

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

William Jack Baxter :
231 West 29th Street, Suite 1001 :
New York, NY 10001 :

and :

Fran Strauss Baxter :
231 West 29th Street, Suite 1001 :
New York, NY 10001 :

and :

Estate of David Applebaum :
By and through its Representative :
Natan Applebaum :
14 Uzia :
Jerusalem, Israel :

Civil Action No.

and :

Estate of Naava Applebaum :
By and through its Representative :
Natan Applebaum :
14 Uzia :
Jerusalem, Israel :

and :

Debra Applebaum :
Nili 15 :
Jerusalem, Israel :

and :

Natan Applebaum :
14 Uzia :
Jerusalem, Israel :

and :

Shira Applebaum :

Nili 15	:
Jerusalem, Israel	:
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and	:
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Shayna Applebaum	:
Nili 15	:
Jerusalem, Israel	:
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and	:
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Tovi Belle Applebaum	:
Nili 15	:
Jerusalem, Israel	:
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and	:
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Yitzhak Applebaum	:
Nili 15	:
Jerusalem, Israel	:
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and	:
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Estate of Jacqueline Applebaum	:
By and through its Representative	:
Natan Applebaum	:
14 Uzia	:
Jerusalem, Israel	:
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and	:
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Nethaniel Bluth	:
Halamish	:
DN Modiin 71945	:
Israel	:
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and	:
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Ronald Cantrell	:
389 Del Monte Drive	:
Rio Vista, CA 94571-2150	:
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and	:
	:
Chaya Tziporah Cohen	:

763 Eastern Parkway, #F19 :
Brooklyn, New York 11213 :

and :

Ariela Friermark :
Rehov Nisenbaum 5/2 :
Jerusalem, 95427 :
Israel :

and :

Hadassah Friermark :
Rehov Nisenbaum 5/2 :
Jerusalem, 95427 :
Israel :

and :

Menachem Friermark :
Rehov Nisenbaum 5/2 :
Jerusalem, 95427 :
Israel :

and :

Averham Grossman :
15 Binyamin Metudla :
Jerusalem :

and :

Estate of Eli Horovitz :
By and through its Representative :
Batsheva Horovitz :
Hayarden 28 :
Eli, 44828 :
Israel :

and :

Estate of Debra Horovitz :
By and through its Representative :
Batsheva Horovitz :
Hayarden 28 :

Eli, 44828	:
Israel	:
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and	:
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Ari Horovitz	:
1R David	:
Jerusalem, Israel 97400	:
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and	:
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Batsheva Horovitz	:
Hayarden 28	:
Eli, 44828	:
Israel	:
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and	:
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David Horovitz	:
Shaarev Torah 7	:
Jerusalem	:
Israel	:
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and	:
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Estate of Lillian Horovitz	:
By and through its Representative	:
Moshe Horovitz	:
15/A Harav Frank	:
Jerusalem, 96385	:
Israel	:
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and	:
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Moshe Horovitz	:
15/A Harav Frank	:
Jerusalem, 96385	:
Israel	:
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and	:
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Nechama Horovitz	:
Building #3, Apt. 11	:
Jerusalem, 97917	:
Israel	:

Arlington, MA 02476 :
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and :
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Joseph Leifer :
1420 59th Street :
Brooklyn, NY 11219 :
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and :
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Devorah Chechanow Leifer :
1420 59th Street :
Brooklyn, NY, 11219 :
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and :
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Estate of Abigail Litle :
By and through its Administrator Philip Litle :
86 Moriah Blvd. :
34613, Haifa :
Israel :
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and :
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Philip Litle :
86 Moriah Blvd. :
34613, Haifa :
Israel :
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and :
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Heidi Litle :
86 Moriah Blvd. :
34613, Haifa :
Israel :
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and :
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Elishua Litle :
86 Moriah Blvd. :
34613, Haifa :
Israel :
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Hannah Litle :
86 Moriah Blvd. :
34613, Haifa :
Israel :

and :

Josiah Litle :
86 Moriah Blvd. :
34613, Haifa :
Israel :

and :

Noah Litle :
86 Moriah Blvd. :
34613, Haifa :
Israel :

and :

Moshe Naimi :
26 Buzzoni Drive :
Closter, NJ 07624 :

and :

Rachel Potolski :
83 Chazon Ish Street :
Bnei Berak, Israel :

and :

Ovadia Topporowitch :
8 Harav Perdo Street :
Bnei Berak, Israel :

and :

Tehila Topporowitch :
11 Hazayit Street :
Zichron Yakov, Israel :

and :

Yisrael Topporowitch :
8 Rav Asi Street :
Bnei Berak, Israel :

and :

Yitzchak Topporowitch :
16 Chidishei Harm Street :
Bnei Berak, Israel :

and :

Rivka Pam :
P.O. Box 453 :
Tzfat, Israel :

and :

Phyllis Pam :
P.O. Box 453 :
Tzfat, Israel :

and :

Estate of Mordechai Reinitz :
By and through its Representative :
Solomon Roth :
20 Concord Drive :
Monsey, NY 10952 :

and :

Estate of Yissocher Dov Reinitz :
By and through its Representative :
Solomon Roth :
20 Concord Drive :
Monsey, NY 10952 :

and :

Mendy Reinitz :
Gorlitz 12 :
Kiryat Sanz, Netanyahu, Israel :

and :

Miriam Ehrenfeld
Gorlitz 4
Kiryat Sanz Netanyahu, Israel

and

Rose Joseph
Shmuel Hanavi 54
Jerusalem, Israel

and

Nicha Ostreicher
Batenura 2
Kiryat Sanz Netanyahu, Israel

and

Devora Pollack
Torat Chesed 2
Jerusalem, Israel

and

Benjamin Reinitz
Dovev Meichurim 3
Jerusalem, Israel

and

Chaim Reinitz
Yehudah Hanusi
Kiryat Sanz, Netanyah, Israel

and

Chaya Reinitz
Gorlitz 12
Kiryat Sanz, Netanyahu, Israel

and

Joseph Reinitz
Sanhedria Hamirchevet 116

Jerusalem, Israel	:
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and	:
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Leibel Reinitz	:
Petach Tivka 31	:
Jerusalem, Israel	:
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Malvia Reinitz	:
Sanhedria Hamirchevet 116	:
Jerusalem, Israel	:
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and	:
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Margali Reinitz, by and through	:
Chaya Reinitz as her Parent, Friend	:
and Next of Kin	:
Gorlitz 12	:
Kiryat Sanz, Netanyahu, Israel	:
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and	:
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Miriam Reinitz, by and through	:
Chaya Reinitz as her Parent, Friend	:
and Next of Kin	:
Gorlitz 12	:
Kiryat Sanz, Netanyahu, Israel	:
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and	:
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Rivka Reinitz	:
Gorlitz 12	:
Kiryat Sanz, Netanyahu, Israel	:
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Samuel Reinitz	:
Yam Suf 21	:
Jerusalem, Israel	:
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and	:
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Shmuel Reinitz	:

Gorlitz 12 :
Kiryat Sanz, Netanyahu, Israel :

and :
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Yakov Reinitz :
Gorlitz 12 :
Kiryat Sanz, Netanyahu, Israel :

and :
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Yitchok Reinitz :
Gorlitz 12 :
Kiryat Sanz, Netanyahu, Israel :

and :
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Raizel Shimon :
Saadia Gaon 1 :
Kiryat Sanz Netanyahu, Israel :

and :
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Leah Tauber :
Gorlitz 10 :
Kiryat Sanz, Netanyahu, Israel :

and :
:

Helen Weider :
Shahiker 6 :
Neveh Yakov :
Jerusalem, Israel :

and :
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Miriam Richter, by and through :
Moshe and Yehudis Richter as her Parents, Friends :
and Next of Kin :
39 Ezrat Torah Street :
Jerusalem, Israel :

and :
:

Avrohom Richter :

32 Jefferson Street :
New Square, NY 10977 :

and :

Breina Richter :
39 Ezrat Torah Street :
Jerusalem, Israel :

and :

Moshe Richter :
39 Ezrat Torah Street :
Jerusalem, Israel :

and :

Nechama Richter, by and through :
Moshe and Yehudis Richter as her Parents, Friends :
and Next of Kin :
39 Ezrat Torah Street :
Jerusalem, Israel :

and :

Sara Richter, by and through :
Moshe and Yehudis Richter as her Parents, Friends :
and Next of Kin :
39 Ezrat Torah Street :
Jerusalem, Israel :

and :

Shlomo Richter, by and through :
Moshe and Yehudis Richter as his Parents, Friends :
and Next of Kin :
39 Ezrat Torah Street :
Jerusalem, Israel :

and :

Tranne Richter :
39 Ezrat Torah Street :
Jerusalem, Israel :

and :

Yakov Richter :
39 Ezrat Torah Street :
Jerusalem, Israel :

and :

Yechiel Richter, by and through :
Moshe and Yehudis Richter as his Parents, Friends :
and Next of Kin :
39 Ezrat Torah Street :
Jerusalem, Israel :

and :

Yehudis Richter :
39 Ezrat Torah Street :
Jerusalem, Israel :

and :

Yitzchok Richter :
15 Taft Lane :
Spring Valley, NY 10977 :

and :

Yisroel Richter :
3 Buchanan Lane :
Spring Valley, NY 10977 :

and :

Erik Schecter :
235 Schaefer Street, Apt. 2 :
Brooklyn, NY 11207 :

and :

Estate of Bertin Tita :
By and through its Administrator :
Ephriam Tita :
44 David March Street :
Jerusalem, Israel :

and

Ephriam Tita
44 David March Street
Jerusalem, Israel

and

Ezra Tita
6621 Clearhaven Circle
Dallas, TX 75248-4019

and

Shoshana Tita
Barcelona, Spain

and

Estate of Tiferet Tratner
By and through its Administrator
Shlomo Tratner
2/8 Yitzhak Ben Nachum Street
Bayit Vegan
Jerusalem, Israel

and

Shlomo Tratner
2/8 Yitzhak Ben Nachum Street
Bayit Vegan
Jerusalem, Israel

and

Obadiah Waxler
2125 59th Street, Brooklyn
New York, NY 11204

and

Chana Waxler
2125 59th Street, Brooklyn
New York, NY 11204

and

Arthur Waxler
2125 59th Street, Brooklyn
New York, NY 11204

and

Dina Waxler
2125 59th Street, Brooklyn
New York, NY 11204

and

Ezekial Waxler
2125 59th Street, Brooklyn
New York, NY 11204

and

Abraham Waxler
2125 59th Street, Brooklyn
New York, NY 11204

and

Haggi Waxler
2125 59th Street, Brooklyn
New York, NY 11204

and

Nachum Waxler
2125 59th Street, Brooklyn
New York, NY 11204

and

Yoel Waxler
2125 59th Street, Brooklyn
New York, NY 11204

and

Zachariah Waxler :
2125 59th Street, Brooklyn :
New York, NY 11204 :

and :

Gedalia Waxler :
2125 59th Street, Brooklyn :
New York, NY 11204 :

and :

Baruch Waxler :
2125 59th Street, Brooklyn :
New York, NY 11204 :

and :

Yaakov Waxler :
2125 59th Street, Brooklyn :
New York, NY 11204 :

and :

Chaya Rosenberg :
2125 59th Street, Brooklyn :
New York, NY 11204 :

and :

Bracha Milstein :
2125 59th Street, Brooklyn :
New York, NY 11204 :

and :

Shifra Miller :
2125 59th Street, Brooklyn :
New York, NY 11204 :

and :

The Estate of Goldie Zarkowsky :
By and through its Representative :
Mendel Zarkowsky :

31 Jackson Avenue :
Spring Valley, NY 10977 :

and :

The Estate of Eli Zarkowsky :
By and through its Representative :
Mendel Zarkowsky :
31 Jackson Avenue :
Spring Valley, NY 10977 :

and :

Bshava Zarkowsky Richter :
15 Taft Lane :
Spring Valley, NY 10977 :

and :

Perl Brailofsky :
31 Jackson Avenue :
Spring Valley, NY 10977 :

and :

Malky Breuer :
45 Jackson Avenue :
Spring Valley, NY 10977 :

and :

Ester Buxbaum :
41 Jackson Avenue :
Spring Valley, NY 10977 :

and :

Gittel Zarkowsky :
31 Jackson Avenue :
Spring Valley, NY 10977 :

and :

Gittel Cohen :
11 Adams Lane :

Spring Valley, NY 10977	:
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and	:
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Chaya Friesel	:
15 Taft Lane	:
Spring Valley, NY 10977	:
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and	:
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Rachel Rosner	:
165 Haines Road, #122	:
Spring Valley, NY 10977	:
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and	:
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Elizabeth Schwartz	:
31 Jackson Avenue	:
Spring Valley, NY 10977	:
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and	:
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Jacob Schwartz	:
3 Cleveland Lane	:
Spring Valley, NY 10977	:
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and	:
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Max Schwartz	:
31 Jackson Avenue	:
Spring Valley, NY 10977	:
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and	:
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Michael Schwartz	:
41 Lincoln Avenue	:
Spring Valley, NY 10977	:
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and	:
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Philip Schwartz	:
13 Jackson Avenue	:
Spring Valley, NY 10977	:
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and	:

Abraham Zarkowsky
31 Jackson Avenue
Spring Valley, NY 10977

and

Aron Zarkowsky, by and through
Mendel Zarkowsky as his Parent, Friend
and Next of Kin
31 Jackson Avenue
Spring Valley, NY 10977

and

Ezriel Zarkowsky
7 Monroe Lane
Spring Valley, NY 10977

and

Joseph Zarkowsky
65 Reagan Road
Spring Valley, NY 10977

and

Mendel Zarkowsky
31 Jackson Avenue
Spring Valley, NY 10977

and

Miriam Zarkowsky, by and through
Mendel Zarkowsky as her Parent, Friend
and Next of Kin
31 Jackson Avenue
Spring Valley, NY 10977

and

Shrage Zarkowsky
10-A Harrison Avenue
Spring Valley, NY 10977

and :
:
Trany Zarkowsky, by and through :
Mendel Zarkowsky as her Parent, Friend :
and Next of Kin :
31 Jackson Avenue :
Spring Valley, NY 10977 :

and :
:
Yehuda Zarkowsky, by and through :
Mendel Zarkowsky as his Parent, Friend :
and Next of Kin :
31 Jackson Avenue :
Spring Valley, NY 10977 :

Plaintiffs, :

v. :

THE ISLAMIC REPUBLIC OF IRAN :
Ministry of Foreign Affairs :
Khomeini Avenue :
United Nations Street :
Tehran, Iran, :

and :
:
THE IRANIAN MINISTRY OF :
INFORMATION AND SECURITY :
Pasdaran Avenue :
Golestan Yekom :
Tehran, Iran :

and :
:
SYRIAN ARAB REPUBLIC :
Damascus, SYRIA :

and :
:
Syrian Air Force Intelligence :
Kafar Susa Roundabout :
Damascus, SYRIA :

Defendants. :

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COMPLAINT

Plaintiffs William J. Baxter and Fran Strauss Baxter (collectively, the “Baxter Plaintiffs”); Estate of David Applebaum, Estate of Naava Applebaum, Debra Applebaum, Natan Applebaum, Shira Applebaum, Shayna Applebaum, Tovi Belle Applebaum, Yitzchak Applebaum, and The Estate of Jacqueline Applebaum (collectively, the “Applebaum Plaintiffs”); Nethaniel Bluth; Ronald Cantrell; Chaya Tziporah Cohen; Ariela Freirmark, Hadassah Friermark and Menachem Friermark (collectively, the “Friermark Plaintiffs”); Averham Grossman; Estate of Eli Horovitz, Estate of Debra Horovitz, Ari Horovitz, Batsheva Horovitz, David Horovitz, Estate of Lillian Horovitz, Moshe Horovitz, Nechama Horovitz, Shulamite Horovitz, Tovi Horovitz, Tvi Horovitz, Uri Horovitz, Estate of Bernice Wolf, Bryan Wolf and Stanley Wolf (collectively, the “Horovitz Plaintiffs”); Devorah Chechanow Leifer, Joseph Leifer (collectively, the “Leifer Plaintiffs”); Estate of Abigail Litle, Philip Litle, Heidi Litle, Elishua Litle, Hannah Litle, Josiah Litle and Noah Litle (collectively, the “Litle Plaintiffs”); Moshe Naimi; Rachel Potolski, Ovadia Topporowitch, Tehila Topporowitch, Yisrael Topporowitch and Yitzchak Topporowitch (collectively, the “Nathensen Plaintiffs”); Rivka Pam and Phyllis Pam (collectively, the “Pam Plaintiffs”); Estate of Mordechai Reinitz, Estate of Yissocher Dov Reinitz, Mendy Reinitz, Miriam Ehrenfeld, Rose Joseph, Nicha Ostreicher, Devora Pollack, Benjamin Reinitz, Chaim Reinitz, Chaya Reinitz, Joseph Reinitz, Leibel Reinitz, Malvia Reinitz, Margali Reinitz by and through Chaya Reinitz as her Parent, Friend and Next of Kin, Miriam Reinitz by and through Chaya Reinitz as her Parent, Friend and Next of Kin, Rivka Reinitz, Samuel Reinitz, Shmuel Reinitz, Yakov Reinitz, Yitzchok Reinitz, Raizel

Shimon, Leah Tauber and Helen Weider (collectively, the “Reinitz Plaintiffs”); Miriam Leah Richter by and through Moshe and Yehudis Richter as her Parents, Friends and Next of Kin, Avrohom D. Richter, Breina Richter, Moshe Richter, Nechama Richter by and through Moshe and Yehudis Richter as her Parents, Friends and Next of Kin, Sara Malka Richter by and through Moshe and Yehudis Richter as her Parents, Friends and Next of Kin, Shlomo Chaim Richter by and through Moshe and Yehudis Richter as his Parents, Friends and Next of Kin, Tranne Richter, Yakov Yosef Richter, Yechiel Richter by and through Moshe and Yehudis Richter as his Parents, Friends and Next of Kin, Yehudis Richter, Yisroel Richter and Yitzchok Richter (collectively the “Richter Plaintiffs”); Erik Schecter; Estate of Bertin Tita, Ephraim Tita, Ezra Tita, and Shoshana Tita, (collectively, the “Tita Plaintiffs”); Estate of Tiferet Tratner and Shlomo Tratner (collectively, the “Tratner Plaintiffs”); Obadiah Waxler, Chana Waxler, Arthur Waxler, Dina Waxler, Ezekiel Waxler, Abraham Waxler, Haggi Waxler, Nachum Waxler, Yoel Waxler, Zachariah Waxler, Gedalia Waxler, Baruch Waxler, Yaakov Waxler, Chaya Rosenberg, Bracha Milstein and Shifra Miller (collectively the “Waxler Plaintiffs”); Estate of Goldie Zarkowsky, Estate of Eli Zarkowsky, Bshava Zarkowsky Richter, Perl Brailofsky, Malky Breuer, Ester Buxbaum, Gittel Cohen, Gittel Zarkowsky, Chaya Freisel, Rachel Rosner, Elizabeth Schwartz, Jacob Schwartz, Max Schwartz, Michael Schwartz, Phillip Schwartz, Abraham Zarkowsky, Aron Zarkowsky by and through Mendel Zarkowsky as his Parent, Friend and Next of Kin, Ezriel Zarkowsky, Joseph Zarkowsky, Mendel Zarkowsky, Miriam Zarkowsky by and through Mendel Zarkowsky as her Parent, Friend and Next of Kin, Shrage Zarkowsky, Trany Zarkowsky by and through Mendel Zarkowsky as her Parent, Friend and Next of Kin and Yehuda Zarkowsky by and through Mendel Zarkowsky as his Parent, Friend and Next of Kin (collectively, the “Zarkowsky Plaintiffs”); by counsel, respectfully bring this action against Defendants The

Islamic Republic of Iran (“Iran”), The Iranian Ministry of Information and Security (“MOIS”), Syrian Arab Republic (“Syria”) and Syrian Air Force Intelligence (“SAFI”), jointly and severally. This matter is related to, *inter alia*, (*Greenbaum, et al. v. Islamic Republic of Iran, et al.*, Civil Action No. 02-2148 (RCL) (D.D.C) and *Roth v. Islamic Republic of Iran, et al.*, Civil Action Nos. 11-01377 (RCL) (D.D.C)) in that it involves Iranian and Syrian sponsorship of the same terrorist organization, Islamic Resistance Movement (“HAMAS”)] which has resulted in the death and injuries of American citizens.

STATEMENT OF FACTS

In support of their Complaint, Plaintiffs allege as follows:

THE BAXTER FAMILY

1. William J. (“Jack”) Baxter is a United States national and a resident of the State of New York.
2. Jack, an American film producer, was seriously injured by a suicide bomber while at Mike’s Place, a music club in Tel Aviv, Israel, on April 30, 2003. HAMAS claimed responsibility for the bombing. Two HAMAS terrorists traveled from the United Kingdom and carried out the attack: Assef Mohammed Hanif and Omar Sharif. One of the terrorists detonated a bomb inside the club. The other terrorist’s bomb malfunctioned and did not detonate. He later drowned in the sea while attempting to escape. The nightclub is located next door to the US Embassy to Israel and is frequented by many tourists and US Embassy personnel.
3. Jack Baxter was on the front patio of Mike’s Place at around 1:00 a.m. The bar was near capacity when a suicide bomber detonated his explosives at the entrance of the club,

killing three (3) people and wounding more than fifty (50) people, including Jack, who was just a few steps from the blast.

4. Jack Baxter was knocked into a coma and clung to life for three days at Ichilov Hospital in Tel Aviv. Film footage depicts the terrible carnage and reflects the impact of this terror attack at Mike' Place. The film is called *Blues by the Beach*.

5. As a result of the terror attack, Mr. Baxter is still suffering from a brain contusion, hearing loss, and burns that have peeled away skin from his face and arms. Mr. Baxter is also partially paralyzed. Jack Baxter has suffered immense pain, suffering, mental anguish, extreme emotional distress, permanent disabling injuries, medical expenses, life's expenses, loss of income, loss of consortium and irreparable disruption to his life, work and family life, all to his damage.

6. Fran Strauss Baxter is a citizen of the United States and a resident of the State of New York. She is the wife of Jack Baxter.

7. Fran Strauss Baxter tried to fly to Israel to see her husband following the attack but was stopped by Israel's general work strike and other problems. She suffered terribly upon learning of the attack upon her husband, and her inability to be at her husband's side while he was in a coma, clinging to life. She arrived two days after the attack, on a flight organized by the Israeli Embassy, just as Jack left the intensive care unit.

8. Fran has provided constant and ongoing life care assistance for Jack since his injuries. The attack against her husband, Jack, has caused Fran severe mental anguish, pain and suffering and extreme emotional distress, as well as irreparable disruption to her family life, relations with her husband, loss of consortium, loss of income and resultant damages, all to her damage.

THE APPLEBAUM FAMILY

9. Dr. David Applebaum and his daughter, Naava Applebaum, were both citizens of the United States. Dr. Applebaum and Naava were both murdered in the terrorist bombing of Café Hillel in Jerusalem, Israel on September 9, 2003. HAMAS has claimed responsibility for the bombing, which was committed by HAMAS terrorist Ramez Slmi Abu-Salem.

10. Dr. Applebaum was born and educated in the United States. At the time of his death, he was the director of the Shaarei Zedek Hospital Emergency Room, which is located in Jerusalem, Israel. He supervised the Mobile Intensive Care Units of Magen David Adom (Jerusalem). Magen David Adom, which in Hebrew means the Red Star of David, is the Israeli organization that is the equivalent of the American Red Cross. Magen David Adom is an Israeli relief, medical and humanitarian organization that works in cooperation with the International Red Cross. Dr. Applebaum was the founder, managing partner and managing director of the Terem Clinics, whose urgent and primary care clinics throughout Israel treat over 90,000 patients a year. He had personally assisted many injured victims of terrorism in Israel, and removed the remains of many victims of terrorism who had been murdered in Israel. On the night of his own death, one night before the planned marriage of his daughter, Naava, he and Naava had gone together to Café Hillel in Jerusalem.

11. Dr. Applebaum and Naava were arriving at the café when the HAMAS suicide bomber entered the restaurant and detonated a bomb, brutally and intentionally murdering both Dr. Applebaum and his daughter, Naava, along with five (5) other people.

12. Debra Applebaum is a national of the United States and presently resides in Israel. She is the wife of David Applebaum and the mother of Naava Applebaum.

13. Upon hearing of the bombing, Mrs. Applebaum immediately began attempting to contact her husband on his cell phone, and by calling his pager, knowing that Dr. Applebaum and Naava were headed to Café Hillel in order to make a quick stop there to pick up some food for the family members who were at home working on the next evening's wedding preparations. When Dr. Applebaum did not answer his cell phone, nor his pager, nor make some kind of contact with the family as he would do after every terrorist attack (he was often one of the first medical personnel in Israel to be contacted by the authorities in the event of a terrorist attack), two of the Applebaum children, Shira and Yitchak, ran to the scene of the attack to find their father and sister. Mrs. Applebaum then went to Shaarei Zedek hospital, as she had received news from eyewitnesses that they had seen Naava placed on a stretcher. Debra Applebaum has suffered irreparable and irreplaceable loss over the terrorist murder of her husband and daughter. It is inconceivable to her that her husband and daughter, on the eve of her daughter's wedding, could have been murdered at the local Jerusalem coffee shop, Café Hillel. It is beyond comprehension that a father and daughter, on the eve of the daughter's wedding, could have gone out for a quiet moment together in preparation for the daughter's wedding, and that instead of joy over the upcoming wedding, the family suffered the tragic death and loss of these beautiful people. Instead of a wedding, they attended a funeral and mourned their loss, sitting shiva in accordance with traditional Jewish customs and law. Debra Applebaum has suffered, and continues to suffer, severe mental anguish, pain and suffering and extreme emotional distress over the loss of her husband and daughter, loss of consortium and loss of income, all to her damage.

14. Natan Applebaum is a citizen of the United States and currently resides in New York. He is the son of David Applebaum and the brother of Naava Applebaum. At the time

of their murder he was residing with his family in Jerusalem, and was anxiously and excitedly awaiting the wedding the following evening of his sister, Naava. Instead of a wedding, he attended the funeral of his father and sister, and mourned their loss.

15. The murder of his father, David, and sister, Naava, has caused Natan severe mental anguish, pain and suffering and extreme emotional distress, all to his damage.

16. Shira Applebaum is a citizen of the United States and currently resides in Israel. She is the daughter of David Applebaum and the sister of Naava Applebaum. At the time of their murder, she was residing with her family in Jerusalem, and was anxiously and excitedly awaiting the wedding the following evening of her sister, Naava. Instead of a wedding, she attended the funeral of her father and sister, and mourned their loss.

17. The murder of her father, David, and sister, Naava, has caused Shira severe mental anguish, pain and suffering and extreme emotional distress, all to her damage.

18. Yitzchak Applebaum is a citizen of the United States and currently resides in Israel. He is the son of David Applebaum and the brother of Naava Applebaum. At the time of their murder, he was residing with his family in Jerusalem, and was anxiously and excitedly awaiting the wedding the following evening of his sister, Naava. Instead of a wedding, he attended the funeral of his father and sister, and mourned their loss.

19. The murder of his father, David, and sister, Naava, has caused Yitzchak severe mental anguish, pain and suffering and extreme emotional distress, all to his damage.

20. Shayna Applebaum is a citizen of the United States and currently resides in Israel. She is the daughter of David Applebaum and the sister of Naava Applebaum. At the time of their murder, she was residing with her family in Jerusalem, and was anxiously and excitedly

awaiting the wedding the following evening of her sister, Naava. Instead of a wedding, she attended the funeral of her father and sister, and mourned their loss.

21. The murder of her father, David, and sister, Naava, has caused Shayna severe mental anguish, pain and suffering and extreme emotional distress, all to her damage.

22. Tovi Belle Applebaum is a citizen of the United States and currently resides in Israel. She is the daughter of David Applebaum and the sister of Naava Applebaum. At the time of their murder, she was residing in Jerusalem with her family. Instead of a wedding, she attended the funeral of her father and sister, and mourned their loss.

23. The murder of her father, David, and sister, Naava, has caused Tovi Belle severe mental anguish, pain and suffering and extreme emotional distress, all to her damage.

24. Jacqueline Applebaum was a citizen of the United States who lived in Israel. She was the mother of David Applebaum. She was anxiously and excitedly awaiting the wedding of her granddaughter, Naava. Instead of a wedding, she attended their funeral and mourned their loss until her own passing.

25. Upon hearing of the murder of her son and granddaughter, Jacqueline Applebaum suffered severe mental anguish, pain and suffering and extreme emotional distress, all to her damage.

26. Jacqueline Applebaum has now passed away. Her estate is a plaintiff in this action.

27. Each of the Applebaum Family Plaintiffs have suffered grievously as a result of the terrorist murder of David Applebaum and Naava Applebaum, all to their damage and for which they seek the fullest extent of damages as allowed by law against each of the Defendants, jointly and severally.

NETHANIEL BLUTH

28. Nethaniel Bluth is a citizen of the United States who for some time has resided in Israel with his parents, Ephraim and Shoshana. On March 7, 2002, Nethaniel was a 19 year old student at Otzem, which is located in the community of Atzmona, Israel. Nethaniel began his studies there in August, 2001.

29. On March 7, 2002, while Nethaniel was studying with about 80 other students in a lesson being led by one of the Rabbis, a small explosion occurred. Nethaniel and the other students rushed to the window to see what happened. A Palestinian terrorist who was in the midst of attacking the students had thrown a grenade into one of the dorm rooms. It was late at night, around 11:00 p.m., and the students looked in horror as the terrorist opened fire on the students with a burst from an automatic weapon. The attacker threw additional grenades in an attempt to kill and injure as many of the students as possible. Nethaniel was struck by shrapnel when a grenade exploded only a few feet from him. His arms, legs and scalp were injured. One piece of shrapnel pierced his chest and hit his chest bone.

30. Nethaniel was rushed to Tel HaShomer Hospital for surgery to save his life. Five of his classmates were murdered in the attack. Nethaniel underwent three surgical procedures following the attack. His chest wound was closed, a gash in his scalp was surgically treated and the various wounds to his arms were stitched. Nethaniel has scars from these injuries. After rehabilitation, Nethaniel regained most of the use of his hands, arms and legs. He also suffered severe damage to both of his ear drums when the grenade exploded close to him. His hearing is permanently impaired in his left ear.

31. HAMAS claimed responsibility for the attack, which was committed by Mohammed Fathi Farahat aka Mohammed Nadal Farhath, and for which the Defendants, jointly and severally, should be held fully liable.

32. Nathaniel sues for his pain, suffering, trauma, mental anguish and extreme emotional distress, all to his damage, and for which he seeks an award of damages to the fullest extent of the law.

RONALD CANTRELL

33. Ronald Cantrell is a United States national. He currently resides in the State of Israel.

34. On June 11, 2003, Ronald Cantrell was standing at a bus stop on Jaffa Road and Prophet Street in Jerusalem, waiting to return home after the end of the work day at a Christian organization he founded that supports peace in Jerusalem. At around 5:30pm. Egged Bus No. 14A drove down Jaffa Road near the bus stop where Ronald was standing, and an individual dressed as an ultra-orthodox religious Jewish person detonated his bomb, wrecking the bus and killing sixteen passengers. Over 100 people were wounded, including dozens of nearby pedestrians. The terrorist was carrying a huge bomb containing a great deal of metal fragments that caused massive injuries when he detonated the bomb.

35. Standing in shock as metal fragments from the bomb whistled past his head, Ronald was filled with uncontrollable emotions. His body and clothing were plastered with human remains and blood. The sight of these remains on his shirt turned Ronald's shock into hysteria. The deep grief he felt at being a victim of this unconscionable act drove him to psychological turmoil, and Ronald sought treatment with psychologist to address Post

Traumatic Stress Disorder. He still suffers symptoms of Post Traumatic Stress Disorder from the suicide bombing.

36. Ronald Cantrell serves as a Pastor in Tacoma, Washington before moving to the State of Israel in 1991. Before starting his own organization, Ronald worked at a humanitarian non-profit Christian organization based in Jerusalem.

37. HAMAS claims responsibility for the bombing. The suicide bomber who committed this brutal attack on behalf of HAMAS was Abed Al Mo'ti Mohammed Shaban. The Defendants, and each of them, should be held jointly and severally liable for this terrorist attack.

38. Ronald has suffered serious personal injuries, including emotional distress and pain and suffering as a result of the terror attack described herein and seeks an award of damages to the fullest extent of the law.

CHAYA TZIPORAH COHEN

39. Chaya Tziporah ("Tzippy") Cohen is a citizen of the United States and a resident of Brooklyn, New York who was seriously injured at the terrorist attack on Café Hillel. Tzippy was in Israel for a 2 ½ week vacation. Seven people were killed in the terror attack, including Dr. David Applebaum and his daughter, Naava Applebaum.

40. Tzippy was struck with shrapnel in the back from the bomb and was hospitalized for several days. She saw and heard horrible things as she ran from the blown up cafe with her friends. She has suffered pain, scars and severe emotional distress and mental anguish as a result of this terror attack, all to her damage, for which she seeks an award of damages against the Defendants, and each of them, jointly and severally, to the fullest extent of the law.

THE FRIERMARK FAMILY

41. Ariela Freirmark and her parents are United States nationals. They currently reside in the State of Israel.

42. On June 11, 2003, Ariela Freirmark was on Bus 14A in Jerusalem, Israel on her way to a course in sign language. Ariela is a speech therapist who works with handicapped children, and she had left home to take the bus to attend the course. At the time, Ariela was 26 years old. She is the daughter of Menachem and Hadassah Freirmark. The Freirmark family grew up in Detroit, Michigan and has resided in Israel since approximately 1982, when Ariela was 4 years old. Around 5:30 p.m., an individual dressed as an ultra-orthodox religious Jewish person boarded Egged Bus No. 14A at the Mahane Yehuda Market. A short while later, as the bus drove down Jaffa Road, in Jerusalem, Israel, he detonated his bomb, wrecking the bus and killing sixteen passengers. Over 100 people were wounded, including dozens of nearby pedestrians.

43. HAMAS claimed responsibility for the bombing, for which the Defendants, and each of them, jointly and severally, should be held liable. The suicide bomber who committed this brutal attack on behalf of HAMAS was Abed Al Mo'ti Mohammad Shabana. The terrorist was carrying a huge bomb containing a great deal of metal fragments, creating massive injuries.

44. Ariela suffered serious physical, personal and emotional injuries, pain, suffering, mental anguish, trauma and damage as a result of the explosion. The blast caused her to lose consciousness. When she awakened on the bus, she saw scores of people dead and injured lying around her. She suffered shrapnel wounds and a hearing loss which has required numerous operations and medical attention, as well as the expenditure of significant medical

expenses on her behalf. Her injuries are permanent and ongoing and she has suffered pain, scars and severe emotional distress and mental anguish. She required surgery to remove the bolts from her body that were contained in the bomber's explosives.

45. Menachem and Hadassah Freirmark are the parents of Ariela Freirmark. They have suffered severe emotional distress and trauma as a result of their daughter being a victim of this terrorist attack. They have also incurred medical and life expenses for the reasonable and necessary care of Ariela that is required as a result of this incident, all to her and their damage and for all of which they seek an award of damages against the Defendants, and each of them, jointly and severally, to the fullest extent of the law.

AVERHAM GROSSMAN

46. On December 1, 2001, at approximately 11:30 p.m., Averham Grossman was in the Ben Yehuda pedestrian mall in Jerusalem, Israel when two suicide bombers detonated explosive devices. The pedestrian mall was filled with many young people on a Saturday night. A car bomb also exploded about 20 minutes after the initial attack, killing and injuring more people. HAMAS claimed responsibility for the attack, and for which the Defendants, and each of them, jointly and severally, should be held liable, which said attack was carried out by Nabil Halabia, aka Mahmoud Nabeel Halabey, and Osama Mohammed Id Bahr.

47. As a result of the attack, Averham Grossman was traumatized and suffered severe mental anguish and pain and suffering, all to his damage. He injured his back and was struck by the second bomb while helping those wounded from the first bomb.

48. Averham Grossman is a United States citizen who seeks an award of damages against the Defendants and each of them jointly and severally to the fullest extent of the law.

THE HOROVITZ FAMILY

49. Eli Natan and Debra Ruth Horovitz, husband and wife, were citizens of the United States and were in their apartment on Friday, March 7, 2003 eating Shabbat dinner when terrorists disguised as students infiltrated Kiryat Arba, Israel, shooting and killing them both. The Estates of each are Plaintiffs herein.

50. HAMAS claimed responsibility for the terror attack, for which the Defendants and each of them jointly and severally should be held liable.

51. Moshe is a United States national who resides in Israel. He is the natural father of Eli Natan Horovitz and the in-law of Debra Ruth Horovitz.

52. Lillian Horovitz was a United States national, who until her death on October 21, 2005, resided in Israel. She was the natural mother of Eli Natan Horowitz and the in-law of Debra Ruth Horowitz.

53. They heard about their son's and daughter-in-law's deaths through their granddaughter. Their son's and daughter-in-law's deaths caused them severe mental anguish, pain and suffering, trauma and extreme emotional distress.

54. Shulamite Horovitz is a citizen of the United States and currently resides in Israel. She is the daughter of Eli Natan and Debra Ruth Horovitz.

55. Shulamite was the first in her family to hear about her parents' death.

56. She was visiting friends in Eilat on the day her parents were murdered. Her parents were scheduled to go to Eilat with her, but, because her mother was not feeling well, they decided to meet Shulamite in Eilat the following day instead.

57. Shulamite learned of her parents' murders while still in Eilat, but could not reach any of her family members and could not return to Jerusalem to be with her family because of Shabbat.

58. She returned to Jerusalem and told her family the tragic news.

59. The family in Israel congregated together at Eli's parents' house and prepared the funeral arrangements.

60. Her parents' deaths and the pain, mental anguish, trauma and suffering she endured while waiting to be able to return to Jerusalem and be with her family caused Shulamite severe mental anguish, trauma and extreme emotional distress.

61. Batsheva Horovitz is a citizen of the United States and currently resides in Israel. She is the daughter of Eli Natan and Debra Ruth Horovitz.

62. She found out about her parents' deaths through her sister Shulamite. Her parents' deaths caused her severe mental anguish, trauma and extreme emotional distress.

63. Nechama Horovitz is a citizen of the United States and currently resides in Israel. She is the daughter of Eli Natan and Debra Ruth Horovitz.

64. She found out about her parents' deaths through her sister Shulamite. Her parents' deaths caused her severe mental anguish, trauma and extreme emotional distress.

65. Tvi Horovitz is a citizen of the United States and currently resides in Israel. He is the son of Eli Natan and Debra Ruth Horovitz.

66. He found out about his parents' deaths through his sister Shulamite. His parents' deaths caused him severe mental anguish, trauma and extreme emotional distress.

67. Ari Horovitz is a citizen of the United States and currently resides in Israel. He is the brother of Eli Natan Horovitz.

68. He heard of his brother's and sister-in-law's murders through his family in Israel. Their deaths caused him severe mental anguish, trauma and extreme emotional distress.

69. David Horovitz is a citizen of the United States and currently resides in Israel. He is the brother of Eli Natan Horovitz.

70. He heard of his brother and sister-in-law's murders through his family in Israel. Their deaths caused him severe mental anguish, trauma and extreme emotional distress.

71. Tovi Horovitz is a citizen of the United States and currently resides in Israel. He is the brother of Eli Natan Horovitz.

72. He heard of his brother's and sister-in-law's murders through his family in Israel. Their deaths caused him severe mental anguish, trauma and extreme emotional distress.

73. Uri Horovitz is a citizen of the United States and currently resides in Israel. He is the brother of Eli Natan Horovitz.

74. He heard of his brother's and sister-in-law's murders through his family in Israel. Their deaths caused him severe mental anguish, trauma and extreme emotional distress.

75. Bernice Wolf was a citizen of the United States and at the time of her death resided in Israel. She is the natural mother of Debra Ruth Horovitz.

76. Mrs. Wolf lived in Florida when her daughter was killed, but had plans to move to Israel to live with her daughter.

77. Accordingly, she did not hear the news of her daughter's and son-in-law's murders with the rest of the family in Israel, but was alone when she learned of her daughter's murder.

78. Mrs. Wolf originally learned that a couple in Kiryat Arba was murdered by terrorists when she read about the attack on the Internet on Friday, March 7, 2003.

79. Because the article she read did not give the names of the victims, Mrs. Wolf had no confirmation that her daughter and son-in-law were the couple murdered in their home, although she was severely distressed by the news and feared that they were the ones killed.

80. Mrs. Wolf could not reach her daughter and had heard nothing by the next morning.

81. Mrs. Wolf attended the Saturday morning service at her synagogue.

82. When she returned, she received a telephone call from her granddaughter in Israel informing her that her daughter and son in law, Debra and Eli, were murdered in the attack.

83. Mrs. Wolf was devastated upon hearing the news of her daughter's and son-in-law's murders.

84. Despite her immense personal grief, Mrs. Wolf had just two hours to pack her belongings, pass on the horrible news to her family in the United States and meet with officials from the Israeli Embassy to retrieve her ticket to Israel, so she could attend her daughter's and son-in-law's funeral the next day.

85. Mrs. Wolf waited frantically in her home for someone to arrive from the Embassy, but nobody came.

86. Eventually, Mrs. Wolf was forced to buy a ticket to Israel, as she feared she would miss her daughter's and son-in-law's funeral.

87. She flew by herself to Canada, where she met her son, Stanley, and they completed the remainder of the trip to Israel together.

88. When they arrived in Israel, they met Mrs. Wolf's other son, Bryan Wolf, and the three drove to Jerusalem together.

89. When they arrived in Jerusalem, the funeral procession had begun five hours before, and they were escorted through a crowd of more than 15,000 people to reach the covered bodies.

90. Mrs. Wolf recently passed away. Her estate is a plaintiff in this action.

91. Mrs. Wolf was more than eighty years old and lived in Israel at the time of her death. Because she had planned to live in Israel with her daughter and son-in-law, she as always worried about her future.

92. In addition to the fear for her own future, the murders of Eli Natan and Debra Ruth Horovitz caused Mrs. Wolf severe mental anguish, pain and suffering, trauma and extreme emotional distress, all to her damage.

93. Stanley Wolf is a citizen of the United States and a citizen of the State of Massachusetts. He is the brother of Debra Ruth Horovitz.

94. His mother told him of his beloved sister's death over the telephone.

95. His sister's and brother-in-law's murders caused him severe mental anguish, trauma and extreme emotional distress, all to his damage.

96. Bryan Wolf is a resident of the United States and a citizen of the State of Florida. He is the brother of Debra Ruth Horovitz.

97. Mrs. Wolf was unable to reach him by telephone, and so he found out about his sister's death through a voice mail Mrs. Wolf left for him on his answering machine.

98. He then flew to Israel to attend his sister's and brother-in-law's funeral.

99. Due to his immense grief, Mr. Wolf was unable to stand on his own as he viewed his sister's covered body at her funeral, which lasted more than 13 hours.

100. His sister's and brother-in-law's murders caused Mr. Wolf severe mental anguish, pain and suffering, trauma and extreme emotional distress, all to his damage.

101. Each member of the Horovitz family seeks judgment against the Defendants, and each of them, for their damages to the fullest extent of the law.

THE LEIFER FAMILY

102. Joseph Leifer and Devorah Chechanow Leifer, both US nationals who reside in Brooklyn, New York, were visiting Israel in December 2001 when they injured in a terror attack that took place on the Ben Yehuda pedestrian mall in downtown Jerusalem.

103. On December 1, 2001, the pedestrian mall was filled with many young people on a Saturday night. At about 11:30 p.m., two suicide bombers detonated explosive devices among the crowd on the mall. A car bomb also exploded about 20 minutes after the initial attack, killing and injuring more people.

104. HAMAS claimed responsibility for the attack, which was carried out by Bail Halabia and Osama Mohammed Id Bahr. HAMAS was in fact responsible for this terror attack for which the Defendants and each of them jointly and severally should be held liable.

105. As a result of the attack, Joseph suffered serious life threatening wounds. Devorah Chechanow Leifer, who was present with Joseph, suffered less serious personal injuries. Both Joseph Leifer and Devorah Chechanow Leifer suffered severe mental anguish and pain and suffering and join as Plaintiffs in this action.

106. Each member of the Leifer family sues the Defendants, and each of them jointly and severally, for their damages to the fullest extent of the law.

THE LITTLE FAMILY

107. Abigail Litle was a citizen of the United States. She was, at the time of her murder, living with her parents and family in Haifa, Israel when she was killed in the terrorist bombing of Bus No. 37 in Haifa, Israel on March 5, 2003.

108. HAMAS, a designated Foreign Terrorist Organization, claimed responsibility for the bombing, which was committed by HAMAS terrorist, Mohamad Al Kawasmi. The Defendants and each of them jointly and severally should be held liable for the attack and murder of Abigail Litle.

109. A Baptist activist in Arab-Jewish co-existence projects and an eighth-grade student majoring in biology and environmental studies, Abigail was riding the bus on her way home from school when a suicide bomber detonated a bomb filled with metal shrapnel, killing 17 people, including Abigail, and wounding 53 other persons. The terrorist left behind a note praising the September 11, 2001 attacks on the World Trade Center in New York City.

110. Philip and Heidi Litle are nationals of the United States and presently reside in the City of Haifa in the State of Israel pursuant to their work with the Baptist ministry. They are the mother and father of Abigail Litle.

111. Mr. and Mrs. Litle first learned of the bus bombing when a family friend called their house to ask if their five children were all right. Mr. and Mrs. Litle turned on the television to view news reports of the terrorist attack. The reports initially provided misinformation regarding the location of the attack and in which direction the bus had been traveling. The Litles accordingly believed all of their children were okay, but as further news reports and photographs came in, they became increasingly alarmed.

112. By looking at photographs of the charred remains of the bus, the Litles could recognize its location and realized that it had been traveling in a different direction than they previously thought. All of the Litles' children other than Abigail were either at home or their location had otherwise been accounted for.

113. The mobile phone network was down and Mr. and Mrs. Litle were unsure if Abigail had a mobile phone with her, so they clung to the belief that she could be alive, but feared that she might be dead. Abigail's friends began calling her house to see if she was all right, and Mr. and Mrs. Litle began to realize that most of Abigail's friends had been accounted for. However, Mr. and Mrs. Litle had still heard nothing from their daughter when Mr. Litle saw a picture of the destroyed remains of Bus. No. 37, with a blue coat that he believed to be Abigail's draped across one of the seats.

114. Mr. and Mrs. Litle called the three major hospitals in the area. The first two hospitals had no matching description. Mr. and Mrs. Litle were unable to get through to the third, so their pastor went to the hospital to search for Abigail among the victims. Mr. and Mrs. Litle finally got through to the hospital and were told they could come look for their daughter. When they neared the hospital entrance, Mr. and Mrs. Litle received a telephone call from the hospital telling them to come immediately.

115. Mr. and Mrs. Litle located the hallway within the hospital designated as the meeting point for those attempting to locate loved ones injured or killed in the attack. The Litles' pastor was waiting and told them the dreaded news that he had personally seen Abigail and she was dead. Mr. and Mrs. Litle waited to identify their daughter in the morgue for the Israeli police.

116. Both the death of their beloved daughter and watching the various newscasts about the terrorist attack that displayed the bus' charred remains have caused Mr. and Mrs. Litle severe mental anguish, pain and suffering and extreme emotional distress.

117. The Litles' other children waited at their home with a family friend for their parents to return.

118. Elishua Litle, Abigail's brother, is a citizen of the United States and currently resides in Israel with his parents and family. At the time of the attack, Elishua was 11 years old.

119. While his parents went to the hospital, he waited at his family's home with his siblings, other than Abigail, and a family friend, anxiously awaiting his parents' return.

120. Elishua found out about his sister's death when his parents returned with the family pastor, a social worker, and a family friend who was also a psychologist.

121. The murder of his sister Abigail has caused Elishua severe mental anguish, pain and suffering and extreme emotional distress over the loss of his sister.

122. Hannah Litle, Abigail's sister, is a citizen of the United States and currently resides in Israel with her family. At the time of the attack, Abigail was 13 years old.

123. While her parents went to the hospital, Hannah waited at her family's home with her siblings, other than Abigail, and a family friend, anxiously awaiting her parents' return.

124. She found out about her sister's death when her parents returned with the family pastor, a social worker, and a family friend who was also a psychologist.

125. The murder of her sister Abigail has caused Hannah severe mental anguish, pain and suffering and extreme emotional distress over the loss of her sister.

126. Josiah Litle is a citizen of the United States and currently resides in Israel with his family. He is the brother of Abigail Litle.

127. While his parents were at the hospital, Josiah waited at his family's home with his siblings, other than Abigail, and a family friend, anxiously awaiting his parents' return.

128. He found out about his sister's death when his parents returned with the family pastor, a social worker, and a family friend who was also a psychologist.

129. The murder of his sister Abigail has caused Josiah severe mental anguish, pain and suffering and extreme emotional distress over the loss of his sister.

130. Noah Litle is a citizen of the United States and currently resides in Israel with his family. He is the brother of Abigail Litle.

131. While his parents went to the hospital, Noah waited at his family's home with his siblings, other than Abigail, and a family friend, anxiously awaiting his parents' return.

132. He found out about his sister's death when his parents returned with the family pastor, a social worker, and a family friend who was also a psychologist.

133. The murder of his sister Abigail has caused Noah severe mental anguish, pain and suffering and extreme emotional distress over the loss of his sister.

134. Each member of the Litle Family seeks judgment against the Defendants and each of them jointly and severally to the fullest extent of the law.

MOSHE NAIMI

135. Foruk Naimi was murdered in Israel on March 27, 2002 while celebrating the Passover Seder.

136. Foruk was killed when a Palestinian suicide bomber entered the Park Hotel in Netanya, Israel and detonated a bomb in the midst of the Passover holiday Seder. HAMAS

claimed responsibility for this suicide bombing of a religious event which killed 30 people and wounded more than 100. This terror attack was within the scope of the scheme and conspiracy described below in which Arab Bank was a knowing and active participant.

137. The homicide bomber and HAMAS terrorist who committed this atrocity was Abdel Bassat Qassem Odeh. Odeh was assisted with the planning and execution of the terror attack by others, including, but not limited to, Abbas al-Sayed, from Tulkarem. In 2005, Abbas al-Sayed was found guilty by a District Court in Tel Aviv, Israel of overseeing the Park Hotel attack, for which the Defendants and each of them jointly and severally should be held liable.

138. Plaintiff Moshe Naimi is a citizen of the United States and resides in New Jersey. He is the son of Foruk Naimi. The death of his mother has caused him severe mental anguish, pain and suffering, trauma and extreme emotional distress, all to his damage and for which he seeks judgment to the fullest extent of the law.

THE NATHENSEN FAMILY

139. Tehila Nathansen was killed and Chana, Matanya, Shoshana and Yehudit Nathansen were injured in the bombing of Bus No. 2 in Jerusalem, Israel, on August 19, 2003.

140. HAMAS claimed responsibility for the bombing for which the Defendants jointly and severally and each of them should be held liable. The HAMAS terrorist who committed the suicide bombing was Ra'ed Abed Al-Hamed.

141. The Estate of Tehilla Nathansen and Chana, Matanya, Shoshana and Yehudit Nathansen individually are listed as plaintiffs Weiss v. National Westminster Bank, PLC, 05-CV-04622, a related action that is pending in the U.S. District Court for the Eastern District

of New York, and accordingly their claims are not separately pled herein but are incorporated herein by reference.

142. Rachel Potolski is a citizen of the United States and Israel and currently resides in Israel. She is the sister of Chana Nathansen.

143. The injury to her sister Chana has caused Rachel severe mental anguish, trauma, pain and suffering and emotional distress, all to her damage.

144. Ovadia Topporowitch is a citizen of the United States and Israel and currently resides in Israel. She is the sister of Chana Nathansen.

145. The injury to her sister Chana has caused Ovadia severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

146. Tehila Topporowitch is a citizen of the United States and Israel and currently resides in Israel. She is the sister of Chana Nathansen.

147. The injury to her sister Chana has caused Tehila severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

148. Yisrael Topporowitch is a citizen of the United States and Israel and currently resides in Israel. He is the brother of Chana Nathansen.

149. The injury to his sister Chana has caused Yisrael severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

150. Yitzchak Topporowitch is a citizen of the United States and Israel and currently resides in Israel. He is the brother of Chana Nathansen.

151. The injury to his sister Chana has caused Yitzchak severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

152. Each member of the Nathansen family sues for their damages and seeks judgment against the Defendants jointly and severally and each of them to the fullest extent of the law.

THE PAM FAMILY

153. Rivka Pam is a citizen of the United States.

154. On June 11, 2003, 16-year-old Rivka Pam was on Bus No. 14A in Jerusalem, Israel. Around 5:30 p.m., an individual dressed as an ultra-orthodox Jew boarded Egged Bus No. 14A at the Mahane Yehuda market. A short while later, as the bus drove down Jaffa Road, within Jerusalem, Israel, he detonated his bomb, wrecking the bus and killing sixteen passengers. Over 100 people were wounded, including dozens of passersby.

155. HAMAS claimed responsibility for the bombing for which the Defendants and each of them should be held jointly and severally liable. The suicide bomber who acted for HAMAS to commit this brutal attack was Abed Al Mo'ti Mohammad Shabana. He carried a huge bomb containing a great deal of metal fragments that caused massive injuries.

156. Rivka works with children and this teenager's life has changed dramatically as a result of her injuries in this terrorist incident. She was hospitalized for a number of days in intensive care, suffered burns, lung damage, eye injury, scarring and severe hearing loss, which requires future medical and surgical care. Her happy outgoing personality has been affected because of the severe emotional distress and hearing loss, pain, suffering, mental anguish, trauma and extreme emotional distress that she has experienced from this terrorist attack, all to her damage.

157. Phyllis Pam is a United States citizen and currently resides in the State of Israel. She is the natural mother of Rivka Pam.

158. Phyllis has suffered severe emotional distress, trauma, pain and anguish as a result of her daughter being seriously injured in this terrorist incident. She has also incurred medical expenses for the reasonable and necessary care of Rivka that is required as a result of this incident, all to her damage.

159. Each member of the Pam Family sues for an award of damages against the Defendants jointly and severally and each of them to the fullest extent of the law.

THE REINITZ FAMILY

160. Mordechai Reinitz and his two sons, Yissocher Dov and Mendy, citizens of the United States, were on bus No. 2 in Jerusalem, Israel on August 19, 2003 when a suicide bomber detonated his weapon and the bus exploded.

161. The terrorist suicide murderer and bomber was a member of and sponsored by HAMAS which committed the terrorist attack and for which the Defendants and each of them jointly and severally should be held liable.

162. Mordechai and Yissocher Dov were both killed, and their estates are plaintiffs herein. Mendy Reinitz, who was injured in the bombing, is a plaintiff herein individually on behalf of himself and as a representative of said estates.

163. Mendy received shrapnel wounds in the shoulders and back and underwent intensive surgery. The surgery was successful, but Mendy will still have some shrapnel in his body for the rest of his life. Mendy is a citizen of the United States and of Israel and currently resides in Israel.

164. The murder of his father, Mordechai, and brother, Yissocher Dov, has caused Mendy severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

165. Chaya Reinitz is a legal resident of the United States and currently resides in Israel. She is the wife of Mordechai and the mother of Yissocher Dov and Mendy.

166. The murder of her husband, Mordechai, and son, Yissocher Dov, has caused Chaya severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

167. Malvia and Joseph Reinitz are citizens of the United States and currently reside in Israel. They are the natural parents of Mordechai Reinitz.

168. The murder of their son, Mordechai, and grandson, Yissocher Dov, has caused Malvia and Joseph severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to their damage.

169. Nicha Ostreicher is a dual citizen of the United States and Israel and currently resides in Israel. She is the daughter of Mordechai and the sister of Yissocher Dov and Mendy.

170. The murder of her father, Mordechai, and brother, Yissocher Dov, and injury to her brother, Mendy, has caused Nicha severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

171. Chaim Reinitz is a dual citizen of the United States and Israel and currently resides in Israel. He is the son of Mordechai and the brother is Yissocher Dov and Mendy.

172. The murder of his father, Mordechai, and brother, Yissocher Dov, and injury to his brother, Mendy, has caused Chaim severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

173. Margali Reinitz is a citizen of the United States and of Israel and currently resides in Israel. She is the daughter of Mordechai and the sister of Yissocher Dov and Mendy.

174. The murder of her father, Mordechai, and brother, Yissocher Dov, and injury to her brother, Mendy, has caused Margali severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

175. Miriam Reinitz is a citizen of the United States and of Israel and currently resides in Israel. She is the daughter of Mordechai and the sister of Yissocher Dov and Mendy.

176. The murder of her father, Mordechai, and brother, Yissocher Dov, and the injury to her brother, Mendy, has caused Miriam severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

177. Rivka Reinitz is a citizen of the United States and of Israel and currently resides in Israel. She is the daughter of Mordechai and the sister of Yissocher Dov and Mendy.

178. The murder of her father, Mordechai, and brother, Yissocher Dov, and injury to her brother, Mendy, has caused Rivka severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

179. Shmuel Reinitz is a citizen of the United States and of Israel and currently resides in Israel. He is the son of Mordechai and the brother of Yissocher and Mendy.

180. The murder of his father, Mordechai, and brother, Yissocher Dov, and injury to his brother, Mendy, has caused Shmuel severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

181. Yakov Reinitz is a citizen of the United States and of Israel and currently resides in Israel. He is the son of Mordechai and the brother of Yissocher Dov and Mendy.

182. The murder of his father, Mordechai, and brother, Yissocher Dov, and injury to his brother, Mendy, has caused Yakov severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

183. Yitchok Reinitz is a citizen of the United States and of Israel and currently resides in Israel. He is the son of Mordechai and the brother of Yissocher Dov and Mendy.

184. The murder of his father, Mordechai, and brother, Yissocher Dov, and injury to his brother, Mendy, has caused Yitchok severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

185. Leah Tauber is a citizen of the United States and of Israel and currently resides in Israel. She is the daughter of Mordechai and the sister of Yissocher Dov and Mendy.

186. The murder of her father, Mordechai, and brother, Yissocher Dov, and injury to her brother, Mendy, has caused Leah severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

187. Miriam Ehrenfeld is a citizen of the United States and currently resides in Israel. She is the sister of Mordechai.

188. The murder of her brother, Mordechai, and nephew, Yissocher Dov, has caused Miriam severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

189. Rose Joseph is a citizen of the United States and currently resides in Israel. She is the sister of Mordechai.

190. The murder of her brother, Mordechai, and nephew, Yissocher Dov, has caused Rose severe mental anguish, trauma pain and suffering and extreme emotional distress, all to her damage.

191. Devora Pollack is a citizen of the United States and currently resides in Israel. She is the sister of Mordechai.

192. The murder of her brother, Mordechai, and nephew, Yissocher Dov, has caused Devora severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

193. Benjamin Reinitz is a citizen of the United States and currently resides in Israel. He is the brother of Mordechai.

194. The murder of his brother, Mordechai, and nephew, Yissocher Dov, has caused Benjamin severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

195. Leibel Reinitz is a citizen of the United States and currently resides in Israel. He is the brother of Mordechai.

196. The murder of his brother, Mordechai, and nephew, Yissocher Dov, has caused Leibel severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

197. Samuel Reinitz is a citizen of the United States and currently resides in Israel. He is the brother of Mordechai.

198. The murder of his brother, Mordechai, and nephew, Yissocher Dov, has caused Samuel severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

199. Raizel Shimon is a citizen of the United States and currently resides in Israel. She is the sister of Mordechai and aunt of Yissocher Dov.

200. The murder of her brother, Mordechai, and nephew, Yissocher Dov, has caused Raizel severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

201. Helen Weider is a citizen of the United States and currently resides in Israel. She is the sister of Mordechai and aunt of Yissocher Dov.

202. The murder of her brother, Mordechai, and nephew, Yissocher Dov, has caused Helen severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

203. Each member of the Reinitz family sues for their damages for judgment against each of the Defendants jointly and severally to the fullest extent of the law.

THE RICHTER FAMILY

204. On August 19, 2003, Miriam Leah Richter, her great aunt, Goldie Zarkowsky, and Goldie's two children were on Bus No. 2 referenced above and which was headed to the Western Wall in Jerusalem, Israel, when a terrorist suicide murderer bomber detonated his explosives, injuring Miriam Leah.

205. Miriam Leah, who was nine years old at the time of the bombing, is a citizen of both the United States and Israel and currently resides in Israel.

206. As a result of the bombing Miriam Leah had shrapnel lodged in her eye, neck and chest. She underwent surgery and all of the shrapnel was removed except for what was in her chest. She will live with it there for the rest of her life.

207. Since the attack, Miriam is traumatized. She cannot possibly travel to school by bus. She wakes up every night very upset. A normally studious child, she finds it difficult to concentrate. She has become a very edgy and anxious child and is easily antagonized. She has endured great pain, suffering, mental anguish, trauma and extreme emotional distress, all to her damage.

208. Moshe and Yehudis Richter are citizens of both the United States and Israel and currently reside in Israel. They are the natural mother and father of Miriam Leah.

209. The attack on their daughter Miriam has caused Moshe and Yehudis severe mental anguish, trauma, pain and suffering and extreme emotional distress, as well as medical and life care expenses, all to her and their damage.

210. Avrohom D. Richter is a citizen of both the United States and Israel and currently resides in Israel. He is the brother of Miriam Leah.

211. The attack on his sister Miriam has caused Avrohom severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

212. Breina Richter is a citizen of both the United States and Israel and currently resides in Israel. She is the sister of Miriam Leah.

213. The attack on her sister Miriam has caused Breina severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

214. Nechama Richter is a citizen of both the United States and Israel and currently resides in Israel. She is the sister of Miriam Leah.

215. The attack on her sister Miriam has caused Nechama severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

216. Sara Malka Richter is a citizen of both the United States and Israel and currently resides in Israel. She is the sister of Miram Leah.

217. The attack on her sister Miriam has caused Sara severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

218. Shlomo Chaim Richter is a citizen of both the United States and Israel and currently resides in Israel. He is the brother of Miriam Leah.

219. The attack on his sister Miriam has caused Shlomo severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

220. Tranne Richter is a citizen of both the United States and Israel and currently resides in Israel. She is the sister of Miriam Leah.

221. The attack on her sister Miriam has caused Tranne severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

222. Yakov Yosef Richter is a citizen of both the United States and Israel and currently resides in Israel. He is the brother of Miriam Leah.

223. The attack on his sister Miriam has caused Yakov severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

224. Yechiel Richter is a citizen of both the United States and Israel and currently resides in Israel. He is the brother of Miriam Leah.

225. The attack on his sister Miriam has caused Yechiel severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

226. Yisroel Richter is a citizen of both the United States and Israel and currently resides in Israel. He is the brother of Miriam Leah.

227. The attack on his sister Miriam has caused Yisroel severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

228. Yitzchok A. Richter is a citizen of both the United States and Israel and currently resides in Israel. He is the brother of Miriam Leah.

229. The attack on his sister Miriam has caused Yitzchok severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

230. Each member of the Richter family sues the Defendants for judgment jointly and severally for their sponsorship of HAMAS and for damages against each to the fullest extent of the law.

ERIK SCHECTER

231. On January 29, 2004, a little before 9 a.m., Erik Joseph Schecter was on Bus No. 19 in Jerusalem, Israel when a suicide bombing occurred that killed eleven people and injured several, including Erik.

232. HAMAS and Al Aqsa Martyrs Brigade, each a Foreign Terrorist Organization, claimed responsibility, naming a 24-year-old Palestinian policeman from Bethlehem as the suicide bomber and for which the Defendants and each of them should be jointly and severally held liable. The terrorist bomber was Ali Mounther Ja'ara.

233. Erik is a citizen of both the United States and of Israel.

234. Erik was severely injured during the terror attack. His left knee was broken, his left shoulder blade was fractured and shrapnel severed his left popliteal vein. He was not able to walk again after three months of rehabilitation.

235. Even after recuperation, Erik's legs are scarred. There is still nerve damage that causes super-sensitivity to his left calf. He walks with a limp because his leg is held together by two titanium pins.

236. The attack has caused Erik severe mental anguish, trauma, pain and suffering and extreme emotional distress, as well as economic losses and medical expenses, all to his damage and for which he seeks judgment against the Defendants and each of them jointly and severally to the fullest extent of the law.

THE TITA FAMILY

237. On June 11, 2003, Bertin Tita, age 75, was riding in Jerusalem, Israel on Egged Bus No. 14A. Bertin was a United States citizen who had lived for many years in the State of Texas. She and her husband, Ephraim, had returned to Israel shortly before 2003.

238. At around 5:30 p.m. on June 11, 2003, a terrorist dressed as an ultra orthodox religious Jewish person boarded Egged Bus No. 14A at one of the larger outdoor markets in Jerusalem. As the bus drove through the heart of Jerusalem, Israel, the terrorist detonated his bomb, wrecking the bus and killing Bertin Tita and 15 other passengers on the public bus. In addition to these murders, the terrorist also injured over 100 people.

239. HAMAS claimed responsibility for the attack, which was carried out by Maanti Shavana aka Abed Al Mo'ti Mohammad Shabana and for which the Defendants and each of them jointly and severally should be held liable.

240. Bertin Tita was retired from the fashion business, but had been spending time in Israel helping those in need. She was on her way to help a needy family when she was murdered by the HAMAS terrorist. Adding to the tragedy, Bertin's daughter, Shoshana Tita, a journalist living in the United States at the time, had come to visit her mother and father in Israel to celebrate her upcoming marriage. Shoshana was married in Israel just forty-eight hours before her mother was murdered. Bertin and Ephraim's son, Ezra, is also a United States citizen, like Bertin, Ephraim and his sister, Shoshana. Ezra was educated in the United States and resides in the State of Texas.

241. Ephraim, Shoshana and Ezra have all suffered severe mental anguish, trauma, pain and suffering and extreme emotional distress over the murder of their mother and wife, Bertin, all to their damage and loss and to the damage and loss to the Estate of Bertin, a Plaintiff herein. Instead of the family spending many days together celebrating Shoshana's

wedding, they spent the period in deep mourning for the tragic and brutal death of Bertin. As the heirs and survivors of Bertin, they bring this wrongful death action. They also bring this action on behalf of the Estate of Bertin Tita, and individually, for the damages they sustained, as described herein.

242. Each of the Tita Family Plaintiffs sues the Defendants for an award of damages and judgment jointly and severally as against each of them to the fullest extent of the law.

THE TRATNER FAMILY

243. On September 24, 2004, Tiferet Tratner, age 24, was killed in her home as she sat on the couch in Neve Dekalim by a terrorist mortar attack launched from or near the Gaza Strip. This murder took place the day before Yom Kippur.

244. HAMAS claimed responsibility for the terror attack and was in fact responsible and for which the Defendants and each of them jointly and severally should be held liable.

245. Tiferet was an American citizen and is the daughter of Shlomo Tratner. Prior to her murder, Tiferet worked with the elderly and with people with disabilities. Shlomo Tratner has suffered severe emotional anguish, pain, suffering and distress over the murder of his daughter and brings this action individually and on behalf of the Estate of Tiferet Tratner for her wrongful death, all to their damage.

246. The Tratner Family Plaintiffs seek an award of damages and judgment against the Defendants jointly and severally and each of them to the fullest extent of the law.

THE WAXLER FAMILY

247. Obadiah Waxler, a US national who resides in Brooklyn, New York, was visiting Israel in December 2001 when he was critically injured in a terror attack that took place on

the Ben Yehuda pedestrian mall in downtown Jerusalem. He joins as a Plaintiff to this action to recover for the injuries he suffered in this terror attack.

248. On December 1, 2001, the pedestrian mall was filled with many young people on a Saturday night. At about 11:30 p.m., two suicide bombers detonated explosive devices among the crowd on the mall. A car bomb also exploded about 20 minutes after the initial attack, killing and injuring more people.

249. HAMAS claimed responsibility for the attack, which was carried out by Nabil Halabia and Osama Mohammed Id Bahr. HAMAS was in fact responsible for this terror attack, and for which the Defendants and each of them should be held jointly and severally liable.

250. As a result of the attack, Obadiah Waxler suffered serious personal injuries, mental anguish and pain and suffering. Numerous surgeries were necessary to save Obadiah's life and he required almost 3 years rehabilitating from the life threatening injuries. During this time, Obadiah was unable to work. While he was hospitalized in Israel before his transfer to New York, Obadiah's brother, Ezekial Waxler, who lived in Israel, ceased work to care for his seriously injured brother.

251. At the time of the terror attack, Obadiah Waxler was engaged to be married. He was married on June 10, 2002. His wife Chana Waxler, cared extensively for Obadiah for several years as he recovered from his serious wounds. This necessitated that she take off from work. She was only able to work part time so she could care for her husband.

252. Obadiah's family in New York also took turns giving him care and support for several years. These family members of Obadiah join as Plaintiffs in this action to recover their loss of consortium and solarium and loss of earnings as a result of the injuries suffered

by Obadiah Waxler. They also seek just compensation for their own mental anguish they suffered as proximate cause of the terror attack on Obadiah. These plaintiffs are Obadiah Waxler's parents, Arthur Waxler and Dina Waxler, his wife, Chana Waxler, and brothers and sisters, Ezekial Waxler, Abraham Waxler, Haggi Waxler, Nachum Waxler, Yoel Waxler, Zacharia Waxler, Gedalia Waxler, Baruch Waxler, Yaakov Waxler, Chaya Rosenberg, Bracha Milstein and Shifra Miller. All of these plaintiffs are citizens of the United States of America. All of them currently reside in Brooklyn, New York except for Ezekial Waxler who currently resides in Israel.

253. Each of the Waxler Family Plaintiffs seek judgment against the Defendants jointly and severally and each of them to the fullest extent of the law.

THE ZARKOWSKY FAMILY

254. Goldie Zarkowsky and her son, Eli Zarkowsky, were killed in the bombing of Bus No. 2 in Jerusalem, Israel on August 19, 2003 as described hereinabove. They were citizens of the United States and residents of the State of New York.

255. Bshava Zarkowsky Richter was injured in the bombing of Bus No. 2 in Jerusalem, Israel on August 19, 2003. She is a citizen of the United States and a resident of the State of New York.

256. Bshava Zarkowsky Richter suffered grave injuries in the attack.

257. The injuries she suffered and the murder of her mother Goldie and brother Eli has caused Bshava severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

258. Elizabeth and Max Schwartz are citizens of the United States and residents of the State of New York. They are the natural parents of Goldie and the grandparents of Eli.

259. Max Schwartz was in a business meeting with one of his sons Jacob. Jacob received an urgent call, but Max thought nothing of the call until Jacob returned with a look of despair on his face. Max inquired about the call but Jacob would not talk about it.

260. The scene around the house when Max and Jacob arrived home was unexpected. Many of his friends and family members were there to break the news to Max and his wife and to be there for them in their time of need. They flew to Israel immediately to tend to the matter at hand.

261. A Holocaust survivor, Max had endured this kind of loss before, and that helped him to deal with this loss. Yet, nothing could compare to the pain, mental anguish, trauma and extreme emotional distress of losing his daughter and grandson, all to his damage. The shock and horror of the loss of his loved ones is a feeling that he will never forget.

262. Elizabeth Schwartz was tending to her usual errands at the time of the attack. She spent her last hour of errands visiting with an elderly woman. She rushed home in order to fix supper for her husband. As she approached her home, she noticed that there were several cars parked in front of her house. She knew then that something was wrong. When she entered the house, her family members and friends collectively delivered the news to her that her daughter was on a public bus in Jerusalem, Israel when it was bombed.

263. Elizabeth and her husband Max immediately flew to Israel to see about their daughter. That was where they found out that Goldie was also dead.

264. Also a Holocaust survivor, Elizabeth had endured this kind of loss before and that helped her to deal with this loss. Yet, nothing could compare to the pain of losing her daughter and grandson. The shock and horror of the loss of her loved ones, and the mental

anguish, pain, suffering, trauma and extreme emotional distress she suffered as a result is a feeling that she will never forget, all to her damage.

265. Mendel Zarkowsky is a citizen of the United States and a resident of the State of New York. He is the husband of Goldie and the father of Eli. Mendel Zarkowsky brings this action on behalf of himself, the Estate of Goldie Zarkowsky and the Estate of Eli Zarkowsky.

266. After a hot and humid day, Mendel was very tired and decided to relax by learning Torah in a local study hall. Goldie traveled by bus with their daughter Bshava and their son Eli to the Western Wall to pray the afternoon prayers. He spoke with his wife for the last time over the telephone at around 6:30 p.m., shortly before she departed for the Western Wall with Bshava and Eli.

267. At about 9:10 p.m., Mendel was getting out of a taxi when he heard sirens. Ambulances, police cars and fire engines were driving toward Shmuel HaNavi Street in Jerusalem, Israel. At the time, Mendel did not pay much attention to what was going on.

268. Mendel arrived at his nephew's apartment, where the family had been staying for his nephew's wedding. There were no adults around, only small children. The telephone rang and Mendel answered to the frantic voices of his brother-in-law and sister-in-law. They told him that there had been a bombing on the bus that Goldie and the two children had been traveling on and that their daughter happened to be on the bus as well.

269. Mendel arrived at the hospital to find his daughter Bshava covered in blood, disoriented and crying hysterically. No one had any information on the whereabouts of his wife and son.

270. After traveling from hospital to hospital in search of his missing wife and son, he was informed that two bodies had been recovered that could possibly be them. After DNA testing, Mendel was told that indeed the bodies were those of his dead wife and son.

271. Mendel's life has changed dramatically. He is now the sole provider and caretaker for the 7 children who remain in the home. With doctors' appointments, cooking, cleaning and all of the other things that come with caring for the children, as well as trying to help them to cope with the loss of their mother and brother, Mendel has no time for his former passions, like studying and tutoring children.

272. As a result of the attacks, Mendel suffered severe mental anguish, pain, trauma, loss of consortium and extreme emotional distress, all to his damage. He has spoken with many doctors, experts and families who have experienced trauma but has yet to find out how to deal with his pain and the pain of his children, who seem to think that the loss of their mother and brother is somehow his fault.

273. The impact of this tragedy is a constant burden on Mendel. He misses the serenity, contentment and fulfillment of the union that he shared with Goldie.

274. Malky Breuer is a citizen of the United States and a resident of the State of New York. She is the sister of Goldie and the aunt of Eli.

275. Malky was in her apartment when her niece called and told her about the attack in Israel and that Goldie was on the bus when it was bombed. Malky was so crushed that she could not move. She sat still, devastated for hours until her brother called to check on her and to tell her that her parents were going to Israel to assist in the arrangements for her sister and nephew.

276. Malky's life has not been the same since. She misses the long talks she had with her sister and her bright smile. The shock and horror of losing her loved ones has caused mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

277. Esther Buxbaum is a citizen of the United States and a resident of the State of New York. She is the sister of Goldie and the aunt of Eli.

278. Esther was in the same hotel at which her sister Goldie had been staying when she learned of the attack. She arrived in Israel on the same day as Goldie. They were about to celebrate Esther's son's engagement. When she tried to reach Goldie, she was told that Goldie had gone back to the hotel. Two hours later, she tried to reach Goldie several more times to no avail. Esther began to get nervous.

279. Suddenly, she heard sirens. She saw people holding radios and looking serious and she began to inquire about what had happened. She was informed that there was a bombing on the bus that Goldie and her two children had been riding.

280. Instead of celebrating her son's engagement, Esther spent the next week mourning her sister and nephew at the bedside of her niece, Bshava, who was the only one of her family members who had survived the attack.

281. Esther's life is forever changed. Even during her happy moments she fears that bad things will happen because the loss of her loved ones occurred during a time of happiness for her own son. The shock and horror of the loss of her loved ones has caused mental anguish, trauma, pain and suffering and emotional distress, all to her damage. Esther has had to seek counseling to cope with her loss.

282. Gittel Cohen is a citizen of the United States and a resident of the State of New York. She is the sister of Goldie and the aunt of Eli.

283. The murder of her sister Goldie and nephew Eli has caused Gittel severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

284. Rachel Rosner is a citizen of the United States and a resident of the State of New York. She is the sister of Goldie and the aunt of Eli.

285. She was in New York at a shopping mall when a friend of hers in Israel called to inform her that Goldie was missing. Her friend then told her that she had to go because there was commotion outside and she wanted to see what was going on.

286. Rachel then went home. When she was not greeted by her daughter's welcoming outstretched arms, she knew that something was wrong. Her family emerged with faces of sorrow and gave her the horrible news.

287. Since the loss of her sister, Rachel has mourned continuously. The shock and horror of losing her loved ones has caused mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

288. Jacob Schwartz is a citizen of the United States and a resident of the State of New York. He is the brother of Goldie and uncle of Eli.

289. Jacob was in a business meeting with his father when he found out about the attack. Jacob received a call from his oldest son, Pinchas, who lives in Israel, informing him of the bus bombing in Israel and that his sister and two of her children were on the bus. He concealed his emotions because he did not want to unnecessarily alarm his father. His father repeatedly asked Jacob whom he was speaking with when he left the meeting numerous times to call Israel for updates, but Jacob did not tell him because it looked as though Goldie and her children had perished in the attack and he did not know how to tell his father.

290. After the meeting was over, Jacob and his father headed home. Jacob then received a call confirming his fears; Goldie was dead. He still did not tell his father. Fortunately, others arranged for a friend of his father's and a doctor to break the news to Jacob's parents so that he wouldn't have to do it. Soon after, Jacob's parents boarded a plane to Israel to take care of the arrangements for their daughter and grandson.

291. During and after the incident, their years of growing up together flashed before Jacob's eyes. He specifically remembered the day Goldie was born. He was eight years old at the time.

292. After the incident, Jacob was given medication by a local doctor and also sought counseling and mental health treatment for his condition. He suffers from depression and has a nervous condition as a result of the death of his loved ones. His business has suffered as a result of his condition and it has also put a strain on his marriage. The shock and horror of losing his loved ones has caused mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

293. Michael Schwartz is a citizen of the United States and a resident of the State of New York. He is the brother of Goldie and the uncle of Eli.

294. Michael was driving on a business errand for work when he found out about the attack in Israel. Fortunately, he had reached his destination before his children called his cell phone to give him the bad news.

295. Michael lost consciousness immediately after hearing the news. Bystanders revived him and his son was called and was by his side within moments.

296. Since his sister's death, Michael experiences anxiety attacks, uncontrollable crying episodes, nervous tension and many sleepless nights. He is unable to handle any

stressful situations. The shock and horror of losing his loved ones has caused him mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

297. Phillip Schwartz is a citizen of the United States and is a resident of the State of New York. He is the brother of Goldie and the uncle of Eli.

298. Phillip was driving in his car listening to his radio when the station gave a report of a bus bombing in Jerusalem. Instantly, Goldie came to his mind because she was in Israel. His fear was confirmed when he was informed by his brother Jacob that his sister and two of her children were on the bus.

299. Phillip has not received any medical attention to ease the pain of his loss due to financial constraints. The shock and horror of losing his sister has caused him mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

300. Perl Brailofsky is a citizen of the United States and a resident of the State of New York. She is the daughter of Goldie and the sister of Eli.

301. Perl was in Spring Valley, New York when the attacks occurred.

302. She happened to call her mother where she was staying in Israel to check up on her. The daughter of another woman that lived there answered the telephone. When Perl asked to speak with her mother, the girl was silent. After asking the little girl several times where her mother was to no avail, the girl finally spoke up and said that there had been a bombing. Perl bombarded the child with questions, but she had no answers.

303. Perl has had to seek counseling to cope with the loss. The shock and horror of losing her mother has caused mental anguish, pain and suffering and extreme emotional distress.

304. Perl's life changed instantly after the loss of her mother. She is very withdrawn and no longer has the many friends that she once had. The burden of helping to care for siblings has fallen on her.

305. The murder of her mother Goldie and brother Eli has caused Perl severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

306. Abraham Zarkowsky is a citizen if the United States and a resident of the State of New York. He is son of Goldie and the brother of Eli.

307. The shock and horror of losing his loved ones has caused him mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

308. Aron Zarkowsky is a citizen if the United States and a resident of the State of New York. He is the son of Goldie and the brother of Eli.

309. The shock and horror of losing his loved ones has caused him mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

310. Ezriel Zarkowsky is a citizen of the United States and a resident of the State of New York. He is the son of Goldie and the brother of Eli.

311. Ezriel was at home on his lunch break when the attack occurred.

312. Ezriel called his aunt's house and was informed about the tragic incident. He was given pills by the EMS crew that attended to him at the time he was notified about the attack.

313. After his mother's death, Ezriel suffered intense phobias. He suffers from nightmares and wakes up in cold sweats. Whenever family members are not where they said they would be or do not arrive when they said they would, he becomes hysterical and apprehensive. Despite seeing numerous psychologists, nothing has alleviated his phobias.

314. The shock and horror of losing his mother has caused him severe mental anguish, trauma, pain and extreme emotional distress, all to his damage. Ezriel has had to seek counseling to cope with his loss.

315. Gittel Zarkowsky is a citizen of the United States and a resident of the State of New York. She is the daughter of Goldie and the sister of Eli.

316. The shock and horror of losing her loved ones has caused her mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

317. Joseph Zarkowsky is a citizen of the United States and a resident of the State of New York. He is the son of Goldie and the brother of Eli.

318. Joseph was engrossed in his studies when he heard about the attacks in Israel.

319. Once Joseph heard about the attacks, he left the study hall where he had been studying and went to his parent's home. When he arrived, Joseph was greeted by the sad faces of his family members. He then called his wife, informed her of the tragic incident and told her that he was flying to Israel to be with his family.

320. After the incident, Joseph was not the same. He could not concentrate on his studies and lost his study partner of four years as a result. He has nightmares and is constantly distracted.

321. Although he has not sought professional help to help him to cope, the shock and horror of losing his mother and brother have caused him severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

322. Miriam Zarkowsky is a citizen of the United States and a resident of the State of New York. She is the daughter of Goldie and the sister of Eli.

323. The shock and horror of losing her loved ones has caused her mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

324. Shrage Zarkowsky is a citizen of the United States and a resident of the State of New York. He is the eldest son of Goldie and the brother of Eli.

325. Shrage was in New York substitute teaching at a summer camp when the attack occurred.

326. Shrage received an urgent call from his wife while teaching at a summer camp in New York. She told him that there was a bus bombing in the center of Jerusalem. He immediately shuddered, because, at the time, his mother, father and two siblings were in Israel. It was later confirmed that his mother and siblings were on the bus.

327. He asked his wife if she had spoken with his parents and she informed him that no one had heard from them. Finally, his sister was found alive, but he was left to pray that his mother and brother would be located as well. After several hours and no sign of his mother and brother, Shrage grew frustrated. After flying to Israel, Shrage and the rest of his family were informed that his mother and brother were dead.

328. The death of Shrage's mother left him a shattered and broken man. Every loud noise now turns him into an emotional wreck. The shock and horror of losing his mother and brother has caused him severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

329. Trany Zarkowsky is a citizen of the United State and a resident of the State of New York. She is the daughter of Goldie and the sister of Eli.

330. The murder of her mother and brother has caused Trany severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to her damage.

331. Yehuda Zarkowsky is a citizen of the United State and a resident of the State of New York. He is the son of Goldie and the brother of Eli.

332. The murder of his mother and brother has caused Yehuda severe mental anguish, trauma, pain and suffering and extreme emotional distress, all to his damage.

333. Each of the Zarkowsky Family Plaintiffs seek judgment against the Defendants and each of them jointly and severally for their support and sponsorship of HAMAS, a Foreign Terrorist Organization, and for an award of damages to the fullest extent of the law.

Plaintiffs Group Definitions

334. David Applebaum, Naava Applebaum, Eli Horovitz, Debra Horovitz, Abigail Litle, Mordechai Reinitz, Yissocher Reinitz, Bertin Tita, Tiferet Tratner, Goldie Zarkowsky and Eli Zarkowsky shall hereinafter be defined as “Deceased Victims”.

335. William Jack Baxter, Nethaniel Bluth, Ronald Cantrell, Chaya Tziporah Cohen, Ariela Freirmark, Averham Grossman, Joseph Leifer, Devorah Chechanow Leifer, Rivka Pam, Mendy Reinitz, Miriam Richter, Erik Schecter, Obadiah Waxler and Bshava Zarkowsky Richter shall hereinafter be defined as “Physically Injured Victims”.

336. Debra Applebaum, Natan Applebaum, Shira Applebaum, Shayna Applebaum, Tovi Belle Applebaum, Yitzhak Applebaum, Jacqueline Applebaum, , Lisa Nies, Ari Horovitz, Batsheva Horovitz, David Horovitz, Lillian Horovitz, Moshe Horovitz, Nechama Horovitz, Shulamite Horovitz, Tovi Horovitz, Zvi Horovitz, Uri Horovitz, Bernice Wolf, Bryan Wolf, Stanley Wolf, Philip Litle, Heidi Litle, Elishua Litle, Hannah Litle, Josiah Litle, Noah Litle, Mendy Reinitz, Miriam Ehrenfeld, Rose Joseph, Nichal Ostreicher, Devora Pollack, Benjamin Reinitz, Chaim Reinitz, Chaya Reinitz, Joseph Reinitz, Leibel Reinitz, Malvia Reinitz, Margali Reinitz, Miriam Reinitz, Rivka Reinitz, Samuel Reinitz, Shmuel Reinitz, Yakov Reinitz, Yitchok

Reinitz, Raizel Shimon, Leah Tauber, Helen Weider, Ephraim Tita, Ezra Tita, Shoshana Tita, Shlomo Tratner, Bshava Zarkowsky Richter, Perl Brailofsky, Malky Breuer, Ester Buxbaum, Gittel Cohen, Gittel Zarkowsky, Chaya Friesel, Rachel Rosner, Elizabeth Schwartz, Jacob Schwartz, Max Schwartz Michael Schwartz, Philip Schwartz, Abraham Zarkowsky, Aron Zarkowsky, Ezekiel Zarkowsky, Joseph Zarkowsky, Mendel Zarkowsky, Miriam Zarkowsky, Shrage Zarkowsky, Trany Zarkowsky and Yehuda Zarkowsky shall hereinafter be defined as “Family Members of the Deceased Victims”.

337. Fran Strauss Baxter, Hadassah Freirmark, Menachem Freirmark, Devorah Chechanow Leifer, Joseph Leifer, Moshe Naimi, Rachel Potolski, Ovadia Topporowitch, Tehila Topporowitch, Yisrael Topporowitch, Yitzchak Topporowitch, Phyllis Pam, Miriam Ehrenfeld, Rose Joseph, Nichal Ostreicher, Devora Pollack, Benjamin Reinitz, Chaim Reinitz, Chaya Reinitz, Joseph Reinitz, Leibel Reinitz, Malvia Reinitz, Margali Reinitz, Miriam Reinitz, Rivka Reinitz, Samuel Reinitz, Shmuel Reinitz, Yakov Reinitz, Yitchok Reinitz, Raizel Shimon, Leah Tauber, Helen Weider, Avrohom Richter, Breina Richter, Moshe Richter, Nechama Richter, Sara Richter, Shlomo Richter, Tranne Richter, Yakov Richter, Yechiel Richter, Yehudis Richter, Yitzchok Richter, Yisrael Richter, Chana Waxler, Arthur Waxler, Dina Waxler, Ezekial Waxler, Abraham Waxler, Haggi Waxler, Nachum Waxler, Yoel Waxler, Zacharia Waxler, Gedalia Waxler, Baruch Waxler, Yaakov Waxler, Chaya Rosenberg, Bracha Milstein, Shifra Miller, Perl Brailofsky, Malky Breuer, Ester Buxbaum, Gittel Cohen, Gittel Zarkowsky, Chaya Friesel, Rachel Rosner, Elizabeth Schwartz, Jacob Schwartz, Max Schwartz Michael Schwartz, Philip Schwartz, Abraham Zarkowsky, Aron Zarkowsky, Ezekiel Zarkowsky, Joseph Zarkowsky, Mendel Zarkowsky, Miriam Zarkowsky, Shrage Zarkowsky, Trany Zarkowsky and Yehuda Zarkowsky shall hereinafter be defined as “Family Members of the Physically Injured Victims”.

THE DEFENDANTS

338. Defendant The Islamic Republic of Iran ("Iran") is a foreign state that has been designated and continues to remain designated as a state sponsor of terrorism pursuant to § 60 of the Export Administration Act of 1979 (50 U.S.C. App. § 2405) and § 620(A) of the Foreign Assistance Act of 1961 (22 U.S.C. § 2371) since January 19, 1984. Iran, at all times pertinent to this action, provided and continues to provide material support and resources to HAMAS.

339. Iran, through its actions caused the personal injuries and deaths described above, within the meaning of 28 U.S.C. § 1605A, by providing HAMAS with funding, direction, material support, encouragement, safe haven and/or training for its terrorist activities.

340. Defendant The Iranian Ministry of Information and Security ("MOIS") is the Iranian intelligence service through which Iran sponsored Hamas, a designated Foreign Terrorist Organization ("FTO"), and the terrorist group which caused and committed the acts of extrajudicial killings described herein.

341. Under the theory of respondeat superior, Defendants Iran and MOIS are vicariously responsible for the actions of Hamas and its agents. Defendant Iran is further responsible, under the theory of respondeat superior, for the actions of its agent, Defendant MOIS.

342. Defendant Syrian Arab Republic ("Syria") is a foreign state that has been designated and continues to remain designated as a state sponsor of terrorism pursuant to § 60 of the Export Administration Act of 1979, 50 U.S.C. App. § 2405, and § 620(A) of the Foreign Assistance Act of 1961 (22 U.S.C. § 2371) since December 29, 1979. Syria, at all times pertinent to this action, provided and continues to provide material support and resources to HAMAS.

343. Syria, through its actions caused the personal injuries and deaths described above, within the meaning of 28 U.S.C. § 1605A, by providing HAMAS with funding, direction, material support, encouragement, safe haven and/or training for its terrorist activities.

344. Defendant Syrian Air Force Intelligence (“SAFI”) is the Syrian intelligence services through which Syria sponsored HAMAS, which caused and committed the acts of extrajudicial killings described herein.

345. Under the theory of respondeat superior, Defendants Syria and SAFI are vicariously responsible for the actions of Hamas and its agents. Defendant Syria is further responsible, under the theory of respondeat superior, for the actions of its agent, Defendant SAFI.

346. Defendants Iran, MOIS, Syria and SAFI, are directly and/or vicariously responsible for the actions of their co-defendants because they each sponsored and provided material support to HAMAS. Accordingly, Defendants are jointly and severally liable to Plaintiffs for all of their damages to the fullest extent of the law.

347. HAMAS is an international terrorist organization. It receives material support from Iran, MOIS, Syria and SAFI. During the period relevant hereto, Defendants provided HAMAS and its operatives with training bases and facilities. These training bases and facilities were located (a) within Syria, and in areas of Lebanon occupied by and under the complete control of Syria, and (b) within Iran.

348. HAMAS and its operatives utilized the training bases and facilities provided by the Defendants to train for the commission of acts of terrorism. This training included the use of firearms, explosives, and other weapons.

349. HAMAS and its operatives also utilized these bases and facilities, *inter alia*, as depots for storage of weapons and explosives, to establish, maintain and operate a leadership command, organizational hierarchy and/or operational infrastructure, and/or offices/headquarters.

350. Additionally, at all times relevant hereto, Defendants provided HAMAS and its operatives with funding and training in terrorism activities, including training on the use of weapons and explosives.

351. Upon information and belief, the training in terrorism activities was provided by and through (a) Iranian military and intelligence officials, and other agents, employees and officials of Defendants Iran and MOIS and (b) Syrian military and intelligence officials, and other agents, employees and officials of Defendants Syria and SAFI.

352. Upon information and belief, at all times relevant hereto, Defendants also provided HAMAS and its leaders, officials and operatives, with lodging, safe haven, and shelter permitting them to conduct their terrorist activities freely and unhindered.

353. The duration, quantity and quality of Iran's and Syria's material support, even if not designated for specific attacks, greatly contributed to HAMAS' ability to carry out terrorist attacks. HAMAS could not have carried out the breadth of lethal attacks described in this complaint without Iran's and Syria's support and sponsorship. Iran and Syria and their agents knew and intended that HAMAS would continue to carry out further terrorist attacks, yet continued to support HAMAS.

354. Therefore, as a direct and proximate result of the provision of the material support to HAMAS by the Defendants as described herein, hundreds of innocent civilians were killed and grievously injured by acts of terrorism committed by HAMAS. Among the civilians murdered and wounded by HAMAS' terrorist attacks are the Plaintiffs named herein.

JURISDICTION, VENUE AND CHOICE OF LAW

355. This action is brought by the Plaintiffs, by and through their counsel, in the individual capacity of each plaintiff and, as appropriate, in the capacity as personal representatives or on behalf of estates, and the legal heirs thereof, and as more particularly described in the caption of this action for their own benefit, and for the benefit and on behalf of all those legally entitled to assert a claim under the Foreign Sovereign Immunities Act 28 U.S.C. § 1605A(c), and state common law and statutory law.

356. This Court exercises subject matter jurisdiction in accordance with the provisions of 28 U.S.C. §§ 1330(a), 1331, 1332(a)(2), and 1605A.

357. Defendants Iran, MOIS, Syria and SAFI are subject to suit in the courts of the United States pursuant to 28 U.S.C. § 1605A.

358. Venue lies in this Court pursuant to 28 U.S.C. § 1391(f)(4), which provides, in pertinent part, that a civil action against a foreign State may be brought in the United States District Court for the District of Columbia.

359. Actions for wrongful death, personal injury and related torts perpetrated by foreign state sponsors of terrorism through their officials, employees and agents within the meaning of 28 U.S.C. § 1605A(c) are unique causes of actions arising out of federal counterterrorism statute(s) and are controlled by applicable federal law.

COUNT I
(Under 28 U.S.C. §1605A(c)
on behalf of All Plaintiffs)

360. Plaintiffs repeat, reallege and incorporate by reference those facts and allegations set forth in all the foregoing paragraphs as if fully set forth herein.

361. As recounted above, the deaths of the Deceased Victims were caused by a willful and deliberate act of extra judicial killing. The Defendants, through their agents, financed the attack, planned the attack and rendered material support to the activities of HAMAS that resulted in the deaths of the Deceased Victims. Those agents were at all times acting with the scope of their agency and acted on the direction of the Defendants, the Islamic Republic of Iran, the Iranian Ministry of Information and Security, the Syrian Arab Republic of Syria and the Syrian Air Force Intelligence.

362. As recounted above, by use of explosive devices as above described, willfully, violently and forcefully battered and did violence to the bodies of the Physically Injured Victims inflicting severe and permanent injuries upon them resulting in great pain and suffering, which injuries required and continue to require extensive medical treatment, have necessitated the expenditure of funds, inter alia, for hospitals, physician's services, nursing care, rehabilitation treatment and lifecare expenses and services, have deprived the Physically Injured Victims of earning capacity and has permanently disabled the Physically Injured Victims. The willful, wrongful and

intentional acts of Hamas were funded and directed by the Islamic Republic of Iran through its agent, the Iranian Ministry of Information and Security, the Syrian Arab Republic of Syria and the Syrian Air Force Intelligence and constituted a personal injury upon the Physically Injured Victims.

363. As a direct and proximate result of the willful, wrongful and intentional acts of the Defendants hereinabove described, for which the Defendants are vicariously, jointly and severally liable, the Deceased Victims, Physically Injured Victims, Family Members of the Deceased Victims and Family Members of the Physically Injured Victims endured extreme mental anguish, physical injury and pain and suffering, all to their damage and for which the Plaintiffs and each of them seek an award of damages and judgment against the Defendants and each of them jointly and severally to the fullest extent of the law.

WHEREFORE, the Deceased Victims, Physically Injured Victims, Family Members of the Deceased Victims and Family Members of the Physically Injured Victims demand that judgment be entered, jointly and severally, against the Defendants, The Islamic Republic of Iran and the Iranian Ministry of Information and Security, and against the Syrian Arab Republic and Syrian Air Force Intelligence, and each of them, for the damages they suffered, including, but not limited to, wrongful death, pain, suffering, mental anguish, and pecuniary losses, in the amount of ONE HUNDRED EIGHTY MILLION (\$180,000,000.00) US Dollars for each of them, on this Count I, and their costs expended; and as to each of the Family Members of the Deceased Victims and the Family Members of the Physically Injured Victims, demand that judgment be entered, jointly and severally, against the Defendants, The Islamic Republic of Iran, the Iranian

Ministry of Information and Security, the Syrian Arab Republic and the Syrian Air Force Intelligence for the damages they suffered, including, but not limited to, pain, suffering, mental anguish, emotional distress, and solatium in the amount of EIGHTEEN MILLION DOLLARS (\$18,000,000.00) for each and every one of them, on this Count I, and their costs expended, including attorneys' fees and to the fullest extent of damages permitted by law for the heinous acts of murderous terrorism sponsored by the Defendants..

COUNT II
WRONGFUL DEATH
(Under 28 U.S.C. §1605A(c)
(on behalf of Deceased Victims)

364. Plaintiffs, the Deceased Victims, repeat, reallege and incorporate by reference those facts and allegations set forth in each of the foregoing paragraphs as if fully set forth herein.

365. The deaths of the Deceased Victims were each caused by a willful and deliberate act of extra judicial killing. The Defendants, through their agents, financed the attack, planned the attack and rendered material support to the activities of Hamas that resulted in the deaths of the Deceased Victims. Those agents were at all times acting with the scope of their agency and acted on the direction of the Defendants, the Islamic Republic of Iran, the Iranian Ministry of Information and Security, the Syrian Arab Republic and the Syrian Air Force Intelligence and each of them for which they should be held jointly and severally liable to the fullest extent of the law.

366. The beneficiaries of the Deceased Victims who survived them as a direct and proximate consequence of the actions of the Defendants hereinabove described, for which the Defendants are vicariously, jointly and severally liable, suffered pecuniary loss, including assistance to the beneficiaries, the loss of future earnings and accretions to

the estates of the Deceased Victims and funeral and burial expenses and other damages to which they are entitled and for which they seek judgment to the fullest extent of the law.

WHEREFORE, Plaintiffs, the Deceased Victims, demand that judgment be entered, jointly and severally, against Defendants in the amount of ONE HUNDRED EIGHTY MILLION (\$180,000,000.00) US Dollars for each of them on this Count II, and their costs expended.

COUNT III
SURVIVAL CLAIM
(Under 28 U.S.C. §1605A(c))
(on behalf of the Deceased Victims)

367. Plaintiffs, the Deceased Victims, repeat and re-allege each and every allegation set forth with like effect as if alleged herein.

368. Before death, the Deceased Victims suffered extreme bodily pain and suffering, as a result of the actions described above which were undertaken by the agents of the Defendants, and the Decedents have thereby suffered damages in the amount of one hundred million dollars as to each of them.

WHEREFORE, the estates of the Deceased Victims demand judgment, jointly and severally, against Defendants, The Islamic Republic of Iran, the Iranian Ministry of Information and Security, the Syrian Arab Republic and the Syrian Air Force Intelligence in the amount of ONE HUNDRED EIGHTY MILLION (\$180,000,000.00) US Dollars for each of them on this Count III, and their costs expended.

COUNT IV
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS INCLUDING
SOLATIUM
(Under 28 U.S.C. §1605A(c))
on behalf of the Deceased Victims, the Physically Injured Victims, the Family
Members of the Deceased Victims and the Family Members of the Physically
Injured Victims)

369. Plaintiffs repeat and re-allege each and every allegation set forth above with like effect as if alleged herein.

370. The acts of Defendants set forth above constitute extreme and outrageous murderous terrorist conduct with the intent to inflict emotional distress, duress and suffering and solatium upon the Deceased Victims, the Physically Injured Victims, the Family Members of the Deceased Victims and the Family Members of the Physically Injured Victims and each of them.

371. As a direct consequence of the actions of the Defendants, the Islamic Republic of Iran, the Iranian Ministry of Information and Security, the Syrian Arab Republic and the Syrian Air Force Intelligence, and each of them, Plaintiffs have suffered extraordinary grief and mental anguish, and each has thereby suffered damages in the amount of EIGHTEEN MILLION DOLLARS for which they seek judgment to the fullest extent of the law.

WHEREFORE, Injured Victims and Deceased Victims demand that judgment be entered, jointly and severally, against the Defendants, The Islamic Republic of Iran, the Iranian Ministry of Information and Security, the Syrian Arab Republic and the Syrian Air Force Intelligence for the damages they suffered for the pain suffering, mental anguish and pecuniary losses in the amount of ONE HUNDRED EIGHTY MILLION (\$180,000,000.00) US Dollars for each of them, on this Count IV, and their costs expended; and as to each of Family Members of the Deceased Victims and Family Members of the Physically Injured Victims, demand that judgment be entered, jointly and severally, against the Defendants, The Islamic Republic of Iran, the Iranian Ministry of Information and Security, the Syrian Arab Republic and the Syrian Air Force Intelligence

for the damages they suffered, including but not limited to pain, suffering, mental anguish, emotional distress, solatium in the amount of EIGHTEEN MILLION DOLLARS (\$18,000,000.00) for each and every one of them, on this Count IV, and their costs expended.

COUNT V
BATTERY
(Under 28 U.S.C. §1605A(c)
on behalf of the Injured Victims)

372. The Physically Injured Victims repeat and re-allege each and every allegation set forth above with like effect as if alleged herein.

373. Members of HAMAS by use of explosive devices as above described, willfully, violently and forcefully battered and did violence to the bodies of the Physically Injured Victims inflicting severe and permanent injuries upon them resulting in great pain and suffering, which injuries required and continue to require extensive medical treatment, have necessitated the expenditure of funds, inter alia, for hospitals, physician's services, nursing care, and rehabilitation treatment, have deprived the Injured Victims of earning capacity and has permanently disabled the Physically Injured Victims. The willful, wrongful and intentional acts of HAMAS were funded and directed by the Islamic Republic of Iran through its agent, the Iranian Ministry of Information and Security, and by the Syrian Arab Republic and the Syrian Air Force Intelligence and each of them and constituted a battery upon the Physically Injured Victims.

WHEREFORE, the Physically Injured Victims demand that judgment be entered, jointly and severally, against Defendants, the Islamic Republic of Iran, the Iranian Ministry of Information and Security, the Syrian Arab Republic and the Syrian Air Force Intelligence and each of them in the amount of ONE EIGHTY HUNDRED MILLION

(\$180,000,000.00) US Dollars for each of them, on this Count V, and their costs expended.

COUNT VI
ASSAULT
(Under 28 U.S.C. §1605A(c)
on behalf of the Physically Injured Victims)

374. The Physically Injured Victims repeat and re-allege each and every allegation set forth above with the effect as if alleged herein.

375. The members of HAMAS, as above alleged, intentionally and willfully placed the Physically Injured Victims in fear and apprehension of harm as a direct result of their actions including the physical abuse they inflicted upon them. The willful, wrongful and intentional acts of Hamas members were funded by and directed by the Islamic Republic of Iran through its agency, the Iranian Ministry of Information and Security, the Syrian Arab Republic and the Syrian Air Force Intelligence and the Physically Injured Victims were injured in that they endured extreme mental anguish, physical injury and pain and suffering.

WHEREFORE, the Physically Injured Victims demand that judgment be entered, jointly and severally, against Defendants, the Islamic Republic of Iran, the Iranian Ministry of Information and Security, the Syrian Arab Republic and the Syrian Air Force Intelligence in the amount of ONE EIGHTY HUNDRED MILLION (\$180,000,000.00) US Dollars for each of them, on this Count VI, and their costs expended.

COUNT VII
PUNITIVE DAMAGES
(Under 28 U.S.C. § 1605A(c)
on behalf of all Plaintiffs)

376. The Plaintiffs repeat and re-allege each and every allegation set forth

above with like effect as if alleged herein.

377. The actions of the Defendants, carried out by their agents as described above, were malicious, willful, unlawful and in wanton disregard of life and the standards of law that govern the actions of civilized nations. The loss of life as above described was intended as a result by each Defendant. The Deceased Victims, Physically Injured Victims, Family Members of the Deceased Victims and Family Members of the Physically Injured Victims were not engaged in war or in police duties. The actions of those who carried out the attack described were within the scope of their agency on behalf of the Defendants. In accordance with the provisions of 28 U.S.C §1605A(c) the Deceased Victims, Physically Injured Victims, Family Members of the Deceased Victims and Family Members of the Physically Injured Victims are thereby entitled to punitive damages to the fullest extent of the law.

378. The actions of the HAMAS, as set forth hereinabove, were intentional and malicious and in willful, wanton and reckless disregard of the Deceased Victims and the Physically Injured Victims rights and physical well being. All of the acts of HAMAS were facilitated through funding, training and material support by the Islamic Republic of Iran, the Iranian Ministry of Information and Security, the Syrian Arab Republic and the Syrian Air Force Intelligence. In accordance with 28 U.S.C § 1605A(c) the Defendants, the Islamic Republic of Iran, the Iranian Ministry of Information and Security, the Syrian Arab Republic and the Syrian Air Force Intelligence, and each of them, are therefore vicariously liable for the actions of the HAMAS members. In providing such funding, material support, direction and training, the Islamic Republic of Iran, the Iranian Ministry of Information and Security, the Syrian Arab Republic and the Syrian Air Force

Intelligence were acting within the scope of its agencies as an instrumentality. Said agencies rendered material support to those actually carrying out the acts above described. An award of punitive damages is requested as to all Defendants, jointly and severally, in accordance with the provisions of 28 U.S.C. §1605A(c) each of which are vicariously liable for punitive damages.

WHEREFORE, the Plaintiffs pray that judgment be entered, jointly and severally, against the Islamic Republic of Iran, the Iranian Ministry of Information and Security, the Syrian Arab Republic and the Syrian Air Force Intelligence, on behalf of each and all of the Deceased Victims, Physically Injured Victims, Family Members of the Deceased Victims and Family Member of the Physically Injured Victims, in the amount of **ONE BILLION US DOLLARS (\$1,000,000,000.00)** for each of them, as against each of the Defendants, jointly and severally, and their costs herein expended.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs, request joint and several judgment against the Defendants as follows:

1. Awarding Plaintiffs compensatory and solatium damages against Defendants in amounts set forth herein and as shall be determined at trial;
2. Awarding Plaintiffs punitive or exemplary damages against Defendants, jointly and severally, according to proof to be presented at trial;
3. Awarding Plaintiffs prejudgment interest and post judgment interest as computed and calculated at the maximum rate allowable by law;
4. Awarding Plaintiffs their costs and disbursements and reasonable allowances of fees for Plaintiffs counsel and experts and reimbursement of expenses;

5. Allowing a lis pendens notice of action to issue and be noted and enforced by the Court as against each of the Defendants and their instrumentalities.
6. Leave to amend this Complaint as interests of justice may allow; and
7. Granting any and all such further relief as the Court may deem just and proper.

Dated: 30 November 2011

Respectfully submitted,

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