, International Relief Organization, Islamic Relief Organization, Sana-Bell, Inc., Sanabel al-Kheer, Success Foundation, Success Foundation, Inc., Saleh Abdullah Kamel and Ibrahim Afandi. These defendants lent material support to Al Qaeda and OBL, aided and abetted others who lent material support to Al Qaeda and OBL, and otherwise engaged in racketeering activity in violation of the law.

#### **Defendant Muslim World League**

51. Defendant Muslim World League is one the largest state-funded charities in Saudi Arabia. Its offices are located in various parts of the world, including New York City and Virginia.

52. MWL also operates by and through other charities and entities that function under the MWL organizational umbrella, including the Muslim World League Offices (collectively “MWL”). At all times relevant to this Complaint, MWL was funded, authorized, supervised, directed, and/or controlled by the Kingdom of Saudi Arabia and several of its Princes.

53. MWL is the parent organization of the IIRO, and an IIRO executive has testified that the two organizations often functioned together as one entity, and are functionally interchangeable. MWL’s and IIRO’s U.S. offices in Virginia are located in the same building, and IIRO, MWL, and Sana-Bell all have overlapping mission statements and share interlocking executives, including Hassan A.A. Bahafzallah, who was Vice President of MWL but also worked for IIRO.

54. MWL also operated through Rabita Trust, another charity described below. MWL’s President Abdullah bin-Saleh al-Obaid also served as the Secretary General of Rabita

Trust. Abdullah Omar Naseef helped establish Rabita Trust while serving as Secretary General of MWL. Rabita Trust has also served as the financial arm of MWL in Pakistan, and (like IIRO) knowingly and intentionally lent material support to Al Qaeda and OBL.

55. Defendant MWL holds itself out as a charity with humanitarian goals, and has raised, solicited and distributed funds under the pretense that the funds would be used for legal and humanitarian purposes. Yet, MWL has knowingly and intentionally lent material support to Al Qaeda through, *inter alia*, the use of interstate and international faxes, telephones, wire transfers and transmissions, and mailings.

56. During the 1990s, Al Qaeda continually and repeatedly used MWL to fund its operations overseas—meaning that MWL would receive funds that would then be withdrawn in cash by Al Qaeda.

57. MWL has knowingly and intentionally lent material support to Al Qaeda through its network of affiliated charities, including IIRO and Rabita Trust.

58. As to the IIRO, the Canadian government's investigation into the IIRO led it to contend that the IIRO has secretly funded terrorism, and an IIRO executive has testified that the IIRO and MWL are often functionally interchangeable.

59. As to Rabita Trust, the Peshawar office of MWL was formerly led by Al Qaeda member Wa'el Julaidan ("Julaidan"). Julaidan was appointed in February 2000 to the board of trustees of the Rabita Trust and served as its Director General. Julaidan helped to found Al Qaeda and is also a Golden Chain donor. OBL himself acknowledged his close ties to Julaidan during a 1999 interview with al-Jazeera TV. When referring to the assassination of Al Qaeda member Abdullah Azzam, OBL stated that "[w]e were all in one boat, as is known to you, including our brother, Wa'el Julaidan." According to the United States, Julaidan is an associate

of OBL who directly assisted OBL's efforts to "move money and men" in furtherance of Al Qaeda's operations. Rabita Trust and Jalaidan have been designated by the United States government as terrorist entities and their assets have been blocked.

60. MWL defendants include Muslim World League and Muslim World League Offices. These defendants lent material support to Al Qaeda and OBL, aided and abetted others who lent material support to Al Qaeda and OBL and otherwise engaged in racketeering activity in violation of the law.

**Defendant Al-Haramain**

61. Defendant Al-Haramain Islamic Foundation, Inc. is a Saudi-based charity with offices all over the world and in the United States, which only recently was dissolved for its ties to terrorism and specifically to Al Qaeda.

62. Defendants Al-Haramain Islamic Foundation, Inc., Al-Haramain Foundation, and Al-Haramain Islamic Foundation, are all necessary and integrated parts of the same foundation and are otherwise substantively interconnected. For instance, on and before September 11, 2001, the President and Vice-President of Al-Haramain's United States organization also served as the Secretary General and Deputy General, respectively, of Al-Haramain's headquarters office in Riyadh, Saudi Arabia. These Al-Haramain entities are also all financed, controlled and directed through a centralized command and financial structure—and every Al-Haramain branch office was controlled and directed by the "home" office in Saudi Arabia. As Shaykh Aqeel has admitted:

Yes, of course. The offices' directors are employees who follow directions of the main office with regards to hiring workers at the offices and making any decisions on cooperation with any party.

These defendants are therefore referred to collectively herein as “Al-Haramain.” At all times relevant to this Complaint, Al-Haramain was funded, authorized, supervised, directed, and/or controlled by the Kingdom of Saudi Arabia and several of its Princes.

63. Defendant Al-Haramain holds itself out as a charity with humanitarian goals, and has raised, solicited and distributed funds under the pretense that the funds would be used for legal and humanitarian purposes. Yet Al-Haramain has knowingly and intentionally lent material support to Al Qaeda through, *inter alia*, the use of interstate and international faxes, telephones, wire transfers and transmissions, and mailings.

64. Prior to September 11, 2001 Al-Haramain, which receives the bulk of its donations from Saudi Arabia and the Middle East, laundered money for Al Qaeda.

65. In June, 2004, the United States designated as a terrorist organization five branches of Al-Haramain located in Afghanistan, Albania, Bangladesh, Ethiopia and the Netherlands, and submitted these entities to the United Nations 1267 Committee for listing by the United Nations as terrorists tied to Al Qaeda.

66. In February, 2004, the United States government blocked the assets of Al-Haramain’s United States branches (Ashland, Oregon and Springfield, Missouri, respectively) because its “charitable contributions” were siphoned off to support Al Qaeda’s terrorist activities.

67. In January, 2004, the United States State Department designated as a terrorist organization and blocked the assets of Al-Haramain’s branch offices in Indonesia, Kenya, Tanzania and Pakistan on the ground that Al-Haramain is tied to Al Qaeda and OBL. These branches provided financial, material and logistical support to Al Qaeda including: (a)

transferring funds for Al Qaeda; (b) agreeing to finance Al Qaeda terrorist operations (including the bombing of the U.S. embassy in Nairobi, Kenya); and (c) obtaining weapons for Al Qaeda.

68. Al-Haramain's branch offices in Bosnia and Somalia were designated and their assets blocked in March, 2002. In freezing Al-Haramain-Bosnia and Al-Haramain-Somalia's assets, the United States Treasury Department confirmed that these branch offices were "clearly linked to terrorist financing". Al-Haramain's Bosnian branch continued to operate as a successor entity, Defendant Vazir, and was later added to the United Nations 1267 Sanctions Committee terrorism list for its association with Al Qaeda and the former Taliban regime.

69. According to a senior Al Qaeda operative, Umar Faruq, Al-Haramain "was the funding mechanism of all [Al Qaeda] operations in Indonesia" and the Al-Haramain office funding those terrorist operations "was working under the control of a representative of Usama bin Laden."

70. The Al-Haramain defendants include Al-Haramain Foundation, Al-Haramain Islamic Foundation, Al-Haramain Foundation Inc., Al-Haramain (Bosnia), Vazir, Al-Haramain (Somalia), Al-Haramain Foundation (Indonesia), Al-Haramayn Foundation (Nairobi, Garissa, and Dadaab, Kenya), Al-Haramain Foundation (Dar es Salaam, Tanga, and Singida, Tanzania), Al-Haramain Foundation (Pakistan), and Al-Haramain (Ashland, Oregon and Springfield, Missouri). These defendants lent material support to Al Qaeda and OBL, aided and abetted others who lent material support to Al Qaeda and OBL and otherwise engaged in racketeering activity in violation of the law.

#### **Defendant Mercy International Relief Agency**

71. Defendant Mercy International Relief Agency (a.k.a Mercy) was incorporated in Ireland, but it operates primarily out of Saudi Arabia. Its incorporators and contributors are almost exclusively Saudi nationals.

72. Although its Dublin, Ireland branch ceased operating in the late 1990s, Mercy has continued to control and operate various branches in Kenya, Somalia, the United States and Canada. Mercy operates as Mercy International-USA in the United States, where it was formerly known as Human Concern International (“HCI”). In Canada, Mercy is known as Mercy International Relief Agency and alternatively Human Concern International (“Mercy-Canada”). The President of Mercy International-USA and founder of Mercy Canada has described these Mercy entities as “sister organizations”. These defendants are collectively referred to hereinafter as “MIRA”. At all times relevant to this Complaint, MIRA was funded, authorized, supervised, directed, and/or controlled by, among others, several of the Princes.

73. Defendant MIRA holds itself out as a charity with humanitarian goals, and has raised, solicited and distributed funds under the pretense that the funds would be used for legal and humanitarian purposes. Yet, MIRA has knowingly and intentionally lent material support to Al Qaeda through, *inter alia*, the use of interstate and international faxes, telephones, wire transfers and transmissions, and mailings.

74. MIRA continually and repeatedly employed Al Qaeda operatives, provided Al Qaeda members with identity documents, housed Al Qaeda files (including the files of U.S. Embassy bomber Wadi el-Hage), and assisted in the smuggling of weapons. Al Qaeda members served as MIRA’s accountant and headed MIRA’s Nairobi, Kenya branch.

75. MIRA defendants include Mercy International Relief Agency, Mercy International, Mercy International-USA, Mercy International-Canada, and Human Concern International. These defendants lent material support to Al-Qaeda and OBL, aided and abetted others who lent material support to Al Qaeda and OBL and otherwise engaged in racketeering activity in violation of the law.

### **Banking and Financial Defendants**

76. The banking and financial systems in many Islamic states are designed to promote Islam. Governed by *Shari'a* law, modern Islamic banks are overseen by a *Shari'a* supervisory board or *Shari'a* committee, which in turn administers *Zakat* funds and donations.

77. The Saudi Arabia banking and financial sector is governed by *Shari'a* law. Saudi-based banks and financial institutions are overseen by the Saudi Arabian Monetary Authority (“SAMA”). Prior to September 11, 2001, SAMA had access to financial information from Saudi banks, and had the power to inspect accounts and transaction records, and to initiate formal audits.

78. Al Qaeda and OBL have long benefited from the support provided by various banks and financial institutions, including those named herein as defendants.

### **Defendant National Commercial Bank**

79. Defendant National Commercial Bank (“NCB”) is the first commercial bank founded in Saudi Arabia. It operates through its various subsidiaries and affiliated entities located around the world.

80. Defendant NCB holds itself out as a legitimate banking and financial institution. Yet, NCB has knowingly and intentionally lent repeated material support to Al Qaeda through, *inter alia*, the use of interstate and international faxes, telephones, wire transfers and transmissions, and mailings.

81. The United States government requested in September 2001 that the Saudi Arabian government freeze NCB bank accounts linked to Al Qaeda. This request was followed in October 2001 by Congressional testimony by a former CIA counter- terrorism expert stating that there is “little doubt that a financial conduit to Bin Laden was handled through the National Commercial Bank.” After September 11, 2001 the Saudi government closed down this channel

of material support to Al Qaeda, noting that “[i]t was evident that several wealthy Saudis were funneling contributions to Bin Laden through this mechanism.”

82. Defendant Khalid bin Mahfouz (a.k.a. Khlid Mahfouz) is a wealthy Saudi financier and businessman. He was President and CEO of NCB from 1986 until 1999, during which time Mahfouz served as principal shareholder of NCB and exercised control over a majority of its capital. During this same period, NCB lent material support to Al Qaeda and OBL. It has been reported that Mahfouz was forced to step down in 1999 only after an audit revealed that Mahfouz had funneled between \$70 and \$100 million dollars to OBL. This was followed by the discovery that Mahfouz was an Al Qaeda Golden Chain donor.

83. NCB defendants include National Commercial Bank and Khalid bin Mahfouz. These defendants lent material support to Al Qaeda and OBL, aided and abetted others who lent material support to Al Qaeda, and otherwise engaged in racketeering activity in violation of the law.

#### **Defendants Dallah Albaraka and Al Baraka**

84. Defendant Dallah Albaraka Group LLC a.k.a. Al Baraka Bank (“Dallah Albaraka”) is a financial conglomerate based in Jeddah, Saudi Arabia. Within the Dallah Albaraka financial umbrella are over twenty banks and investment groups, including defendant Al Baraka Investment and Development Corporation.

85. Defendant Dallah Albaraka holds itself out as a legitimate international banking and financial enterprise. Yet, Dallah Albaraka has knowingly and intentionally lent material support to Al Qaeda through, *inter alia*, the use of interstate and international faxes, telephones, wire transfers and transmissions, and mailings.

86. For instance, Dallah Avco Trans-Arabia Co., Ltd., a subsidiary of Dallah Albaraka, employed Omar al Bayoumi, who paid for the housing costs of two of the September 11th hijackers.

87. Dallah Albaraka was founded by defendant Saleh Abdullah Kamel. As noted, Kamel is a Saudi national and is a wealthy financier and businessman who also founded defendant Sana-Bell. Kamel is listed as an Al Qaeda Golden Chain donor. Defendant Al Baraka Investment and Development Corporation (“ABID Corp.”) is the wholly-owned subsidiary of defendant Dallah Albaraka. ABID Corp. exercised control and direction over several of its foreign subsidiaries including banks and financial institutions commonly registered as “Al Baraka Bank.”

88. Defendant ABID Corp. also controls the assets of two United States entities, Al Baraka Bancorp, Inc. (Chicago, Illinois) and Al Baraka Bancorp, Inc. (Houston, Texas). Defendant Al Baraka Investment and Development (“ABID”) is a sister entity of ABID Corp. In addition to being a wholly-owned subsidiary of Dallah Albaraka, ABID also functions as Dallah Albaraka’s financial arm. Defendants Dallah Albaraka, ABID Corp. and ABID are collectively referred to herein as “Al Baraka.”

89. Defendant Al Baraka holds itself out as a legitimate international banking and financial enterprise. Yet, Al Baraka has knowingly and intentionally lent material support to Al Qaeda through, *inter alia*, the use of interstate and international faxes, telephones, wire transfers and transmissions, and mailings.

90. For instance, Al Baraka maintained and serviced bank accounts held by defendant Al-Haramain whose funds were earmarked for and transferred to Al Qaeda.

91. Defendants Dallah Albaraka Group LLC, Al Baraka Investment and Development Corporation, Al Baraka Investment and Development, Al Baraka Bank, al Baraka Bancorp, Inc., and Al Baraka, lent repeated material support to Al Qaeda and OBL, aided and abetted others who lent material support to Al Qaeda, and otherwise engaged in racketeering activity in violation of the law.

**Defendant Al-Rajhi Banking and Investment Corporation**

92. Defendant Al-Rajhi Banking and Investment Corporation (“al-Rajhi Bank”) is based in Saudi Arabia. It operates through a network of branch offices and subsidiaries.

93. Defendant Sulaiman Abdulaziz al Rajhi is al-Rajhi bank’s managing director and CEO. Defendant Sulaiman Abdulaziz al Rajhi, who appears on the Golden Chain Al Qaeda donor list, also established the SAAR Foundation (the acronym for his name) in Herndon, Virginia, which was raided by U.S. federal agents because of suspected terrorist links.

94. Defendant al-Rajhi Bank holds itself out as a legitimate banking and financial institution. Yet, al-Rajhi Bank has knowingly and intentionally lent repeated material support to Al Qaeda through, *inter alia*, the use of interstate and international faxes, telephones, wire transfers and transmissions, and mailings.

95. For instance, defendant al-Rajhi Bank has knowing and intentionally provided financial and bank account services to several Al Qaeda operatives, including September 11th hijacker Abdulaziz al-Omari, and has provided direct financial support to known front groups for the terrorist organization Hamas.

96. Defendant al-Rajhi also is the main bank for Defendants Al-Haramain, IIRO, and MWL- all of whom maintained *Zakat* accounts of funds which were earmarked for and transferred to Al Qaeda.

97. Defendants Al-Rajhi Banking and Investment Corporation and Sulaiman al-Rajhi lent repeated material support to Al Qaeda and OBL, aided and abetted others who lent material support to Al Qaeda, and otherwise engaged in racketeering activity in violation of the law.

**Defendant Al-Barakaat**

98. Defendant Al Barakaat Exchange LLC is an international banking and financial enterprise composed of numerous affiliated and related companies. Based in Dubai, United Arab Emirates (“U.A.E.”), its offices and branches are located around the world. In the United States, Al-Barakaat Exchange LLC has offices and branches in Boston, Massachusetts (“Barakaat Boston”), Dorchester, Massachusetts (“Barakaat North America, Inc.”), Alexandria, Virginia (“Barakaat-Alexandria”), and Minneapolis, Minnesota (“Barakaat International, Inc.”).

99. Defendant Al Barakaat Exchange LLC, Barakaat Boston, Barakaat North America, Inc., Barakaat-Alexandria, Barakaat International, Inc., and their branches and affiliated companies, have been designated by the United States government for lending material support to terrorists, based on their having transferred and laundered money through various businesses and ventures as a “principal source of funding, intelligence and money transfers for bin Laden.” These designated Al Barakaat entities include (but are not limited to) co-defendants Al Barakaat Wiring Service (located in Minneapolis, Minnesota), Al-Barakaat Group of Companies (Dubai, U.A.E.), Al-Barakaat Finance Group (Dubai, U.A.E.), Al-Barakaat Financial Company (Dubai, U.A.E.), Al-Barakaat International, a.k.a. BARACO Co. (Dubai, U.A.E.), Barakaat International Companies a.k.a. BICO (Dubai, U.A.E.), Barakaat International (Hallbybacken, Sweden), and Barakaat International Foundation (Spanga, Sweden). Collectively, these defendants are described as “Al-Barakaat.”

100. Defendant Al-Barakaat holds itself out as a legitimate international banking and financial enterprise. Yet, Al-Barakaat has knowingly and intentionally lent repeated material

support to Al Qaeda through, *inter alia*, the use of interstate and international faxes, telephones, wire transfers and transmissions, and mailings.

101. For instance, defendant Al-Barakaat's worldwide financial network has knowingly and intentionally provided an estimated \$15 to \$20 million dollars of annual funding to Al Qaeda over the past several years. Its founder, Shaykh Ahmed Nur Jimale, has close links with OBL and has used the facilities of Al-Barakaat to finance Al Qaeda and other terrorist organizations.

102. Defendant Al-Barakaat includes defendants Al-Barakaat Exchange LLC, al-Barakaat Group, Barakaat-Boston, Barakaat North America, Inc., Barakaat-Alexandria, Barakaat International, Inc., Al Barakaat Wiring Service (Minneapolis, Minnesota), Al-Barakaat Group of Companies (Dubai, U.A.E.), Al-Barakaat Finance Group (Dubai, U.A.E.), Al-Barakaat Financial Company (Dubai, U.A.E.), Al-Barakaat International, a.k.a. BARACO Co. (Dubai, U.A.E.), Barakaat International Companies a.k.a. BICO (Dubai, U. A.E.), Barakaat International (Hallbybacken, Sweden), and Barakaat International Foundation (Spanga, Sweden). These defendants lent repeated material support to Al Qaeda and OBL, aided and abetted others who lent material support to Al Qaeda and OBL and otherwise engaged in racketeering activity in violation of the law.

#### **Defendant Bank al-Taqwa Limited**

103. Defendant Bank al-Taqwa Limited ("Bank al-Taqwa") is a Bahamas based bank with registered offices in the Bahamas and Switzerland. Its related business and financial entities are located around the world.

104. Defendant Bank al-Taqwa holds itself out as a legitimate banking and financial institution. Yet, Bank al-Taqwa has knowingly and intentionally lent repeated material support to

Al Qaeda through, *inter alia*, the use of interstate and international faxes, telephones, wire transfers and transmissions, and mailings.

105. Bank al-Taqwa has raised substantial funds for Al Qaeda, and its related entities managed, invested, and distributed funds on Al Qaeda's behalf, and skimmed money from banking transactions for the benefit of terrorist organizations. Bank al-Taqwa also launders the financial proceeds of crimes committed by Al Qaeda by accepting those funds and then transferring the funds back to Al Qaeda to finance terrorism.

106. Bank al-Taqwa, various of its affiliated businesses, and several of its senior executives, were designated as terrorist organizations by the United States government in November, 2001 and August 2002, for lending material support to Al Qaeda. All of these designated organizations were owned, operated, controlled or directed by previously designated Bank al Taqwa executives And include (but are not limited to) Bank al-Taqwa Limited; Al Taqwa Trade, Property and Industry Company Limited; Akida Bank Private Limited; Akida Investment Co. Ltd.; Asat Trust Reg.; Ba Taqwa for Commerce and Real Estate Company Limited; Gulf Center S.R.L.; Miga- Malaysian Swiss, Guld and African Chamber; Nada International Anstalt; Nada Management Organization SA; Nascoservice S.R.L.; Nascotex S.A.; Nasreddin Company; Nasco Sas di Ahmed Idris Nasreddin EC; Nasreddin Foundation; Nasreddin Group International Holding Limited; Nasreddin International Group Limited Holding; and Youssef M. Nada & Co. Gessellschaft M.B.H.

107. The Bank al-Taqwa defendants include Bank-al Taqwa; Bank al-Taqwa Limited; Al Taqwa Trade, Property and Industry Company Limited; Akida Bank Private Limited; Akida Investment Co. Ltd.; Asat Trust Reg.; Ba Taqwa for Commerce and Real Estate Company Limited; Gulf Center S.R.L.; Miga-Malaysian Swiss, Guld and African Chamber; Nada

International Anstalt; Nada Management Organization SA; Nascoservice S.R.L.; Nascotex S.A.; Nasreddin Company; Nasco Sas di Ahmed Idris Nasreddin EC; Nasreddin Foundation; Nasreddin Group International Holding Limited; Nasreddin International Group Limited Holding; and Youssef M. Nada & Co. Gessellschaft M.B.H. These defendants lent repeated material support to Al Qaeda and OBL, aided and abetted others who lent material support to Al Qaeda and OBL and otherwise engaged in racketeering activity in violation of the law.

**Defendant Al Shamal Bank and certain of its major shareholders and co-founders**

108. Defendant Al Shamal Bank is based in Sudan. It was founded by Al Shamal for Investment and Development, the Sudanese Government of Northern State, defendant Saleh Abdullah Kamel (who as noted founded defendant Dallah Albaraka), defendant Faisal Islamic Bank (Sudan) and defendant Tadamon Bank.

109. One of Al Shamal's major shareholders is defendant Dar al Maal al Islami. The registered name for Dar al Maal al Islami's successor-in-interest is defendant DMI Administrative Services SA, which provides services and support to defendant DMI Trust (collectively "DMI").

110. DMI is involved in various aspects of the financial services industry including banking, investment, and insurance services. For almost twenty years, DMI was operated under the chairmanship of Saudi Prince Mohammed al Faisal al Saud (a named defendant described separately below).

111. Another major shareholder of Al Shamal Bank is defendant Faisal Islamic Bank (Sudan). It is a subsidiary of defendant Islamic Investment Company of the Gulf (Bahrain) EC, which in turn is a wholly-owned subsidiary of defendant DMI. Defendant Prince Mohammed al Faisal al Saud has chaired defendant Faisal Islamic Bank (Sudan), defendant Islamic Investment Company of the Gulf (Bahrain) EC, and DMI.

112. Defendant Tadamon Bank is also a major shareholder of Al Shamal Bank. Tadamon's current and former major shareholders are themselves banking and financial institution defendants: Saleh Abdullah Kamel, Al Baraka (and/or subsidiaries of Dallah al Baraka), and Faisal Islamic Bank (Sudan).

113. Defendants Al Shamal, DMI, Faisal Islamic Bank (Sudan), Islamic Investment Company of the Gulf (Bahrain) EC, and Tadamon Bank, hold themselves out as legitimate international banking and financial enterprises. In fact, they have knowingly and intentionally lent repeated material support to Al Qaeda through, *inter alia*, the use of interstate and international faxes, telephones, wire transfers and transmissions, and mailings.

114. In 1991, OBL helped establish Al Shamal Islamic Bank by providing it with initial capital of \$50 million. Thereafter, Al Shamal provided financial and account services to defendant OBL. OBL maintained accounts at Al Shamal in both his own name and in the name of al-Hijrah Construction Company and Development Ltd. The United States government has asserted that this company lent material support to terrorists training in Sudanese training camps set up by OBL.

115. Al Shamal regularly provided financial and account services to Al Qaeda operatives—six of which held bank accounts at Al Shamal. OBL paid Al Qaeda members from Al Shamal accounts. Moreover, money from these accounts was deposited, housed, and transferred to other Al Qaeda members to buy military equipment, including an airplane which was delivered to OBL to be used to transport missiles.

116. Al Shamal's major shareholders and co-founders have also knowingly and intentionally lent material support to terrorism.

117. Like Al Shamal's founding shareholder defendant Saleh Abdullah Kamel, Al Shamal's chairman, defendant Shaykh Adil Abdul Galil Betargy (a.k.a AdelBatterjee) ("Batterjee") is also a Golden Chain Al Qaeda donor. Batterjee founded an Al Qaeda charity front Al Birr, which later evolved into the Benevolence International Foundation ("BIF"). According to the United States government, "one of the purposes of Al Birr was to raise funds in Saudi Arabia to provide support to the *mujahideen* then fighting in Afghanistan" and to provide "cover for fighters to travel in and out of Pakistan and obtain immigration status." Batterjee founded BIF in 1992, and continually funded BIF thereafter. It is well documented that during the 1990s, Al Qaeda used Al Birr to fund its operations overseas—meaning that Al Birr would receive "charitable" funds that would then be withdrawn in cash by Al Qaeda.

118. Al Shamal shareholder defendant Faisal Islamic Bank (Sudan) provided financial and bank account services to several Al Qaeda operatives.

119. Al Shamal shareholder defendant Tadamon Bank also provided financial and bank account services to several Al Qaeda operatives.

120. Al Shamal shareholder defendant DMI's *Zakat* accounts have been used to support Al Qaeda.

121. Defendants Al Shamal Bank, Dar al Maal al Islami, DMI Administrative Services SA, DMI Trust, Faisal Islamic Bank (Sudan), Islamic Investment Company of the Gulf (Bahrain) EC, Tadamon Bank, Shaykh Adil Abdul Galil Betargy, and Saleh Abdullah Kamel, lent repeated material support to Al Qaeda and OBL, aided and abetted others who lent material support to Al Qaeda and OBL and otherwise engaged in racketeering activity in violation of the law.

#### **Defendant Dubai Islamic Bank**

122. Defendant Dubai Islamic Bank ("DIB") is headquartered in the U.A.E. It is a shareholder of defendant Tadamon Islamic Bank, and was formerly a major shareholder of Bank

of Credit and Commerce International (“BCCI”). BCCI was named in a 1992 United States Senate Report as a money laundering operation used to sponsor terrorism.

123. Defendant DIB holds itself out as a legitimate banking and financial institution. Yet, DIB has knowingly and intentionally lent repeated material support to Al Qaeda through, *inter alia*, the use of interstate and international faxes, telephones, wire transfers and transmissions, and mailings.

124. DIB has knowingly and intentionally provided financial and bank account services to several Al Qaeda operatives. The United States government concluded in 1999 that DIB had allowed itself to be used by defendant OBL to launder money through the bank. The United States told U.A.E to take steps to clean up the bank.

125. Shortly after the September 11th attacks, Luxembourg’s commission for supervising financial institutions issued a regulatory alert naming DIB as having links with OBL. Similarly, the Central Bank of U.A.E. froze the accounts and investments of various persons and organizations suspected of having links with Al Qaeda—including defendant DIB. Furthermore, a preliminary 2002 analysis of the Dubai banking and financial services industry conducted by NATO revealed that Al Qaeda “had previously used the Dubai Islamic Bank” and other means “to fund the bombings of the American embassies in Kenya and Tanzania.”

126. Defendant Dubai Islamic Bank lent repeated material support to Al Qaeda and OBL, aided and abetted others who lent material support to Al Qaeda and OBL and otherwise engaged in racketeering activity in violation of the law.

**Foreign Governmental Defendants**

127. Al Qaeda and OBL also benefited from the material support and substantial assistance lent by certain foreign governments and their officials. Some foreign rulers, such as a

the former Taliban regime, lent material support openly. Remnants of the toppled Taliban “government” continue to support and assist Al Qaeda.

128. Certain members of the Saudi royal family named herein (collectively the “Foreign Governmental Defendants”) provided funding and material support and substantial assistance to Al Qaeda and OBL, directly and indirectly, through their actions and failure to act, which were undertaken with knowledge of the foreseeable risks and consequences of how that same funding and material support and substantial assistance would be used in Al Qaeda’s war against America. Indeed, and as noted by Richard Gannon, former director of operations for the State Department’s Office of Counterterrorism, “[w]e’ve got information about who’s backing bin Laden and, in a lot of cases, it goes back to the royal family.” The actions and inactions of the Foreign Governmental Defendants, both direct and indirect, were undertaken with the knowledge and intent that the funding and material support and substantial assistance they provided would be used and relied upon by Al Qaeda and OBL.

**The Foreign Governmental Defendants and Certain Charity and Relief Organization Defendants**

129. The charity and relief defendants named herein were funded, authorized, supervised, directed, and/or controlled by, among others, Prince Sultan, Prince Naif, Prince Salman, and the Saudi High Commission for Relief. Each charity and relief organization defendant was funded through donations made by Prince Sultan, Prince Salman, and other members of the royal family; (C) operated under the auspices of the Supreme Council, the Ministry of Interior, and the Saudi High Commission for Relief; and (D) otherwise functioned as a sponsor of Al Qaeda openly, with full knowledge, endorsement, and/or approval of the Foreign Governmental Defendants named herein. In all material respects, the charity and relief

organization defendants functioned as agents and/or alter egos of, among others, defendants Prince Sultan, Prince Naif, Prince Salman, and the Saudi High Commission.

130. Prior to September 11th, these Foreign Governmental Defendants knew that Al Qaeda was actively soliciting *Zakat* in furtherance of its terrorist ends and that Saudi charities and relief organizations and Saudi banks and financial institutions were actively complying with its requests.

131. For instance, in 1998, OBL stated to ABC news that “Muslims and Muslim merchants ... should give their *Zakat* and their money in support of” the Taliban, which at that time, was harboring Al Qaeda and OBL. In 1999, in a highly publicized and public trial for the U.S. Embassy bombings, the evidence revealed that defendant MIRA employed Al Qaeda operatives, provided Al Qaeda members with identity documents, housed Al Qaeda files (including the files of embassy bomber Wadi el-Hage), and assisted in the smuggling of weapons. Al Qaeda members served as MIRA’s accountant and headed MIRA’s Nairobi, Kenya branch. In January, 2001, OBL gave thanks to those “who give *Zakat*” to Al Qaeda.

132. Moreover, these Foreign Governmental Defendants had also been told repeatedly by U.S. and other foreign officials that Saudi-based charities and relief organizations (among other entities and defendants) were actively transferring and diverting *Zakat* to Al Qaeda and OBL:

- In 1994, President Clinton complained to the Saudi kingdom about Saudi charities funding terrorists;
- In 1994, the French Interior Minister Pasqua complained to the Saudi government and Prince Turki al Faisal al Saud (“Prince Turki”) (described separately below) that Saudi based charities, including the Muslim World League, were financing Islamic extremists involved with terrorism;
- In 1996, U.S. officials flew to the Persian Gulf and met with Finance Ministry, intelligence, and law-enforcement officials in Saudi Arabia to put

Saudi Arabia on notice that assistance was needed and that U.S. pressure to deal effectively with those who fund terrorism would grow;

- In 1999, the Canadian government stated that the IIRO clandestinely funds terrorism. A Canadian intelligence official also testified that defendant MIRA supported terrorist group Al Jihad in connection with the 1998 U.S. Embassy bombings. IIRO's Canadian head testified that the IIRO and MWL (its parent organization) receive funds from the Saudi government, function as one entity, and that as the head of a "fully government-funded organization" he worked "for the government of Saudi Arabia";
- In 1999, Indian police arrested Sayed Abu Nasir, a longtime IIRO employee, for plotting to bomb U.S. consulates. Nasir confessed that the IIRO was secretly supporting terrorist training camps;
- In 1999, U.S. Treasury and Intelligence officials again flew to the Persian Gulf to meet senior Saudi officials. According to reports of the meeting, U.S. officials "laid everything out— what we knew, what we thought.. [w]e told them we'd just had two of our embassies blown up and that we needed to deal with them in a different way." It bears noting that in 1996, the CIA issued a classified report that identified charities tied to terrorism and indicated that high ranking members "of the collecting and monitoring agencies in Saudi Arabia" were "involved in illicit activities, including support for terrorists."

133. The charities and relief organization defendants did nothing to stop the flow of funds to Al Qaeda. Indeed, rather than shutting these charity and relief organizations down, Prince Sultan, Prince Naif, Prince Salman, the Saudi High Commission, and other members of the Saudi royal family continued to fund, support, endorse and/or approve of the activities of these charities and relief organizations:

- In March, 1997, the MWL publicly acknowledged that since 1962 the Saudi government had provided it more than \$1.33 billion in financial aid;
- Both before and after September 11, 2001, Prince Naif, in his own words, "participated in and headed a number of [Saudi] charitable societies". While Prince Naif has stated that he "know[s] personally that they are engaged only in charitable activities", he cannot deny that he heads and oversees the Saudi Committee for the Support of the Al Quds Intifadah, which has provided families of terrorists with millions of dollars through specially designated bank accounts. Indeed, according to Senator Charles Schumer (N.Y.), Prince Naif has "set up charities that funnel money to Wahhabi madrassah schools throughout the Middle East and Pakistan, making these areas hotbeds of anti-American sentiment and extremism.";

- Since 1994, Prince Sultan has donated over \$2 million dollars to defendant IIRO. He has also donated over a half-million dollars to defendant MWL, and has made similar contributions to defendant Al-Haramain; and
- In 2001, Prince Salman, who has been a central contributor to the Saudi High Commission, donated SR 1.5 million at a joint fundraiser involving IIRO and Al-Haramain. He had previously donated SR 1.5 million at a joint fundraiser involving these same charities in 1999;

134. Moreover, and as a result of the conduct of these Foreign Governmental Defendants, Al Qaeda was provided with weapons, equipment, safe houses, identity and travel documents, by the charity and relief organization defendants who were under the direction and control of these Foreign Governmental Defendants. These Foreign Governmental Defendants therefore knowingly and intentionally lent repeated material support and substantial assistance to Al Qaeda.

**The Foreign Governmental Defendants and Certain Banking and Financial Defendants**

135. Prior to September 11, 2001 defendant Prince Mohamed al Faisal al Saud (“Prince Faisal”) was on notice that Al Qaeda: (A) was soliciting and raising funds in and from Saudi Arabia through Saudi-based businesses and financial entities; and (B) intended to use the material support and substantial assistance it acquired to kill Americans and attack American interests around the world. As a consequence, efforts were made by the United States to stem the flow of money from Saudi-based banks and financial institutions and individual Saudi financiers to Al Qaeda.

136. Despite the known and foreseeable risks posed to United States citizens and property by Al Qaeda, these Foreign Governmental Defendants acted with the knowledge and intent that the flow of funds to Al Qaeda would continue unabated:

- After Al Qaeda’s attack on the Khobar Towers complex in 1996, U.S. government officials stated that the “Saudi Government would not cooperate with the United States on matters relating to” OBL and Al Qaeda despite

efforts to persuade the Kingdom to work with U.S. authorities to investigate the matter;

- Throughout 1997 and 1998, U.S. officials were denied access to Madani al Tayyib, the former head of Al Qaeda's finance committee, who had been detained by the Saudi kingdom;
- In 1998, the U.S. complained to Saudi Arabia that defendant National Commercial Bank ("NCB"), then run by defendant Khalid bin Mahfouz, was funding OBL's and Al Qaeda's activities in Afghanistan, Chechnya, and the Philippines. As noted, defendant NCB was the first commercial bank founded in Saudi Arabia;
- In 1999, former Secretary Madeline Albright met with Prince Sultan to discuss evidence that prominent Saudi businessmen were transferring tens of millions of dollars to bank accounts linked to OBL; and
- U.S. government officials made additional trips to Saudi Arabia in 1999 and 2000 to request cooperation in tracking and restricting funds going to OBL and Al Qaeda, but again the Kingdom was recalcitrant.

137. The refusal of these Foreign Governmental Defendants to assist in stopping the flow of money to Al Qaeda from Saudi Arabia is demonstrative of their knowledge and intent that it continue.

138. The Foreign Governmental Defendants, throughout this entire period and prior to September 11, 2001, could have directed SAMA to initiate monitoring reforms, conduct audits, investigate suspicious bank accounts, require greater transparency cross-border wire transfers, and/or monitored those transfers. Instead, defendants oversaw the operation of the Saudi-based banking and financial defendants (both individual and corporate) with full knowledge and awareness that they were providing ongoing financial and material support to Al Qaeda.

139. Similarly, Prince Faisal chairs defendant Faisal Islamic Bank (Sudan), defendant Islamic Investment Company of the Gulf (Bahrain) EC, and defendant DMI (chaired until 2002). These banking and financial defendants aided and abetted the Al Qaeda Defendants by repeatedly lending them financial and material support as alleged above.

### **Foreign Governmental Defendant Prince Turki**

140. From 1977 to 2001, defendant Prince Turki headed the Saudi Arabian Department of General Intelligence (“Istakhbarat”). During this period, Prince Turki met several times with defendant OBL and with Taliban representatives. At these meetings, Prince Turki agreed to provide financial and material support to Al Qaeda and OBL.

141. For example, according to U.S. intelligence sources, captured Al Qaeda leader Abu Zubaydah was told by OBL that in 1991 OBL and Prince Turki met and agreed that OBL would be secretly funded if he would leave Saudi Arabia and wage jihad outside the Kingdom of Saudi Arabia. This agreement was reached despite the fact that Prince Turki knew that Al Qaeda: (A) was soliciting and raising funds in and from Saudi Arabia through Saudi-based businesses and financial entities; and (B) intended to use the material support and substantial assistance it acquired to kill Americans and attack American interests around the world.

142. Thereafter, Prince Turki met with OBL, Al Qaeda and the Taliban, including at least two meetings in 1998. These meetings resulted in an agreement whereby Al Qaeda would not attack Saudi Arabian targets, and in return, Saudi Arabia would make no demands for the closure of OBL’s network of training camps. According to U.S. intelligence sources, Zubaydah attended one of these meetings in Kandahar where he witnessed Prince Turki agreeing to continue the flow of money and material support to Al Qaeda. After these meetings, 400 new pick up vehicles arrived in Kandahar, still bearing Dubai license plates.

143. Zubaydah’s information that Prince Turki directly participated in providing financial and material support and substantial assistance to Al Qaeda is corroborated by Mullah Kakshar. Mullah Kakshar was a former Taliban leader who has defected. In a sworn statement, Mullah Kakshar implicated Prince Turki in facilitating the transfer of funds from wealthy Saudi financiers directly to Al Qaeda.

144. Prince Turki therefore knowingly and intentionally lent repeated financial and material support and substantial assistance to OBL and Al Qaeda.

**CLAIMS FOR RELIEF**

**COUNT ONE**

**CLAIMS FOR PROPERTY DAMAGE AGAINST ALL DEFENDANTS  
BASED UPON TRESPASS**

145. Plaintiffs incorporate by reference all prior allegations in this Complaint.

146. The Al Qaeda Defendants conspired to commit and did commit an intentional and unlawful trespass upon Plaintiffs' real and personal property to which Plaintiffs did not consent in the form of the September 11, 2001 attack on the South Tower of the World Trade Center.

147. The September 11, 2001 attack on the South Tower of the World Trade Center was a direct, intended, and foreseeable consequence of the financial and other material support and substantial assistance lent to Al Qaeda prior to September 11, 2001.

148. The Charity and Relief Organization Defendants, the Banking and Financial Defendants, and the Foreign Governmental Defendants knowingly and intentionally lent financial and other material support and substantial assistance to the Al Qaeda Defendants. This uninterrupted flow of financial and other material support and substantial assistance enabled the Al Qaeda Defendants to plan, orchestrate, and carry out the September 11 attacks.

149. By providing financial and other material support and substantial assistance to the Al Qaeda Defendants, the Charity and Relief Organization Defendants, the Banking and Financial Defendants, and the Foreign Governmental Defendants aided and abetted the commission of an intentional and unlawful trespass upon Plaintiffs' real and personal property.

150. Therefore, the conduct of the Al Qaeda Defendants, the Charity and Relief Organization Defendants, the Banking and Financial Defendants, and the Foreign Governmental Defendants proximately resulted in the September 11 attacks.

151. Plaintiffs suffered injury to their property by reason of the above conduct for which these defendants are jointly and severally responsible in an amount to be determined at trial.

## **COUNT TWO**

### **CLAIMS FOR PROPERTY DAMAGE AGAINST THE CHARITY AND RELIEF ORGANIZATION DEFENDANTS AND THE BANKING AND FINANCIAL DEFENDANTS FOR AIDING AND ABETTING A VIOLATION OF 18 U.S.C. §§ 2331,2333, et seq. (“Anti-terrorism Act”)**

152. Plaintiffs incorporate by reference all prior allegations in this Complaint.

153. On and before September 11, 2001, Al Qaeda was designated a foreign terrorist organization by the United States government.

154. The September 11, 2001 attack on the South Tower of the World Trade Center was a violent act that violated the criminal laws of the United States, the State of New York, and the law of Nations, transcended national boundaries, and was intended to intimidate or coerce the civilian population of New York and the United States and influence the policies of the United States by intimidation or coercion.

155. The September 11, 2001 attack on the South Tower of the World Trade Center was therefore an act of international terrorism within the meaning of 18 U.S.C. §§ 2331 and 2333.

156. The Charity and Relief Organization Defendants and the Banking and Financial Defendants knowingly and intentionally lent financial and material support and substantial assistance to the Al Qaeda Defendants. This uninterrupted flow of financial and material support

and substantial assistance enabled the Al Qaeda Defendants to plan, orchestrate, and carry out the September 11 attacks.

157. By providing financial and other material support and substantial assistance to the Al Qaeda Defendants, the Charity and Relief Organization Defendants and the Banking and Financial Defendants aided and abetted the commission a violation of the Anti-terrorism Act.

158. Therefore, the conduct of the Charity and Relief Organization Defendants and the Banking and Financial Defendants proximately resulted in the September 11 attacks.

159. Plaintiffs suffered injury to their property by reason of the above conduct for which these defendants are jointly and severally responsible in an amount to be determined at trial.

### **COUNT THREE**

#### **VIOLATION OF THE RACKETEERING INFLUENCED AND CORRUPT ORGANIZATIONS ACT (“RICO”) 18 U.S.C. § 1962(a)**

160. Plaintiffs incorporate by reference all prior allegations in this Complaint.

161. In furtherance of their conspiracy to commit acts of international terrorism against the United States, its nationals and allies, the Defendants invested money derived from a pattern of racketeering into an illicit and criminal enterprise and into a pattern of racketeering activity and conduct which included, without limitation: acts of murder, kidnapping, arson, robbery, extortion, mail fraud, and wire fraud; dealings in controlled substances and listed chemicals; the falsification of identification documents; the unlawful procurement, reproduction, sale and use of naturalization and citizenship papers, passports and visas; the obstruction of federal and state criminal investigations; and financial institution and mail fraud.

162. The damages suffered by Plaintiffs and Plaintiffs’ assignors were the direct result of the aforesaid pattern of racketeering activity by the Defendants, acting individually and in

concert with one another. The Defendants' actions led to the terrorist acts that occurred on September 11, 2001, which proximately caused the Plaintiffs' damages.

#### **COUNT FOUR**

#### **VIOLATION OF THE RACKETEERING INFLUENCED AND CORRUPT ORGANIZATIONS ACT ("RICO") 18 U.S.C. § 1962(c)**

163. Plaintiffs incorporate by reference all prior allegations in this Complaint.

164. Each of the Defendants are separate persons within the meaning of RICO, as they are individuals or entities capable of holding legal or beneficial interests in property.

165. Al Qaeda itself is an enterprise within the meaning of RICO. Al Qaeda is an association-in-fact of persons and an ongoing organization with a definitive structure. Its members share a commonly held purpose to kill the Americans and plunder their money wherever and whenever they find it in the United States and abroad.

166. The al Qaeda Defendants directly engaged in interstate or foreign commerce, and the impact of al Qaeda terrorist operations, including the September 11, 2001 attacks, affected interstate and foreign commerce.

167. The Defendants herein associated themselves with al Qaeda's enterprise by: providing financial and other material support and substantial assistance to al Qaeda as set forth in detail above; and/or employing al Qaeda members.

168. The Defendants conducted or participated directly or indirectly in affairs of the al Qaeda's enterprise through numerous patterns of racketeering activity by, inter alia, materially supporting al Qaeda and their illegal acts including murder, torture and terrorism, knowingly and intentionally employing al Qaeda operatives, laundering money for al Qaeda, raising and distributing financial assistance to al Qaeda (often under false pretences), providing al Qaeda

with safe houses and false documentation, and/or facilitating weapons and military equipment purchases and transfers for al Qaeda.

169. The Defendants' conduct or participation, directly or indirectly, in affairs of the al Qaeda enterprise through patterns of racketeering activity renders them jointly and severally responsible for the damage caused to Plaintiffs' property and business. This ongoing financial and material support and substantial assistance enabled al Qaeda to plan, orchestrate, and carry out the September 11, 2001 attacks. Therefore, the conduct of the Defendants' illicit enterprise resulted in the September 11, 2001 attacks. The Defendants' actions led to the terrorist acts that occurred on September 11, 2001, which proximately caused the Plaintiffs' damages.

170. Plaintiffs suffered injury to their property and business by reason of the above conduct for which these Defendants are jointly and severally responsible in an amount to be determined at trial.

#### **COUNT FIVE**

#### **VIOLATION OF RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT ("RICO") 18 U.S.C. § 1962(d)**

171. Plaintiffs incorporate by reference all prior allegations in this Complaint.

172. By virtue of the criminal and tortious acts as described herein, including without limitations, engaging in the predicate acts of terrorism, murder, kidnapping, forgery, false use and misuse of passports, mail and wire fraud, fraud and misuse of visas, laundering of monetary instruments, engaging in monetary transaction improperly derived from unlawful and tortuous activity. The use of interstate commerce facilities in murder-for-hire, interstate transportation of terrorist property, bringing in and harboring illegal aliens, and aiding and/or assisting illegal aliens, material sponsorship of terrorists and terrorism sponsors in entering the United States.

173. Osama bin Laden and al Qaeda, with the material support of Defendants herein, transferred, received, supplied, promoted, trained, financed, both directly and indirectly, a pattern of racketeering activity in which Defendants participated as principals, agents and co-conspirators in an enterprise, used and invested, both directly and indirectly, the income and the proceeds of such acts, in establishing and furthering the operation of terrorist enterprises, in violation of 18 U.S.C. § 1962(d); 18 U.S.C. § 1961(1); inclusion of acts of terrorism as racketeering activity, USA Patriots Act 2001, § 813.

174. Defendants herein, including the agents, directors, officers, and employees of Defendants were associated in fact with a common purpose as an “enterprise” as that term is defined in Title 18, United States Code, Section 1961 et seq., which enterprise was engaged in, and the activities of which affected, interstate and foreign commerce. This enterprise is hereby referred to for purposes of this Complaint as the “al Qaeda Enterprise.” The al Qaeda Enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

175. Defendants herein and others, being persons employed by and associated with an enterprise, namely the al Qaeda Enterprise, which engaged in and the activities of which affected interstate and foreign commerce, did conspire with other persons known and unknown, to violate Title 18, United States Code, Section 1962(d), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity, that is, through multiple acts indictable under the laws of the United States, including:

- (a) 18 U.S.C. § 1341 (mail fraud);
- (b) 18 U.S.C. § 1343 (wire fraud);
- (c) 18 U.S.C. § 1503 (obstruction of justice);
- (d) 18 U.S.C. § 1956 (money laundering); and

- (e) 18 U.S.C. § 2339A (material support to organizations engaged in violent activities).

176. It was a part of the conspiracy that Defendants agreed that conspirators would commit acts of racketeering in the conduct of the affairs of the enterprise. It was part of the conspiracy that Defendants and co-conspirators devised, intended to devise, and participated in a scheme to defraud and to obtain money and property by means of materially false and fraudulent pretences, representations, and promises, and material omissions.

177. It was a further part of the conspiracy that Defendants and others would and did misrepresent, conceal and hide, and cause to be misrepresented, concealed and hidden the purposes of, and acts done, in furtherance of the conspiracy, and in violation of Title 18, United States Code, § 1962(d).

178. As a direct result of Defendants' violation of 18 U.S.C. § 1962(d), Plaintiffs suffered the loss of valuable properties, financial services and support, and suffered other pecuniary and personal damages. The Defendants' actions led to the terrorist acts that occurred on September 11, 2001, which proximately caused the Plaintiffs' damages.

### **COUNT SIX**

#### **CLAIMS FOR PROPERTY DAMAGE AGAINST THE DEFENDANTS FOR VIOLATING INTERNATIONAL LAW**

179. Plaintiffs incorporate by reference all prior allegations in this Complaint.

180. The Defendants are jointly and severally liable for the property damage caused to Plaintiffs under the principles of international law.

181. It is long settled that the law of Nations is part of federal common law, and that federal courts are empowered to address claims against those that commit, aid, or abet violations of international law.

182. The terrorist attacks of September 11th, 2001 began with the hijacking of four airplanes. Aircraft hijacking is widely recognized as a violation of international law of the type that gives rise to liability against the hijackers and those who aided or abetted the aircraft hijacking. The Defendants' conduct constituted aiding and abetting a violation of international law, to wit, aircraft hijacking, because their conduct substantially assisted Al Qaeda's commission of the September 11 attacks.

183. In addition, and in the alternative, the Defendants' conduct aided and abetted the violation of the following additional conventions, agreements, U.N. declarations, resolutions, and principles of international law, all of which fall outside the immunity protections afforded by the Foreign Sovereign Immunities Act, 28 U.S.C. §§ 1603-1611, as a matter of law and/or policy:

- The Charter of the International Military Tribunal, Aug. 8, 1945, 59 Stat. 1544, 82 U.N.T.S. 279;
- Allied Control Council Law No. 10 (Dec. 20, 1945)
- Convention on the Prevention and Punishment of the Crime of Genocide, Dec. 9, 1948, 78 U.N.T.S. 277;
- Hague Convention for the Suppression of Unlawful Seizures of Aircraft (Hijacking), Dec. 16, 1970, 22 U.S.T. 1641, 860 U.N.T.S. 105;
- The Universal Declaration of Human Rights, Dec. 10, 1958, G.A. Res. 217A, U.N. Doc. A/810, at 71 (1948);
- The International Covenant of Political and Civil Rights, Dec. 16, 1966, U.N. Doc. A/6316, 999 U.N.T.S. 171;
- The Convention to Prevent and punish the Acts of Terrorism Taking the form of Crimes Against Persons and Related Extortion that are of International Significance, Oct. 20, 1976, 27 UST 3949.
- The General Assembly Resolutions on Measures to Prevent International Terrorism, G.A. Res. 40/61 (1985) and G.A. Res. 42/159 (1987);
- Montreal Convention on Offenses and Certain Other Acts Committed on Board Aircraft, Sept. 23, 1971, 24 U.S.T. 564, 974 U.N.T.S. 177;

- International Convention for the Suppression of Terrorist Bombings, Jan. 12, 1998, art. 2, S. Treat Doc. No. 106-6, at 4, 371 L.M. 249, 253;
- International Convention For the Suppression Of The
- Financing Of Terrorism, G.A. Res. 54/109, U.N. Gaor, 4th Sess., U.N. Doc. A/Res/54/109 (1999).

184. Plaintiffs suffered injury to their property by reason of the above conduct for which these defendants are jointly and severally responsible in an amount to be determined at trial.

### **COUNT SEVEN**

#### **CLAIMS FOR PROPERTY DAMAGE AGAINST THE AL QAEDA DEFENDANTS FOR CONSPIRACY**

185. Plaintiffs incorporate by reference all prior allegations in this Complaint.

186. The Al Qaeda Defendants unlawfully, willfully and knowingly acted in concert by combining and conspiring, by tacitly and/or expressly agreeing to participate, in unlawful and tortious acts pursuant to a common course of conduct resulting in the support and commission of international terrorism and terrorist activity.

187. As a proximate result of their acts and omissions, Plaintiffs suffered injury to their real and personal property and business (including damage to physical property as well as business interruption and lost profits) as a result of the hijacking and crash of United Airlines Flight 175 into the South Tower of the World Trade Center on September 11, 2001.

### **COUNT EIGHT**

#### **CLAIMS FOR PROPERTY DAMAGE AGAINST ALL DEFENDANTS FOR AIDING AND ABETTING**

188. Plaintiffs incorporate by reference all prior allegations in this Complaint.

189. The Defendants knowingly and intentionally lent substantial assistance to the Al Qaeda Defendants. At the time of such aiding and abetting, the Defendants knew or should have

known that such substantial assistance furthered the planning and execution of unlawful, criminal and/or tortious activity, including the attacks of September 11, 2001.

190. Plaintiffs suffered injury to their property by reason of the above conduct of the defendants.

**COUNT NINE**

**CLAIMS AGAINST ALL DEFENDANTS FOR PUNITIVE DAMAGES**

191. Plaintiffs incorporate by reference all prior allegations in this Complaint.

192. The Defendants' actions, in lending financial and material support and substantial assistance, and/or aiding, abetting, and/or conspiring to lend financial and material support to Al Qaeda, violated the law of the United States and the law of Nations. The Defendants' conduct was intentional, knowing, willful, and/or performed with reckless and unconscionable disregard of the known and foreseeable consequences.

193. By virtue of their intentional, knowing, willful, reckless and unconscionable acts and omissions, the Defendants are jointly and severally liable to Plaintiffs for punitive damages.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiffs pray that judgment be entered in his favor:

A. Awarding Plaintiffs compensatory damages in an amount to be determined at trial, but no less than \$75,000.00

B. Awarding Plaintiffs punitive damages in an amount to be determined at trial, but no less than \$75,000.00.

C. Awarding Plaintiffs treble damages in an amount to be determined at trial, but no less than \$75,000.00

D. Awarding Plaintiffs cost and fees of this action; and

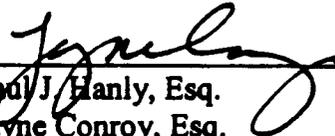
**JURY DEMAND**

Plaintiffs demand a trial by jury as to all claims so triable.

September 10, 2004

Respectfully submitted,

**HANLY CONROY BIERSTEIN & SHERIDAN**

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