

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

_____)	
BAXTER, et al.)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 18-cv-01078
)	
SYRIAN ARAB REPUBLIC OF IRAN, et al.)	
)	
Defendants.)	
_____)	

DECLARATION IN SUPPORT OF DEFAULT

I, Tracy Reichman Kalik, hereby certify under penalty of perjury, this 29th day of October, 2020, that:

1. I am one of the attorneys of record for the Plaintiffs in the above-entitled case.
2. The Defendants in the above-entitled case are the Syrian Arab Republic and the Syrian Air Force Intelligence (hereinafter collectively “Syrian Defendants”).
3. Both Defendants have now been served with process pursuant to the provisions of the Foreign Sovereign Immunities Act (“FSIA”), 28 U.S.C. § 1608, and Rule 4(j)(1) of the Federal Rules of Civil Procedure, which directs that “service upon a foreign state or a political subdivision, agency or instrumentality thereof shall be effected pursuant to 28 U.S.C. § 1608.”
4. Plaintiffs effected service upon both Defendants under 28 U.S.C. § 1608(a)(4) because service upon both Defendants via DHL pursuant to 28 U.S.C. § 1608(a)(3) was not possible.
5. Pursuant to 28 U.S.C. § 1608 (a)(4), on June 1, 2018, Plaintiffs requested that the Clerk of Court serve “copies of the summons, complaint, and notice of suit, together with a translation of each into the official language of the foreign state, by certified mail, return

receipt requested, to the U. S. Department of State, Director of Overseas Citizens Services” for the purpose of effectuating service upon both the Iranian Defendant and the Syrian Defendant. [Dkt #37.] Plaintiffs provided the Clerk’s office with packages containing said documents separately for both the Iranian Defendants and Syrian Defendants.

6. The Clerk of Court certified on June 6, 2018 that the required documents had been mailed by certified mail to the appropriate address in accordance with the Plaintiffs’ request. [Dkt #38]

7. On March 11, 2018, the Department of State advised the Court by letter that on January 20, 2018 the Department of State transmitted the documents through the Foreign Interests Section of the Embassy of the Czech Republic by diplomatic notes to the Syria Ministry of Foreign Affairs of the Syrian Arab Republic. [Dkt #39]

8. Accordingly, service upon the Syrian Defendants was complete as of January 20, 2018 and the Syrian Defendants had until March 21, 2019 to Answer. 28 U.S.C. § 1608(c)(1).

9. The authority for obtaining personal jurisdiction over the Syrian Defendants served outside the District of Columbia is the Foreign Sovereign Immunities Act, 28 U.S.C. §§ 1330, 1605(a)(7), 1608(a)(4).

10. I further certify under penalty of perjury that no appearance has been entered by the Syrian Defendants in this case; no pleading has been filed and none served upon the attorney for the Plaintiffs; no extension has been given and the time for filing has expired; that the Syrian Defendants are infants or incompetent persons.

Accordingly, the Clerk is requested to enter a Default against both Syrian Defendants so that the Plaintiffs may move for default judgment to be entered against said Defendants.

I declare under penalty of perjury that the foregoing is true and correct.

October 29, 2020

Attorney for Plaintiffs,

/s/ Tracy Reichman Kalik

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