

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CONTINENTAL CASUALTY COMPANY,
TRANSCONTINENTAL INSURANCE COMPANY,
TRANSPORTATION INSURANCE COMPANY, VALLEY
FORGE INSURANCE COMPANY, NATIONAL FIRE
INSURANCE COMPANY OF HARTFORD and
AMERICAN CASUALTY COMPANY OF
READING, PENNSYLVANIA.

Plaintiffs,

- against -

04 Civ. 5970

FIRST AMENDED
COMPLAINT

JURY TRIAL
DEMANDED

ECF CASE

AL QAEDA
ABD AL-HADI AL-IRAQI
ABD AL SAMAD AL-TA'ISH
ABD AL-MUSHIN AL-LIBI
ABDEL BARRY
ABDEL HUSSEIN
ABDELGHANI MZOUZI
ABDELKADIR MAHMOUD ES SAYED
ABDUL AL-MOSLAH
ABDUL AZIZ AL IBRAHIM
ABDUL FATTAH ZAMMAR
ABDUL RAHMAN KHALID BIN MAHFOUZ
ABDUL RAHMAN YASIN
ABDUL RAJEM MOHAMMED HUSSEIN, Interior Minister
ABDULA BIN LADEN
ABDULAZIS BIN ABDUL RAHMAN AL SAUD
ABDULAZIZ BIN HAMAD
ABDULAZIZ BIN HAMAD AL GOSAIBI
ABDULKARIM KHALED UUSUF ABDULLAH
ABDULLA AL OBALID
ABDULLAH AHMED ABDULLAH
ABDULLAH M. AL-MAHDI
ABDULLAH QASSIM
ABDULLAH SALAIMAN AL-RAJHI

ABDULLA BIN ABDUL MUHSEN AL TURKI (AL TURKI)
ABDUL-RAHIM MOHAMMED HUSSEIN
ABDULRAHMAN AL-AMOUDI
ABU ABDUL RAHMAN
ABU AL-MAID
ABU HAJER AL IRAQI
ABU HAMZA AL MASRI
ABU HAFS THE MAURITANIAN
ABU MUSAB ZARQAWI
ABU SAYEF GROUP (ASG)
ABU SULAYMAN
ABU WA'EL a/k/a Sadoun Abdul Latif
ABU ZUBAYDAH
ADEL MUHAMMAD SADIQ BIN KAZEM
ADNAN BASHA
ADVICE AND REFORMATION COMMITTEE
AFGHAN SUPPORT COMMITTEE
AFRICAN MUSLIM AGENCY
AHMAD AL-SHINNI
AHMAD AL HARBI AHMAD IBRAHIM AL-MUGHASSIL
AHMAD SA'ID AL KADR
AHMAD SALAH
AHMED IBRAHIM AL NAJJAR
AHMED KHALFAN GHAILANI
AHMED KHALIL IBRAHIM SAMIR AL-AM
AHMED MOHAMED HAMED ALI
AHMED NUR ALI Jim'ale
AHMED RESSAM
AHMED TOTONJI
AKIDA BANK PRIVATE LIMITED
AKIDA INVESTMENT COMPANY LIMITED
AKIDA MANAGEMENT AND TRUST
AL ANWA
AL BARAKA EXCHANGE LLC
AL BARAKAAT BANK
AL BARAKA
AL BARAKA BANCORP, INC.
AL BARAKA BANK
AL FAROOG MOSQUE
AL AQSA ISLAMIC BANK
AL BARAKA INVESTMENT AND DEVELOPMENT
AL GAMA'A AL-ISLAMIYYA
AL ITIHAAD AL ISLAMIYA
AL KHALEEJIA FOR EXPERT PROMOTION AND MARKETING COMPANY
AL RASHID TRUST
AL SHAMAL FOR INVESTMENT AND DEVELOPMENT

AL SHAMAL ISLAMIC BANK
AL SHIFA' HONEY PRESS FOR INDUSTRY AND COMMERCE
AL TAQWA TRADE PROPERTY AND INDUSTRY COMPANY LIMITED
AL TAQWA NADA GROUP
AL TAWHID
AL-BARAKAAT
AL-BARAKAT BANK OF SOMALIA (BSS)
AL-BARAKAT FINANCE GROUP
AL-BARAKAT FINANCIAL HOLDING CO.
AL-BARAKAT GLOBAL TELECOMMUNICATIONS
AL-BARAKAT GROUP OF COMPANIES SOMALIA LIMITED
AL-BARAKAT INTERNATIONAL A/K/A BARACO CO
AL-BARAKAT INVESTMENTS
AL-BIR SAUDI ORGANIZATION
ALFAISALIAH GROUP
ALGERIAN ARMED ISLAMIC GROUP (GLA)
AL-HAMATI SWEETS BAKERIES
AL-HARAMAIN ISLAMIC FOUNDATION
AL-HIJRAH CONSTRUCTION AND DEVELOPMENT LTD.
AL-HUR HONEY PRESS SHOPS a/k/a AL-NUR HONEY CENTER
ALI FALAHYAN
ALI GHALEB HIMMAT
AL-MUSTAQBAL GROUP
AL-RAJHI BANKING & INVESTMENT CORPORATION
AL-SHAYKH AL-IRAQI
AL-WATANIA POULTRY
AMERICAN MUSLIM FOUNDATION (AMF)
DR-AMIN AL HAQ
ANAS AL LIBY
ANSAR AL ISLAM
AQEEL AL-AQEEL
ARAB CEMENT COMPANY
ARADI, INC.
ARAFAT EL-ASAHI
ARMAND ALBERT FRIEDRICH HUBER a/k/a AHMED HUBER
ASAT TRUST REGISTERED
AYATOLLAH ALI KHAMENEI, Spiritual Leader of Iran
AYMAN AL ZAWAHIRI

BA TAQWA FOR COMMERCE AND REAL ESTATE COMPANY LIMITED
BAKR M. BIN LADEN
BANK AL TAQWA LIMITED
BARAKA TRADING COMPANY
BARAKAAT BOSTON
BARAKAAT CONSTRUCTION COMPANY
BARAKAAT ENTERPRISE

BARAKAAT GROUP OF COMPANIES
BARAKAAT NORTH AMERICA, INC.
BARAKAAT RED SEA TELECOMMUNICATIONS
BARAKAAT TELECOMMUNICATIONS CO. SOMALIA
BARAKAT BANK AND REMITTANCES
BARAKAT COMPUTER CONSULTING (BCC)
BARAKAT CONSULTING GROUP (BCG)
BARAKAT GLOBAL TELEPHONE COMPANY
BARAKAT INTERNATIONAL COMPANIES (BICO)
BARAKAT POST EXPRESS (BPE)
BARAKAT REFRESHMENT COMPANY
BARAKAT TELECOMMUNICATIONS COMPANY LIMITED (BTELCO)
BARAKAT WIRE TRANSFER COMPANY
BARAKO TRADING COMPANY, LLC
BASHSH HOSPITAL
BENEVOLENCE INTERNATIONAL FOUNDATION - CANADA
BENEVOLENCE INTERNATIONAL FOUNDATION - U.S.A.
BENEVOLENCE INTERNATIONAL FUND
BENSAYAH BELKACEM
BILAL BIN MARWAN
BLESSSED RELIEF FOUNDATION

CEMSTEEL IMPEX ESTABLISHMENT

DAAR AL MAAL AL ISLAMI TRUST
DMI ADMINISTRATIVE SERVICES S.A.
DALLAH AL BARAKA GROUP LLC
DALLAH AVCO TRANS ARABIA CO. LD.
DUBAI ISLAMIC BANK

EGYPTIAN GAMA'A AL-ISLAMIYA
EGYPTIAN ISLAMIC JIHAD
ENAAM M. ARNAOUT

FAHID MOHAMMED ALLY MSALAM
FAISAL GROUP HOLDING CO.
FAISAL ISLAMIC BANK
FARUQ AL-HIJAZI
FATHA ADBUL RAHMAN
FAZEN AHED
FAZUL ABDULLAH MOHAMMED

GENERAL ALI BLOKIAN
GENERAL MOHSEN REZA'I
GENERAL YAHYA RAHIM SAFAVI
GHASOUB AL ABRASH GHALYOUN

GLOBAL DIAMOND RESOURCE
GLOBAL RELIEF FOUNDATION, INC. a/k/a Foundation Secours Mondial
GROVE CORPORATE, INC.
GULBUDDIN HEKMATYAR
GULF CENTER S.R.L.
GUM ARABIC CO. LTD.

HABIB FARIS ABDULLAH AL-MAMOURI
HAJI MOHAMAD AKRAM
HAMAS
HAMDI SADIQ AL-AHDAL a/k/a ABU ASIM AL-MAKKI
HASSAN A.A. BAHFZALLAH
HASSAN AL TURABI
HAYDAR MOHAMED BIN LADEN
HAZEM RAGAB
HELP AFRICAN PEOPLE
HERITAGE EDUCATION TRUST
HISHAM ARNAOUT
HISHAM AL-TALIB
HOSEYN SHAYKH OL—ESLAM
HUMAN CONCERN INTERNATIONAL SOCIETY

IBN AL-SHAYKH AL-LIBI
IBN SHEIK AL-LIBI
IBRAHIM BIN ABDUL AZIZ
IBRAHIM BIN ABDUL AZIZ AL IBRAHIM FOUNDATION
IBRAHIM HASSABELLA
IDRIS NASREDDIN EC
IHAB ALI
IKSIR LIMITED HOLDING
IMAD MUGHNIYEH
INFOCUS TECH OF MALAYSIA
INTERNATIONAL ANSTALT
INTERNATIONAL DEVELOPMENT FOUNDATION
INTERNATIONAL INSTITUTE OF ISLAMIC THOUGHT
INTERNATIONAL ISLAMIC RELIEF ORGANIZATION
IQBAL YUNUS
IRANIAN MINISTRY OF INTELLIGENCE AND SECURITY ("MOIS")
ISLAMIC AFRICAN RELIEF AGENCY
ISLAMIC ARMY FOR THE LIBERATION OF HOLY PLACES
ISLAMIC ARMY OF ADEN
ISLAMIC CULTURAL CENTER OF GENEVA
ISLAMIC CULTURAL INSTITUTE OF MILAN
ISLAMIC INVESTMENT COMPANY OF THE GULF
ISLAMIC MOVEMENT OF UZBEKISTAN
ISLAMIC REPUBLIC OF IRAN

ISLAMIC RESCUE ORGANIZATION
ISLAMIC REVOLUTIONARY GUARD
ISS EL-DIN EL SAYED

JAMAL BARZINJI
JAMAL NYRABEH
JAMIL QASIM SAEED
JEMAAH ISLAMIYA

KHALID AL FAWAZ
KHALED BIN SALIM BIN MAHFOUZ
KHALED NOURI
KHALID SHAIKH MOHAMMED
KHALID SULAIMAN AL-RAJHI

LASED BEN HENI
LASHKAR REDAYAN-E-ISLAMI
LASHKAR I JANGHVI
LASHKAR-E TAYYIBA
LEBANESE HEZBOLLAH

M. OMAR A. SHRAF
M. YAQUB MIRZA
M.M. BADKOOK CO. FOR CATERING & TRADING
MAHDI CHAMRAIN SAVEHI
MAHMOUD JABALLAH
MAMDOUH MAHAMUD SALIM
MAMOUN DARKAZANLI
MAMOUN DARKAZANLI IMPORT-EXPORT COMPANY
MANSOUR AL-KADI
MAR-JAC INVESTMENTS, INC.
MAR-JAC POULTRY
MAZIN M.H. BAHARETH
MENA CORPORATION
MERCY INTERNATIONAL RELIEF AGENCY
MIDDLE EAST AND TURKEY INVESTMENT HOLDING LIMITED
MINISTRY OF DEFENSE OF THE REPUBLIC OF SUDAN
MINISTRY OF INTERIOR OF THE REPUBLIC OF SUDAN
MOHAMAN ALI ELGARI
MOHAMED BAYAZID
MOHAMED BEN BELGACEM AOUADI
MOHAMED MANSOUR
MOHAMED MANSOUR, a/k/a MOHAMED AL-MANSOUR
MOHAMED SADEEK ODEH
MOHAMED SULEIMAN AL NALFI
MOHAMMAD S. MOHAMMAD

MOHAMMED ALCHURBAJI
MOHAMMED ALI HASSAN AL-MOORYAD
MOHAMMED BAHARETH
MOHAMMED BIN ABDUL RAHMAN AL ARIEFY
MOHAMMED CHEHADE
MOHAMMED IQBAL ABDURRAHMAN a/k/a ABNU JIBRIL
MOHAMMED JAGHLIT
MOHAMMED JAMAL KHALIFA
MOHAMMED KHATIB
MOHAMMED MOHAMMADI RAYSHAHRI
MOHAMMED NUR RAHIMI
MOHAMMED OMAR AL-HARAZI
MOHAMMED OMEISH
MOHAMMED SALIM BIN MAHFOUZ
MOHAMMED SARKAWI
MOKHTAR BOUCHOUCHA
MOMMAMED MOHAMMADI RAYSHAHRI
MORO ISLAMIC LIBERATION FRONT (MILF)
MOUNIR EL-MOTASSADEQ
MUFTI MOHAMMED RASHID
MUHAMMAD ABU-ISLAM
MUHAMMAD AL-HAMATI
MUHAMMAD ASHRAF
MUHAMMAD OMAR
MUHAMMAD SALAJI
MUHAMMED MAHDI SALAH
MUHSIN MUSA MATWALLI ATWAH
MULLAH KAKSHAR
MUSHAYT FOR TRADING ESTABLISHMENT
MUSLIM BROTHERHOOD
MUSLIM WORLD LEAGUE
MUSTAFA AL-KADIR
MUSTAFA MOHAMED FADHIL
MUSTASIM ABDEL-RAHIM
MUWAFFAQ FOUNDATION a/k/a BLESSED RELIEF FOUNDATION
MUZAFFAR KHAN

NADA INTERNATIONAL ANSTALT
NADA MANAGEMENT ORGANIZATION SA
NASCOSERVICE S.R.L.
NASCO NASREDDIN HOLDING A.S.
NASCOTEX S.A.
NASREDDIN COMPANY NASCO SAS DI AHMED IDRIS NASSNEDDIN EC
NASREDDIN FOUNDATION
NASREDDIN GROUP INTERNATIONAL HOLDING LTD.
NASREDDIN INTERNATIONAL GROUP LIMITED HOLDING

NATIONAL COMMERCE BANK
NATIONAL DEVELOPMENT BANK
NATIONAL FUND FOR SOCIAL INSURANCE
NATIONAL ISLAMIC FRONT
NATIONAL MANAGEMENT CONSULTANCY CENTER
NATIONAL MANAGEMENT CONSULTANCY CENTER
NEW DIAMOND HOLDINGS
NURJAMAN RIDUAN ISMUDDIN a/k/a HAMBALI

OMAR ABDULLAH KAMEL
OMAR AL BAYOUMI
OMAR HASSAN AHMAD AL-BASHIR
OMAR M. BIN LADEN
OMAR SULAIMAN AL-RAJHI
OSAMA BIN LADEN

PALESTINE ISLAMIC JIHAD
PEROUZ SEDA GHATY
PIEDMONT POULTRY
PRINCESS HAIFA AL-FAISAL
PRINCE BANDAR IBN SULTAN
PRINCE ABDULLAH AL FAISAL BIN ABDULAZIZ AL SAUD (PRINCE ABDULLAH)
PRINCE MOHAMMED AL FAISAL AL SAUD
PRINCE NAYEF BIN ABDULAZIZ AL SAUD
PRINCE SALMAN IBN ABDUL AZIZ (PRINCE SALMAN)
PRINCE SULTAN BIN ABDULAZIZ AL SAUD
PRINCE TURKI AL FAISAL AL SAUD

QORBAN 'ALI NAJAF 'ABADI
QUEEN CITY CIGARETTES AND CANDY

RABIH HADDAH
RABITA TRUST
RAED HIJAZI
RAHMAN ABDUL SIRAL-KHATIM, Minister of Defense
RAMZI MOHAMMED ADBULLAH BINALSHIBH
RANMAN ABDUL SIRAL-KHATIM
RAW MAT SERVICE AND MANAGEMENT SA
RED SEA BARAKAT COMPANY LIMITED
RESTON INVESTMENTS, INC.

SAAR FOUNDATION
SABIR LAMAR
SADDAM HUSSEIN
SAFA TRUST
SAFIQ AYADI

SAID PAHAJI
SAIF AL ADEL a/k/a SAYF AL ADL
SAIF AL ISLAM EL MASRY
SALAFIST GROUP FOR CALL AND COMBAT
SALAH BADAHDH
SALAH SULEIMAN
SALEH ABDULAZIZ AL-RAJHI
SALEH ABDULLAH KAMEL
SALEH MOHAMED BIN LADEN
SAMI BEN KHEMAIS ESSID
SAMIR SALAB
SANABEL AL-KHEER, INC.
SANA-BELL, INC.
SANABIL AL-KHAIR
SAQAR AL JADAWI
SAUDI AMERICAN BANK
SAUDI BIN LADEN GROUP
SAUDI BIN LADEN INTERNATIONAL COMPANY
SAUDI CEMENT COMPANY IN DAMMAN
SAUDI DALLAH AL BARAKA GROUP LLC
SAUDI ECONOMIC AND DEVELOPMENT COMPANY
SAUDI HIGH COMMISSION
SAUDI JOINT RELIEF COMMITTEE
SAUDI RED CRESCENT COMMITTEE
SAUDI SUDANESE BANK
SHAHIR ABDULRAOOF BATTERJEE
SHEIK ADEL GALIL BATTERJEE
SHEIKH ABU ABDUL AZIZ NAGI
SHEIKH AHMED SALIM SWEDAN
SHEIKH OMAR BAKRI MUHAMMAD
SHERIF SEDKY
SNCB CORPORATE FINANCE LTD.
SNCB SECURITIES LTD. IN LONDON
SNCB SECURITIES LTD. IN NEW YORK
SOLIMAN H.S. AL-BUTHE
SOLIMAN J. KHUDEIRA
STATI ARABI DEL GOLFO E LA SVIZZERA
STERLING CHARITABLE GIFT FUND
STERLING MANAGEMENT GROUP, INC.
SUCCESS FOUNDATION
SUDANESE GOVERNMENT OF NORTHERN STATE
SUDANESE INTELLIGENCE SERVICE
SULAIMAN ABDUL AZIZ AL-RAJHI
SULAIMAN AL-ALI
SULEIMAN ABDEL AZIZ AL RAJHI
SYED SULEMAN AHMER

TABA INVESTMENTS
TADAMON ISLAMIC BANK
TAHA YASSIN RAMADAN
TAIBAH INTERNATIONAL AID ASSOCIATION
TALAL MOHAMMED BADKOOK
TANZANITE KING
TAREK CHARAABI
TAREK M. BIN LADEN
TAREQ M. AL-SWAIDAN
TARIK HAMD
THE COMMITTEE FOR THE DEFENSE OF LEGITIMATE RIGHTS
THE ESTATE OF ABDULAZIZ AL OMARI
THE ESTATE OF AHMED AL GHAMDI
THE ESTATE OF AHMED AL NAMI
THE ESTATE OF AHMED IBRAHIM A. AL HAZNAWI
THE ESTATE OF FAYEZ AHMED
THE ESTATE OF HANI HANJOUR
THE ESTATE OF KHALID AL MIDHAR
THE ESTATE OF MARWAN AL- SHEHHI
THE ESTATE OF NAWAF AL HAZMI
THE ESTATE OF SAEED AL GHAMDI
THE ESTATE OF SALEM AL HAZMI
THE ESTATE OF SATAM M. A. AL SUQAMI
THE ESTATE OF WAIL AL SHEHRI
THE ESTATE OF WALEED M. AL SHEHRI
THE ESTATE OF ZIAD SAMIR JARRAH
THE ESTATE OF ABU JAFFER AL-JAZIRI a/k/a OMAR CHEBBANI
THE ESTATE OF ABU SALAH AL-YEMENI
THE ESTATE OF MUHAMMAD ATEF
THE ESTATE OF QUSAY HUSSEIN
THE ESTATE OF UDAY HUSSEIN
THE REPUBLIC OF SUDAN
THE TALIBAN
THIRWAT SALAH SHIHATA
THE ESTATE OF HAMZA AL GHAMDI
THE ESTATE OF MAJED MOQED
THE ESTATE OF MOHALD AL SHEHRI
THE ESTATE OF MOHAMMED ATTA

ULEMA UNION OF AFGHANISTAN
UMAR FARUQ

WADI AL AQIQ
WADIH EL-HAGE
WA'EL HAMZA JULAIDAN a/k/a AL HASAN AL MADANI

WAFI HUMANITARIAN ORGANIZATION
WALI KHAN AMIN SHAH
WALID AL-SOUROURI
WORLD ASSEMBLY OF MUSLIM YOUTH

YASSER AL-AZZANI
YASSIN AL-QADI a/k/a YASSIN AL-KADI
YAZID SUFAAT OF KUALA LUMPUR MALAYSIA
YESLAM M. BIN LADEN
YORK FOUNDATION
YOUSAF AHMED ALI
YOUSSEF M. NADA & CO. GESELLSCHAFT MBH
YOUSSEF M. NADA ESTABLISHMENT
YOUSSEF MUSTAFA NADA

ZACARIAS MOUSSAOUI
ZAHIR H. KAZMI
ZAKARIYA ESSABAR
ZAKAT COMMITTEE

Defendants.

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Plaintiffs, by their attorneys, Ferber Frost Chan & Essner, LLP, allege as follows:

1. Plaintiffs bring this action to recover the damages they suffered as the result of the terrorist attacks on the World Trade Center Towers and the Pentagon perpetrated by some of the defendants with the support and assistance of the other defendants on September 11, 2001 (the “September 11, 2001 Attacks”).

JURISDICTION AND VENUE

2. This Court has jurisdiction of this action pursuant to 28 U.S.C. §§ 1330(a) (actions against foreign states), 1605(a)(2), 1605(a)(5), 1605(a)(7) (the Foreign Sovereign Immunities Act), and the Racketeer Influenced and Corrupt Organizations Act (“RICO”), 18 U.S.C. §1961 et seq.

3. Venue is proper in this district pursuant to the Air Transportation Safety and System Stabilization Act, 49 U.S.C. § 40101, Title IV, § 408(b)(3), designating the Southern District of New York as the exclusive venue for all civil litigation arising out of, or related to the September 11, 2001 Attacks, and 28 U.S.C. §§1391(b)(2) and 1391(f)(1) because a substantial number of acts, occurrences and injuries occurred in the Southern District of New York.

4. The claims against the foreign states of the SUDAN and IRAN through their instrumentalities and their official and unofficial employees, agents and servants alleged herein, fall within the exceptions to immunity under 28 U.S.C. §§ 1605(a)(5) and 1605(a)(7) (the Foreign Sovereign Immunities Act).

THE PARTIES

5. Plaintiff Continental Casualty Company is a corporation organized and existing under the laws of the State of Illinois with its principal place of business located at Chicago, Illinois.

6. Plaintiff Transcontinental Insurance Company is a corporation organized and existing under the laws of the State of New York with its principal place of business located at Chicago, Illinois.

7. Plaintiff Transportation Insurance Company is a corporation organized and existing under the laws of the State of Illinois with its principal place of business located at Chicago, Illinois.

8. Plaintiff Valley Forge Insurance Company is a corporation organized and existing under the laws of the State of Pennsylvania with its principal place of business located at Chicago, Illinois.

9. Plaintiff National Fire Insurance Company of Hartford is a corporation organized and existing under the laws of the State of Connecticut with its principal place of business located at Chicago, Illinois.

10. Plaintiff American Casualty Company of Reading, Pennsylvania is a corporation organized and existing under the laws of the State of Pennsylvania with its principal place of business located at Chicago, Illinois.

11. Defendants are co-conspirators who intentionally, willfully and knowingly conspired, planned, financed, supported, executed and carried out a plan to murder, maim and injure United States' citizens, residents and others and to destroy and injure their property on September 11, 2001; and all participated directly or indirectly in the September 11, 2001 terrorist attacks on the United States of America. Defendants fall into three primary categories, (1) AL QAEDA and its members and associates, (2) the SUDAN and IRAN, State Sponsors of AL QAEDA's terrorist activities, and (3) entities or individuals who provided logistical, material, financial or other support to AL QAEDA and its terrorist activities.

12. Defendant AL QAEDA, a/k/a Islamic Army, is an unincorporated association organized to perpetrate acts of international terrorism, including murder, mayhem, bombings and hijackings against the United States, its citizens and its allies. AL QAEDA has also encouraged, financed and supported other terrorist groups who targeted U.S. citizens. AL QAEDA, as of September 11, 2001, was headquartered in Afghanistan, but has a network of terrorist "cells" and affiliated groups throughout the world.

13. Defendant OSAMA BIN LADEN a/k/a Osama Bin Laden, Abu Abdullah, Mujabid Shaykh Hajjs and Abdul Hay ("BIN LADEN") was formerly a national of Saudi Arabia with Yemen as his ancestral home, but who is now an alien of unknown nationality. He is last

known to have been living in Afghanistan. At all relevant times, BIN LADEN has headed and directed the terrorist activities of AL QAEDA.

14. Defendants OSAMA BIN LADEN, MUHAMMAD ATEF, AYMAN AL ZAWAHIRI, ABU ZUBAYDH, SAIF AL ADEL, KHALID SHEIKH MOHAMMED, ABDULLAH AHMED ABDULLAH, ABU AL JAFAR AL-JAZIRI, ABU HAFS a/k/a the Mauritanian, ABU JAFFER AL-JAZIRI, ABU SALAH AL-YEMENI, MUHSIN MUSA MATWALLI AHAH, ANAS AL LIBY, FAZUL ABDULLAH MOHAMMEM, AHMED MOHAMED HAMED ALI, MOHAMED SULEIMAN AL NALFI, MUSTAFA MOHAMED FADHIL, AHMED KHALFAN GHAILANI, FAHID MOHAMMED ALLY MSALAM, SHEIKH AHMED SALIM SWEDAN, MUHAMMAD ABU-ISLAM, ABDULLAH QASSIM, RAMZI BIN AL-SHIBB, HASHIM ABDULRAHMAN, MUSTAFA MUHAMMED AHMAD, JAMAL AL-BADAWI, MOHAMMED OMAR AL-HARAZI, WALID AL-SOUROURI, FATHA ADBUL RAHMAN, YASSER AL-AZZANI, JAMAL BAKHORSH, AHMAD AL-SHINNI, RAED HIJAZI, JAMIL QASIM SAEED, ABU ABDUL RAHMAN, MOHAMED BAYAZID and AL-SHAYKH AL-IRAQI and others named herein are or were natural persons who, on or before September 11, 2001, were leaders or members of AL QAEDA who conspired, acted in concert with, aided and abetted, sponsored and assisted directly and indirectly, in the September 11th terrorist attacks against the United States of America.

15. MOHAMMED ATTA, MARWAN AL-SHEHHI, FAYEZ AHMED, AHMED AL GHAMDI, HAMZA AL GHAMDI, MOHALD AL SHEHRI, SATAM M. A. AL SUQAMI, ABDULAZIZ AL OMARI, WALEED M. AL SHEHRI, WAIL AL SHEHRI, KHALID AL MIDHAR, NAWAF AL HAZMI, HANI HANJOUR, SALEM AL HAZMI, and MAJED MOQED hijacked three commercial aircrafts on September 11, 2001 and committed mass

murder by deliberately flying the aircraft into the World Trade Center and the Pentagon. ZIAD SAMIR JARRAH, AHMED IBRAHIM A. AL HAZNAWI, SAEED AL GHAMDI, and AHMED AL NAMI hijacked United Airlines Flight 93 and attempted to deliberately fly the aircraft into the White House or another prominent Washington D.C. landmark but were thwarted by the efforts of heroic passengers, resulting in the aircraft crashing to the ground in Shanksville, Pennsylvania. The “twentieth hijacker,” ZACARIAS MOUSSAOUI, was in custody on September 11, 2001, and thus unable to participate in the attacks perpetrated that fatal day. Plaintiffs have named as defendants, the estates of various AL QAEDA members who were killed on September 11, 2001 or in armed conflict with allied forces since September 11, 2001.

16. Defendant TALIBAN, as of September 11, 2001, was an unincorporated association that served as the de facto government of Afghanistan from approximately 1996 until shortly after September 11, 2001. The TALIBAN, as of September 11, 2001, was headquartered in Kandahar, Afghanistan and had declared itself to constitute the government of Afghanistan.

17. Defendant MUHAMMAD OMAR ("OMAR") founded the TALIBAN and since 1996 Omar was the leader of the TALIBAN's six member ruling council and was responsible for the TALIBAN' s financial activities. OMAR, individually and through the TALIBAN organization that he controlled, supplied material and logistical support to AL QAEDA and BIN LADEN in furtherance of their terrorist plans to attack the United States of America and murder U.S. citizens.

18. AL QAEDA and the TALIBAN were closely linked. OMAR and the TALIBAN afforded BIN LADEN special status in Afghanistan; and BIN LADEN was the de facto head of TALIBAN intelligence and security. BIN LADEN acted on OMAR's behalf, by providing soldiers to crush opposition to the TALIBAN's ruthless rule inside Afghanistan. OMAR enabled

BIN LADEN to export terrorism to the United States and elsewhere by allowing him to construct and maintain camps in Afghanistan and train AL QAEDA members and other terrorists from around the world in the deadly and depraved methods of committing acts of violence, murder, destruction and mayhem. OMAR refused to turn BIN LADEN over to the United States after the September 11th attacks and instead continued to offer sanctuary to BIN LADEN and AL QAEDA members.

19. Defendants SADDAM HUSSEIN, QUSAY HUSSEIN, UDAY HUSSEIN, TAHA YASSIN RAMADAN, MUHAMMED MAHDI SALAH, FARUQ AL-HIJAZI, SALAH SULEIMAN, AHMED KHALIL IBRAHIM SAMIR AL-ANI, HABIB FARIS ABDULLAH AL-MAMOURI, ABDEL HUSSEIN, a/k/a "The Ghost," HAQI ISMAIL, TAHA AL ALWANI, ABU AGAB, and ABU WA'EL all of whom are or were natural persons, subjects and citizens of IRAQ and leaders, agents/or employees of IRAQ and/or its INTELLIGENCE AGENCY, participated in the acts and conspiracy described below while acting in the course and scope of their employment. Prior to 2003, IRAQ had, for many years and at all relevant times, been designated by the United States Department of State as a foreign state that sponsors terrorism within the meaning of the Export Administration Act of 1979, 50 U.S.C. §2405 (j), the Foreign Assistance Act of 1961, 22 U.S.C. § 2371(b) and 18 U.S.C. § 2333.

20. The defendant REPUBLIC OF SUDAN ("SUDAN") is a foreign sovereign state within the meaning of 28 U.S.C. § 1391(f) and 1603(a) and is located on the continent of Africa and borders the Red Sea west of Saudi Arabia and south of Egypt. The United States does not have formal diplomatic relations with the current government of the defendant SUDAN, which

maintains an Embassy in Washington, D.C. located at 2210 Massachusetts Avenue, N.W., Washington, D.C. 20008-2831.

21. The defendant SUDAN has, for many years and at all relevant times, been designated by the United States Department of State as a foreign state that sponsors terrorism within the meaning of the Export Administration Act of 1979, 50 U.S.C. App. §2405(j); the Foreign Assistance Act of 1961, 22 U.S.C. § 2371(b); and 18 U.S.C. § 2333. The defendant SUDAN, by and through its agents and instrumentalities including, but not limited to, SUDANESE INTELLIGENCE and Ministries of Interior and Foreign Affairs has supported, encouraged, sponsored, aided and abetted and conspired with a variety of groups that use terror to pursue their goals. The defendant SUDAN has provided financing, training, safe-haven, and weapons for terrorist groups including the defendants AL QAEDA and BIN LADEN, through its officials, officers, employees and agents, including but not limited to MINISTRY OF DEFENSE, MINISTRY OF INTERIOR, NATIONAL ISLAMIC FRONT, HASSAN TURABI, Islamic leader, OMAR HASSAN AHMAD AL-BASHIR, President of Sudan, ABDUL RAHIM MOHAMMED HUSSEIN, Interior Minister, ABDEL WAHAB OSMAN, former Sudanese Minister of Industry, and ISS EL-DIN EL SAYED, Minister of Finance and National Economy.

22. Defendant, the ISLAMIC REPUBLIC OF IRAN (“IRAN”), is a foreign state within the meaning of 28 U.S.C. §1391(f) and 1603(a) and borders Afghanistan to its east and IRAQ to its west. IRAN maintains an Interest Section within the United States at 2209 Wisconsin Avenue, N.W., Washington, D.C. 20007.

23. Defendant IRAN has for many years, and at all relevant times, been designated as a foreign state that sponsors terrorism within the meaning of the Export Administration Act of

1979, 50 U.S.C.App. § 2405(i), and the Foreign Assistance Act of 1961, 22 U.S.C. § 2371(b) and 18 U.S.C. § 2333.

24. Defendant IRAN has been found to be liable as a state sponsor of international terrorism under 28 U.S.C. § 1605(a) (7), especially in connection with acts perpetrated by its state sponsored paramilitary terrorist organization known as "Hezbollah," in various cases, including Anderson v. The Islamic Republic of Iran, 90 F. Supp.2d 107 (D.D.C. 2000), and Cicippio v. The Islamic Republic of Iran, 18 F.Supp. 2d 62 (D.D.C.1998).

25. Defendant IRAN through its officials, officers, agents and employees, including but not limited to, its Ministry of Intelligence and Security ("MOIS"), ISLAMIC REVOLUTIONARY GUARD ("IRGC"), AYATOLLAH ALI KHAMENEI, Spiritual Leader of Iran, MOMAMMED MOHAMMADI RAYSHAHRI, special advisor to Spiritual Leader, QORBAN ALI NAJAF-ABADI, Minister of Intelligence, ALI FALAHYAN, Director of Public Intelligence, GENERAL ALI BLOKIAN, former advisor to HEZBOLLAH, AHMAD SALAH (SALIM), member of committee of three of Int'l Hezbollah, MAHDI CHAMRAIN SAVEHI, director of International HEZBOLLAH and Iranian External Intelligence chief, Iranian security director HOSEYN SHAYKH OL-ESLAM, former Assistant Foreign Minister, General Mohsen Reza'i, former commander of the Islamic Revolutionary Guard Corps (IRGC) who is now in charge of the reorganization of Iran's security apparatus, GENERAL YAHYA RAHIM SAFAVI, head of the IRGC, Information MINISTER QORBAN 'ALI NAJAF 'ABADI, Former minister 'AL FALAHYAN, MOHAMMED MOHAMMADI RAYSHAHRI, special adviser to Iran's supreme leader Ali Khamene'i, HOSEYN SHAYKH OL-ESLAM, former assistant foreign minister provided material support and resources to defendants AL QAEDA and BIN LADEN

both directly and through its surrogate, HEZBOLLAH. The support provided by IRAN to BIN LADEN and AL QAEDA assisted in or contributed to the preparation and execution of the plans that culminated in the September 11 Attacks.

26. The remaining defendants are individuals, organizations, banks and charities located in Saudi Arabia and other parts of the world, many of whom have been designated as supporters and associates of terrorists by the United States government pursuant to Executive Order 13224, have conspired with, have aided and abetted and have provided materials support and resources to BIN LADEN, AL QAEDA, and/or affiliated foreign terrorist organizations, associations and persons, including raising, laundering, transferring, distributing and hiding funds for BIN LADEN and AL QAEDA in order to support and finance their terrorist activities, including, but not limited to, the September 11th attacks. Some of the individuals, businesses, banks and charities operate legitimate businesses but also maintain a dual role as an AL QAEDA co-conspirator and have actively supported its terrorist activities; while others, including some of the individuals, are a sham front for AL QAEDA or are full fledged members of AL QAEDA.

SUMMARY OF ALLEGATIONS

27. The horrific events of September 11th were the result of a world-wide terror conspiracy against the United States involving defendants who have conspired for many years to attack the United States, murder United States' citizens, destroy and damage the property of United States citizens and disrupt the United States' economy and who ultimately conspired, aided and abetted, sponsored, planned and executed the September 11th terror attacks that killed thousands of people and injured many thousands more and destroyed, or damaged, numerous properties and businesses.

28. For many years AL QAEDA wanted to drive the United States from the Arabian peninsula, topple Middle East governments supported by the United States, including Egypt and Israel, and create an Islamic empire based upon its narrow interpretation of the Koran. Over the years, AL QAEDA has grown as it absorbed or allied with other like-minded Islamic terrorist groups, including the EGYPTIAN ISLAMIC JIHAD.

29. AL QAEDA carried out the September 11th terror attacks with the financial and logistical support of numerous individuals and organizations. These individuals and organizations provided AL QAEDA with the means to recruit, train, and employ thousands of terrorists, including the twenty assigned the ghastly mission to murder United States citizens and destroy U.S. landmarks on September 11, 2001.

30. The SUDAN and IRAN have repeatedly sponsored violent terrorist attacks on U.S. and Israeli targets in the Middle East and have supported AL QAEDA financially, materially and logistically for over a decade and support its goals.

31. This lawsuit seeks to strip the assets of AL QAEDA, BIN LADEN, SUDAN, IRAN and those individuals, entities and organizations who participated in or supported the September 11th terror attacks and to compensate plaintiffs for the damages they suffered as the result of these attacks.

32. Starting in 1989, an international terrorist group emerged dedicated to opposing non-Islamic governments with brutal force and terrifying violence. This organization grew out of the "mekhtab al khidemat" (the "AZZAM SERVICE CENTER") organization which maintained

offices in Peshawar, Pakistan and received funds from Islamic charities, wealthy Saudi families, mosques, legitimate businesses and criminal enterprises, among others, during the Soviet-Afghan war.

33. Under the leadership of BIN LADEN, MUHAMMAD ATEF, a/k/a "Abu Hafs al Masry," Sheikh Taysir Abdullah, Abu Fatima, Abu Khadija, together with "Abu Ubaidah al Bانشري" (deceased in 1996), AYMAN AL ZAWAHIRI and others, the AZZAM SERVICE CENTER expanded, creating terrorist cells in various parts of the world, including Afghanistan, Pakistan and the United States, and financing and supporting other terrorist groups dedicated to committing acts of violence, murder, destruction and mayhem. From approximately 1989 until the present, this terrorist group called itself "AL QAEDA" ("the Base").

34. At all relevant times, AL QAEDA was led by BIN LADEN. Members of AL QAEDA pledged an oath of allegiance (called a "bayat") to BIN LADEN and AL QAEDA, committing themselves to become martyrs in their depraved cause.

35. AL QAEDA actively and vehemently opposed the United States for several reasons. First, it regarded the United States as a "kafir" or "infidel" nation governed in a manner inconsistent with the group's interpretation of Islam. Second, it believed the United States was providing essential support for other "infidel" nations and organizations, particularly the governments of Egypt, Israel and the United Nations, which AL QAEDA regarded as enemies. Third, AL QAEDA opposed the involvement of the United States armed forces in the Gulf War in 1991 and its presence in the Middle East afterwards as illustrated by Operation Restore Hope in Somalia in 1992 and 1993. AL QAEDA viewed these as pretextual preparations for an American occupation of Islamic countries. In particular, AL QAEDA opposed the continued

presence of American military forces in Saudi Arabia and elsewhere on the Saudi Arabian peninsula following the Gulf War. Fourth, AL QAEDA opposed the United States Government because of the arrest, conviction and imprisonment of AL QAEDA members or other terrorists with whom it worked, including the Islamic Group's Sheik Omar Abdel Rahman who was convicted of planning to bomb bridges and tunnels in New York City. Fifth, AL QAEDA believed United Nation sanctions against IRAQ were orchestrated by the United States out of "eagerness to destroy IRAQ".

36. One of the AL QAEDA's principal goals was to use violence to drive the United States armed forces out of Saudi Arabia and Somalia. Members of AL QAEDA issued fatwas (rulings on Islamic law) stating that attacks on the United States were both proper and necessary.

37. At least as early as 1991, BIN LADEN and AL QAEDA began working closely with AYMAN AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor," a/k/a "Nur," a/Ida "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu Mohammed Nur al-Deen," whose EGYPTIAN ISLAMIC JIHAD terrorist group shared BIN LADEN's and AL QAEDA's goals. BIN LADEN had met ZAWAHIRI in Peshawar, Pakistan in 1987 during the Afghan-Soviet War.

38. From in or about 1987, until in or about December 1997, AYMAN AL ZAWAHIRI, led the EGYPTIAN ISLAMIC JIHAD, a group dedicated to the forceful overthrow of the Egyptian Government and committing violence against the United States, in part, for what ZAWAHIRI believed to be United States support of the Egyptian Government. Members of EGYPTIAN ISLAMIC JIHAD pledged allegiance to AL ZAWAHIRI. Many of the leading members of the EGYPTIAN ISLAMIC JIHAD ultimately became influential members of AL QAEDA, including AYMAN AL ZAWAHIRI and MUHAMMAD ATEF. By February 1998,

the EGYPTIAN ISLAMIC JIHAD led by AL ZAWAHIRI and MUHAMMAD ATEF, and including THIRWAT SALAH SHIHATA, TARIQ ANWAR AL SAYYID AHMAD a/k/a FATHI a/k/a AMRAL FATIH and MUHAMMAD SALAH a/k/a NASR FAHMI NASR HASANAYN had effectively merged with AL QAEDA and had joined with AL QAEDA in targeting United States' citizens.

39. AL QAEDA had a command and control structure which included a majalis al shura (or consultation council) that discussed and approved major undertakings, including terrorist operations. BIN LADEN, MUHAMMAD ATEF, a/k/a "Abu Hafs," AYMAN AL ZAWAHIRI, SAIF AL ADEL, MAMDOUH MAHMUD SALIM, a/k/a "Abu Hajer," and ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh" among others, sat on the majalis al shura (or consultation council) of AL QAEDA. Its affiliate, the EGYPTIAN ISLAMIC JIHAD had a Founding Council, on which Ibrahim Eidarous sat.

40. AL QAEDA also maintained a "military committee" which considered and approved "military" matters. MUHAMMAD ATEF sat on the military committee and was one of BIN LADEN's two principal military commanders together with "Abu Ubaidab al Benshiri," (until his death in May 1996). MUHAMMAD ATEF had the principal responsibility for supervising the training of AL QAEDA members. SAIF AL ADEL also served on the military committee reporting to MUHAMMAD ATEF. AMIN AL HAQ was an Afghan national who served as security coordinator to BIN LADEN. SAQARZ AL-JADAWI was a senior lieutenant to BIN LADEN.

41. AL QAEDA functioned both on its own and as a conduit for other terrorist organizations in other parts of the world that shared its ideology, such as the EGYPTIAN

ISLAMIC JIHAD as described above, and the SALAFIST GROUP FOR CALL AND COMBAT. Salafist Group members including MOHAMED BEN BELGACEM AOUADI who provided false identity documents for AL QAEDA members and LASED BEN HENI, TAREK CHARAABI, MOKHTAR BOUCHOUCHA and SAMI BEN KHEMAIS ESSID, trafficked in arms and explosives for AL QAEDA. Ahmed Refai Taha, a/k/a "Abu Yasser al Masri," and a number of jihad terrorist groups in other countries, including the SUDAN, Egypt, Saudi Arabia, Yemen, Somalia, Eritrea, Djibouti, Afghanistan, Pakistan, Bosnia, Croatia, Albania, Algeria, Tunisia, Lebanon, the Philippines, Tajikistan, Azerbaijan, the Kashmiri region of India and the Chechnyan region of Russia. AL QAEDA camps were used to train terrorists to fight in Islamic causes, such as supporting Pakistan in its dispute with India over the province of Kashmir. AL QAEDA maintained terrorist cells and personnel in a number of countries to facilitate its activities, including Italy, where defendant ABDELKADIR MAHMOUD EL SAYED has been indicted for conspiring to traffic in arms, explosives, chemical weapons, and identity papers from his position as organizer of AL QAEDA's Milan, Italy, cell. EL SAYED is a fugitive under a death sentence, having been convicted of involvement in a 1997 terrorist attack in Luxor, Egypt, carried out by GAMA'AT AL ISLAMIYYA. Defendant MAHMUD ABU AL-FATUH MUHAMMAD was a member of the ISLAMIC JIHAD and participated in the ISLAMIC CULTURAL CENTER OF MILAN. He is the owner of AL SHIFA' HONEY PRESS FOR INDUSTRY AND COMMERCE, which has branches in Peshawar. AL SHIFA' HONEY PRESS FOR INDUSTRY AND COMMERCE was named a sponsor of terror by the United States and the United Nations. AL QAEDA also maintained terrorist cells in Kenya, Germany, Tanzania, the United Kingdom, Canada and the United States.

42. The ISLAMIC ARMY OF ADEN is a Yemeni group which supports BIN LADEN. Its members consist largely of veterans of the Afghanistan war against the Soviet Union who fought with bin Laden. The leader of the ISLAMIC ARMY OF ADEN, Abu al Hassan, had contact with AL QAEDA through his relationship with AYMAN AL ZAWAHIRI and the EGYPTIAN ISLAMIC JIHAD. Defendant ABUHAMZA AL MASRI was in contact with bin Laden lieutenant defendant ABU ZUBADYA. AL MASRI recruited people for Bin Laden terror training camps and AL QAEDA sponsored acts of terror including (1) ZACARIAS MOUSSAOUI, suspected of helping to plan the September 11, 2001 Attacks, and (2) Richard Reid the shoe bomber arrested in December 2001. Both would-be terrorists were worshipers at the British mosque where AL MASRI is a cleric.

43. The conflict between IRAN and the TALIBAN did not, however, prevent Iranian assistance to BIN LADEN's AL QAEDA, directly and through HEKMATYAR. This assistance is ongoing. Following the September 11 attacks, BIN LADEN, HEKMATYAR and Iranian officials along with some Taliban members, formed a new alliance called LASHKAR FEDAYAN-E-ISLAMI (ISLAMIC MARTYRS BRIGADE) based in Northeastern Afghanistan with the goal of launching suicide attacks against American troops.

44. BIN LADEN and AL QAEDA also forged alliances with the National Islamic Front in the SUDAN and with representatives of the government of IRAN, and its associated terrorist group HEZBOLLAH, for the purpose of working together against their perceived common enemies in the West, particularly the United States.

45. At various times from as early as 1989, BIN LADEN, and others known and unknown, ran terrorist training "camps and guesthouses" in various areas, including Afghanistan,

IRAQ , IRAN, Pakistan, the SUDAN, Somalia, Kenya, Malaysia, Philippines and Germany for the use of AL QAEDA and its affiliated groups. MAMDOUH MAHMUD SALIM, ABU HAJER AL IRAQI, an IRAQI, and ABD AL HADI AL IRAQI, one of the top 25 AL QAEDA military advisors, managed some of these training camps and guesthouses in Afghanistan and Pakistan.

46. Since 1991, BIN LADEN, AL QAEDA and many of their co-defendants unlawfully, willfully and knowingly combined, conspired, confederated and agreed to murder and injure United States citizens throughout the world, including in the United States, and to conceal their activities and methods by, among other things, establishing front companies, providing false identity and travel documents, financing terrorist operations, engaging in coded correspondence, providing false information to the authorities in various countries and seeking to detect and kill informants.

THE SUDAN

47. In 1991, BIN LADEN left Saudi Arabia and relocated in the SUDAN. He centered his AL QAEDA operations there for the next four years while maintaining offices and orchestrating terrorist recruitment, training and launching attacks in various parts of the world. Defendant, MUSHIN MUSA MATWALL ATWAH, an Egyptian known as "Abdel Rahman" provided military and intelligence training for AL QAEDA members as early as 1990 in Afghanistan and Pakistan, and then in the Sudan. BIN LADEN recruited new members in the SUDAN, such as MOHAMED SULEIMAN AL NALFI and at least 200 Afghan Arabs, Saudis, Yemenis and Egyptians who had fought against the Soviets in Afghanistan and who became part of AL QAEDA's cell in the SUDAN. MAMDOUH MAHMUID SALIM a/k/a ABU HAJER AL-

IRAQI, an IRAQI served as BIN LADEN's top lieutenant in the SUDAN shortly after BIN LADEN's arrival there.

48. In 1989, Defendant HASSAN AL TURABI installed a radical extremist Islamic government in SUDAN through a coup. Beginning in 1991, he and the Sudanese government provided refuge to BIN LADEN. A 1996 State Department fact sheet on BIN LADEN described his operations in the country beginning in 1991:

Bin Laden relocated to SUDAN in 1991, where he was welcomed by National Islamic Front (NIF) leader Hasan al-Turabi. ... [bin Laden] embarked on several business ventures in SUDAN in 1990, which began to thrive following his move to Khartoum. Bin Laden also formed symbiotic business relationships with wealthy NIP members by undertaking civil infrastructure development projects on the regime's behalf.

49. BIN LADEN's close relationship with the new extremist Sudanese regime became symbiotic and he conducted several business projects with or on behalf of the NIF. One of these investments was the Defendant AL SHAMAL ISLAMIC BANK, as reported by the State Department, Bin Laden and wealthy NIF members capitalized al-Shamal Islamic Bank in Khartoum. Bin Laden invested \$50 million in the bank.

50. BIN LADEN's involvement in business transactions in the SUDAN including the AL SHAMAL ISLAMIC BANK, was confirmed by a 2002 Congressional Research Service Report:

In 1991, Bin Laden relocated to SUDAN with the approval of SUDAN National Islamic Front (NIP) leader Hasan al-Turabi. There, in concert with NIP leaders, [bin Laden] built a network of businesses, including an Islamic Bank (al Shamal), an import-export firm, and firms that exported agricultural products. An engineer by training, bin Laden

also used his family connections in the construction business to help SUDAN build roads and airport facilities. The business in SUDAN . . . enabled him to offer safe haven and employment in SUDAN to AL QAEDA members, promoting their involvement in radical Islamic movements in their countries of origin (especially Egypt) as well as anti-U.S. terrorism.

51. Defendant AL SHAMAL ISLAMIC BANK in the SUDAN has been tied not only to BIN LADEN and TURABI, but also to shareholder Defendant FAISAL ISLAMIC BANK which is chaired by Defendant PRINCE MOHAMMED AL FAISAL AL SAUD and other Saudi investors. AL SHAMAL ISLAMIC BANK was chaired by Defendant ADEL ABDUL JALIL BATTERJEE who was responsible for funding AL QAEDA through BENEVOLENCE INTERNATIONAL FOUNDATION ("BIF") and WORLD ASSEMBLY OF MUSLIM YOUTH ("WAMY"). BIN LADEN maintained accounts at AL SHAMAL in his own name and for his Sudanese businesses defendants AL-HIJRAH CONSTRUCTION AND DEVELOPMENT LTD., WADI AL AQIQ (an import export company); TABA INVESTMENT CO. LTD. (an agricultural exporter); GUM ARABIC CO. LTD. (co-owned by BIN LADEN and Sudanese Government); ALTHEWAR (an agricultural company); BLESSED FRUITS CO.; and IKHLAS (a honey exporter).

52. Defendant AL SHAMAL ISLAMIC BANK was founded in 1983 by three individuals or entities: (1) AL SHAMAL FOR INVESTMENT AND DEVELOPMENT, a Sudanese company; (2) Defendant SALEH ABDULLAH KAMEL, Chairman of the SAUDI DALLAH AL BARAKA GROUP LLC; and (3) the Sudanese Government of Northern State, then controlled by Governor Mutasim Abdul-Rahim, Secretary General of the National Congress Party in Khartoum, and representative of extremist HASSAN AL-TURABI.

53. In April 1984, the AL SHAMAL ISLAMIC BANK issued shares to its main founders. They included the Government of Northern State of Sudan, the Defendant FAISAL ISLAMIC BANK - SUDAN, Defendant SALEH ABDULLAH KAMEL, his brother OMAR ABDULLAH KAMEL, and Defendant AL BARAKA INVESTMENT AND DEVELOPMENT (ABID), a wholly owned subsidiary of DALLAH AL BARAKA GROUP LLC and Defendant SALEH ABDULLAH KAMEL.

54. Among the shareholders of the AL SHAMAL ISLAMIC BANK was Defendant FAISAL ISLAMIC BANK - SUDAN, a subsidiary of ISLAMIC INVESTMENT COMPANY OF THE GULF (Babrain) EC, whose parent company is Defendant DAR-AL-MAAL AL ISLAMI (DMI), based in Switzerland. The three entities are chaired by Defendant PRINCE MOHAMMED AL FAISAL AL SAUD, and controlled by Saudi investors.

55. AL SHAMAL ISLAMIC BANK Chairman and shareholder, Defendant ADEL ABDUL JALIL BATTERJEE, is the Chairman of al-Bir Saudi Organization, whose United States branch, BENEVOLENCE INTERNATIONAL FOUNDATION ("BIF"), is also a front for AL QAEDA sponsorship.

56. Defendant ADEL ABDUL JAIL BATTERJEE is both Chairman of the AL SHAMAL ISLAMIC BANK and was also Chairman of the WORLD ASSEMBLY OF MUSLIM YOUTH. BATTERJEE is the subject of an FBI investigation into terrorist activities and has been implicated in the criminal indictment of ENAAM MAHMOUD ARNANOUT of BIF (discussed below).

57. AL SHAMAL ISLAMIC BANK General Manager, MOHAMMAD S.

MOHAMMAD, acknowledged in a September 2001 press release that BIN LADEN had two accounts in the bank, opened on March 30, 1992 in the name of AL-HIJRAH CONSTRUCTION AND DEVELOPMENT LTD. This company, according to the United States Department of State, worked directly with Sudanese military officials to transport and provide provisions to terrorists training in BIN LADEN's terrorist training camps in northern SUDAN.

58. A third AL SHAMAL ISLAMIC BANK account was opened in 1993 in the name of BIN LADEN's company, WADI AL AQIQ, a company registered in Saudi Arabia. The import-export firm, in conjunction with BIN LADEN' s TABA INVESTMENT COMPANY LTD., secured a near monopoly over SUDAN's major agricultural exports of gum, corn, sunflower, and sesame products in cooperation with prominent Sudanese NIF members.

59. Jamal Ahmed Al-Fadl (or "AL-FADL"), was the first person called in the trial of four men charged with participating in a terrorism conspiracy led by BIN LADEN, the 1998 bombings of the American Embassies in Kenya and Tanzania. In February of 2001, AL-FADL's testimony described BIN LADEN's global banking network, naming institutions in SUDAN, Malaysia, The United Kingdom, Hong Kong and Dubai where OSAMA BIN LADEN and his international terrorist organization kept money. He also gave a detailed account of OSAMA BIN LADEN's agricultural, construction, transportation and investment companies in SUDAN, which are fronts for terrorist activities. OSAMA BIN LADEN, his co-conspirators, aiders and abettors, and material sponsors have engaged in a global conspiracy aimed at the United States and other Western targets. AL QAEDA has also acted as a kind of umbrella organization providing support

for other terrorist groups and also cooperating with other terrorist organizations like the Iranian-backed HEZBOLLAH.

60. AL-FADL testified that he helped OSAMA BIN LADEN pay the employees of his companies and AL QAEDA, whose members received monthly checks of several hundred dollars, and that he was sent out to buy five farms in SUDAN for the group to use as training camps. AL-FADL testified one farm cost \$250,000 and another \$180,000.

61. After OSAMA BIN LADEN moved his group to SUDAN in 1991, AL-FADL testified, its activities were greatly aided by SUDANESE INTELLIGENCE and by other government officials. AL-FADL described several arms shipments, including AL QAEDA's smuggling of Kalishnikov rifles into Egypt from SUDAN on two separate occasions that involved about 50 camels each. AL-FADL also recalled a midnight shipment of four large crates of weapons and explosives to an Islamic group in Yemen, carried on a boat owned by AL QAEDA and accomplished with the help of a SUDANESE INTELLIGENCE officer.

62. AL-FADL testified OSAMA BIN LADEN was surrounded by a group of AL QAEDA associates who participated on a ruling council and ran various committees on military, business and religious matters.

63. AL SHAMAL ISLAMIC BANK has repeatedly been used to fund criminal and terrorist activities. AL-FADL further testified, that OSAMA BIN LADEN and at least six AL QAEDA operatives held bank accounts in AL SHAMAL ISLAMIC BANK under their real names.

64. Jamal Ahmed Al-Fadl also testified that AL QAEDA operatives received monthly checks of several hundred dollars from AL SHAMAL ISLAMIC BANK accounts and that he transferred \$100,000.00 from AL SHAMAL ISLAMIC BANK to an AL QAEDA representative in Jordan.

65. Defendant FAISAL ISLAMIC BANK – SUDAN, a subsidiary of ISLAMIC INVESTMENT COMPANY OF THE GULF (Bahrain) EC and DMI, was one of the five main founders of AL SHAMAL ISLAMIC BANK in April 1984 and became a member of the board in July 1988. PRINCE MOHAMMED AL FAISAL AL SAUD is heavily involved in the sponsorship of terror through FAISAL ISLAMIC BANK – SUDAN.

66. Defendant FAISAL ISLAMIC BANK – SUDAN was also implicated as an AL QAEDA sponsor during the 2001 United States trial on the 1998 embassy bombings in Africa as managing bank accounts for AL QAEDA operatives. AL-FADL testified:

Q. Where were the accounts [of AL QAEDA] held? In what countries?

A. ...we got account in Bank Faisal Islami [Faisal Islamic Bank].

Q. Is that also in Khartoum?

A. Yea,"

67. Defendant FAISAL ISLAMIC BANK's subsidiary in Turkey is currently under investigation by the Istanbul Prosecutor's Office on charges of tax irregularities concerning seven executives. Prosecutors are demanding three years imprisonment for the executives including Defendant PRINCE MOHAMMED AL-FAISAL AL-SAUD.

68. Defendant TADAMON ISLAMIC BANK was formed in Khartoum, SUDAN on November 28, 1981 and started operations on March 24, 1983, less than one month before AL

SHAMAL ISLAMIC BANK obtained banking authorization for its own activities. The TADAMON ISLAMIC BANK is active across the Sudanese territory through twenty-one different establishments and has several subsidiaries there.

69. Shareholders of the TADAMON ISLAMIC BANK include AL BARAKA INVESTMENT AND DEVELOPMENT CORPORATION (and/or subsidiaries of the SAUDI DALLAH AL BARAKA GROUP) SALEH ABDULLAH KAMEL, NATIONAL COMPANY FOR DEVELOPMENT AND TRADE, and DUBAI ISLAMIC BANK. Defendant FAISAI ISLAMIC BANK SUDAN, a subsidiary of the ISLAMIC INVESTMENT COMPANY OF THE GULF (Babrain) EC, whose parent is DAR AL MAL AL ISLAMI, was the main shareholder of TADAMON ISLAMIC BANK as of 1995.

70. TADAMON ISLAMIC BANK facilitated, materially sponsored, aided and abetted, and/or conspired with AL QAEDA and its international terrorists and financial operations. According to testimony of AL-FADL, during the 2001 trial regarding the 1998 Embassy bombings in Africa, TADAMON ISLAMIC BANK managed accounts of AL QAEDA operatives:

- Q "Do you recall anyone else that had bank accounts in their name for AL QAEDA?
A. Abdouh al Mukhlafi.
Q. Who was this person named Abdouh al Mukhlafi?
A. He is from Yemen.
Q. What role did he play for Bin Laden?
A. He goes with Bin Laden when Bin Laden travel outside or inside SUDAN.
Q. What role did he play for Bin Laden when Bin Laden traveled?
A. He is like bodyguard for him, and also if Bin Laden, he needs bank something, he use account for that.
Q. Did he handle money during the travel?
A. Yes.
Q. Where were the accounts held? In what countries?
A. In Sudan and is in Bank Tadamon Islami [Tadamon Islamic Bank]."

71. TADAMON ISLAMIC BANK is also a shareholder of Defendant AL SHAMAL ISLAMIC BANK, a bank formed in SUDAN and extensively used for AL QAEDA operations. TADAMON ISLAMIC BANK joined the provisional Board of Directors of AL SHAMAL ISLAMIC BANK on July 1988 and has been a major shareholder of AL SHAMAL ISLAMIC BANK since March 26, 1986.

72. During the 1991-1996 time period, SUDAN abandoned visa requirements for Arabs and actively encouraged Islamic militants to live within its borders. By the end of 1991, there were between 1,000 and 2,000 members of AL QAEDA in the SUDAN. OSAMA BIN LADEN established a headquarters in the Riyadh section of Khartoum, SUDAN, an area heavily populated by Saudis.

73. OSAMA BIN LADEN was able to establish a powerful military and political presence in the SUDAN in the early 1990s, using a variety of business ventures to finance his activities, aided and abetted and materially sponsored by Defendants and co-conspirators named herein.

74. In SUDAN, between the years 1990 and 1993, members of AL QAEDA undertook the task of writing the Encyclopedia of the Afghan Jihad. AL QAEDA wrote another terrorist work entitled Military Studies in the Jihad against the Tyrants. It was during this period that OSAMA BIN LADEN and AL QAEDA became fully operational, expanding their terrorist network.

75. OSAMA BIN LADEN organized AL QAEDA into camps dedicated to exportation of terrorism throughout SUDAN (and eventually the world); the main Sudanese training site being a 20-acre site near Soba, 10 kilometers south of Khartoum. OSAMA BIN

LADEN and AL QAEDA were sponsored, encouraged and allowed to operate freely in SUDAN. AL QAEDA purchased communications equipment, radios, and rifles for the Sudanese NIF, while the Sudanese government in exchange provided 200 passports to AL QAEDA so that those terrorists could travel internationally with new identities.

76. In or about the early 1990s, Jamal Al-Fadl went to Hilat Koko, a suburb of Khartoum, where he met with representatives of AL QAEDA and the Sudanese army to discuss the joint manufacture of chemical weapons. AL QAEDA and the Sudanese army cooperated in efforts to mount chemical agents on artillery shells. AL QAEDA at this time also began to experiment with biological warfare — injecting or gassing dogs with cyanide.

77. During the early 1990s, while OSAMA BIN LADEN was being harbored in SUDAN, AL QAEDA grew into a sophisticated international terrorist organization. Several key figures in the organization portrayed AL QAEDA at the time as a multinational corporation complete with a finance committee, investments and well-organized, concealed accounts and operations worldwide.

78. At various times between in or about 1992 and 1996, OSAMA BIN LADEN and MAMDOUH MAHAMUD SALIM worked together with a ranking official in the NIF to obtain communications equipment on behalf of the Sudanese INTELLIGENCE SERVICE.

79. On at least two occasions in the period from in or about 1992 until 1995, members of AL QAEDA transported weapons and explosives from Khartoum to the coastal city of Port Sudan for trans-shipment to the Saudi Arabian peninsula, using vehicles owned by or used in OSAMA BIN LADEN's businesses.

80. In 1993, AL QAEDA paid \$210,000.00 for an airplane in Tucson, Arizona, that was then flown to Khartoum, SUDAN. This plane was intended to transport American stinger anti-aircraft missiles from Pakistan to SUDAN, although that missile transport did not take place as the plane was damaged before the operation could take place.

81. Because of SUDAN's active and material support of BIN LADEN and AL QAEDA, the United States Department of State first put SUDAN on the list of State sponsors of terrorism in 1993, largely because of BIN LADEN's residency and activities and the Sudanese connection to a terrorist plot to blow up bridges and tunnels in New York City.

82. In 1995, Defendant HASSAN AL-TURABI organized militant groups from IRAQ, IRAN, Pakistan, Algeria and Tunisia, as well as Palestinian Islamic Jihad and Hamas, as well as AL QAEDA and hosted meetings. During the time that AL QAEDA was based in SUDAN, it also forged alliances with EGYPTIAN ISLAMIC JIHAD and other Global Jihad groups in becoming an international sponsor of terrorism.

83. HASSAN AL-TURABI, under pressure from the United States and others, finally expelled BIN LADEN from SUDAN in 1996, but allowed him to relocate and regroup in Afghanistan. According to a 1998 FBI warrant, even after BIN LADEN left SUDAN, BIN LADEN maintained his businesses there.

84. The SUDAN continues to be one of the governments that the United States has designated as a State sponsor of international terrorism. SUDAN serves as a safe-haven for members of AL QAEDA, the Lebanese-Iranian HEZBOLLAH, AL-GAMA'A AL-ISLAMIYYA, EGYPTIAN ISLAMIC JIHAD, the Palestine Islamic Jihad, and Hamas and

continued to provide financial support to AL QAEDA through September 11, 2001. SUDAN still has not complied fully with United Nations Security Council Resolutions 1044, 1054, and 1070, passed in 1996, which require that SUDAN end all material support to terrorists. SUDAN has assets frozen by the United States government.

85. The Sudanese government and Sudanese officials close to BIN LADEN co-founded the AL SHAMAL ISLAMIC BANK and were associated with its operations until at least October, 2001. Among the three founders of the AL SHAMAL ISLAMIC BANK was the Northern State Government of SUDAN, ruled at that time by Mutasim Abdel-Rahim, the personal representative of HASSAN AL-TURABI, leader and principal BIN LADEN supporter in the country.

86. Under Sudanese banking regulations, AL SHAMAL ISLAMIC BANK is considered as a joint ownership commercial bank, and therefore subject to the Central Bank of SUDAN's review, supervision and control, according to the provisions of the Banks' Practice Act of 1991.

87. AL QAEDA operative AL-FADL testified that his terrorist activities were greatly aided by Sudanese intelligence and by other Sudanese officials. AL-FADL said that he helped BIN LADEN pay the employees of his companies and AL QAEDA, whose members received monthly checks of several hundred dollars from AL SHAMAL ISLAMIC BANK accounts. He also testified that AL QAEDA members were granted Sudanese passports and diplomatic privileges by the government. Such material support constitutes the sponsoring of international terrorism.

88. These facts fall under the scope of the 1999 International Convention for the Suppression of the Financing of Terrorism, signed by SUDAN on February 29, 2000, and entered in force on April 10, 2002. THE REPUBLIC OF SUDAN's course of conduct contradicts the General Assembly Resolution 51/210 of December 17, 1996 calling upon the States to "prevent and counteract...the financing of terrorists and terrorist organizations, whether such financing is direct or indirect," the United Nations Security Council Resolution 1373 of September 28, 2001 and the United Nations Security Council Resolution 1269 of October 19, 1999, calling upon all States to "prevent and suppress in their territories through all lawful means the preparation and financing of any acts of terrorism." These resolutions were adopted under Chapter VII of the United Nations Charter, and are therefore binding on all United Nations member States, including SUDAN.

89. As described above, SUDAN acted through its officials, officers, agents, employees and instrumentalities in aiding, abetting, and providing material support and resources to BIN LADEN, AL QAEDA and international terrorism. The support provided by the REPUBLIC OF SUDAN to BIN LADEN and AL QAEDA assisted in, or contributed to, the preparation and execution of plans that culminated in the attacks on September 11, 2001 and to the damages to the plaintiffs herein.

90. Lieutenant General OMAR HASSAN AHIMAD AL-BASHIR is the President of SUDAN, and is an instrumentality of SUDAN for the purposes of liability and damages under the Foreign Sovereign Immunities Act. As head of SUDAN, Lieutenant General OMAR HASSAN AHMAD AL-BASHIR is responsible for formulating and executing SUDAN's policy of supporting terrorism and BIN LADEN and AL QAEDA.

91. The SUDAN Ministry of Defense, headed by General RAHMAN ABDUL SIRAL-KHATIM, is an agency of the REPUBLIC OF SUDAN. The Ministry of Defense, as a government agency, aided and abetted BIN LADEN and AL QAEDA as outlined above.

92. The SUDAN Ministry of the Interior, headed by Major General ABDUL-RAHIM MOHAMMED HUSSEIN, is an agency of SUDAN. The Ministry of the Interior, as a government agency, aided and abetted BIN LADEN and AL QAEDA by providing instructors to the training camps run by BIN LADEN and AL QAEDA. He was assisted by ABDEL WAHAB OSMAN, the Minister of Industry and ISS EL-DIN EL SAYE, the Minister of Finance. In early 1994, BIN LADEN was responsible for at least three major terrorist training camps in Northern SUDAN and the Sudanese INTELLIGENCE SERVICES, AL AMN AL-DAKHILI and AL AMN AL-KHARIJI, provided the training. These services are answerable in part to the Ministry of the Interior.

IRAQI TERRORISM

93. Since the early 1990s, IRAQ and IRAQI INTELLIGENCE have used both IRAQI agents and independent "contractors" to commit terrorist acts against the United States in revenge for IRAQ 's Gulf War defeat.

94. While AL QAEDA's presence was growing in the SUDAN in 1992, the Government of IRAQ also had close ties with the Sudanese GOVERNMENT. SUDAN supported IRAQ during the Gulf War and allowed IRAQ to establish a major IRAQI INTELLIGENCE center in the SUDAN through IRAQ's ambassador to Khartoum, and AL SAMAD AL-TA'ISH. AL TA'ISH was a highly placed IRAQI INTELLIGENCE agent, who

brought 35 other intelligence officers with him to the SUDAN to establish a base for IRAQI operations. AL TA'ISH remained in the SUDAN through the summer of 1998. IRAQ arranged to smuggle scud missiles, chemical weapons and uranium into the SUDAN using Sudanese diplomatic mail privileges and other means. SUDAN agreed to store this material for IRAQ for safekeeping after the Gulf War to help circumvent U.N. weapons inspections.

95. During the early 1990s, SUDAN's Sheikh HASSAN AL-TURABI of the NATIONAL ISLAMIC FRONT arranged meetings between BIN LADEN and IRAQI INTELLIGENCE officials. BIN LADEN met with FARUQ AL-HIJAZI, an IRAQI INTELLIGENCE agent in the SUDAN who would later head IRAQI INTELLIGENCE for SADDAM HUSSEIN. BIN LADEN again met with IRAQI INTELLIGENCE officers in 1994 and 1995 in the SUDAN.

96. During his time in SUDAN, BIN LADEN became interested in using IRAQI chemical and biological weapons and explored plans to use crop dusting aircraft to disperse toxins as the IRAQI INTELLIGENCE and military had done earlier in Kurdistan.

97. Upon information and belief, there have been numerous meetings between IRAQI INTELLIGENCE agents and high-ranking AL QAEDA terrorists to plan terror attacks. One such meeting occurred in 1992, when ZAWAHIRI (EGYPTIAN ISLAMIC JIHAD leader and AL QAEDA officer) met with IRAQI INTELLIGENCE agents in Baghdad, IRAQ over several days. An IRAQI serving with the TALIBAN who fled Afghanistan in the fall of 2001, was captured in Kurdistan and has corroborated this meeting and confirmed that IRAQI contacts with AL QAEDA began in 1992.

THE 1993 WTC BOMBING

98. On February 26, 1993 a bomb was detonated in the World Trade Center underground parking lot, killing six U.S. citizens. Upon information and belief, IRAQI sponsored terrorists planned, financed, executed and carried out that World Trade Center bombing.

99. The 1993 WTC bombing, took place on the Friday before the two year anniversary of IRAQ's defeat in Kuwait, which was February 28, 1991. The anniversary in 1993 was a Sunday and few people would have been working at the World Trade Center that day, and IRAQ and the terrorists wanted to maximize the number of American casualties.

100. During the initial planning of the WTC bombing, Mohammed Salameh (who was later convicted for his role in the bombing) was in regular and frequent contact with his uncle KADRI ABU BAKR, who lived in IRAQ and had been a member of a PLO faction allied with SADDAM HUSSEIN. Shortly after these calls, the mastermind of the bombing, RAMZI AHMED YOUSEF a/k/a Abdul Basit, an IRAQI INTELLIGENCE agent, traveled to the United States using identification documents obtained in Kuwait during the IRAQI occupation of that country in 1991.

101. Ramzi Yousef arrived in New York on September 1, 1992 using an IRAQI passport and requesting asylum. On December 31, 1992, he presented photocopies of passports for Abdul Basit at the Pakistani consulate in New York claiming to be Basit and requesting replacement of his "lost" passport. Basit was a Pakistani citizen who had moved to Kuwait and disappeared during the Iraqi occupation in August 1990. IRAQI INTELLIGENCE had access to the Kuwaiti Interior Ministry files and upon information and belief, inserted Yousef's

fingerprints into the file and provided him with photocopies of two older passports from Basit's file. The Pakistani Consulate, accordingly, provided Yousef a temporary passport, based on the false documents. This provided Yousef with a means to escape the U.S. two days after the World Trade Center bombing. In fleeing the United States after the bombing, Yousef first traveled through Baluchistan, an uncontrolled region of IRAN straddling the border of IRAN and Pakistan with strong ties to IRAQ. By the following year, 1994, Yousef was living in the Philippines. He left the Philippines however, after authorities discovered a plan he was working on to bomb United States' airliners. Yousef fled to Pakistan and was eventually sheltered at an AL QAEDA guesthouse. He was arrested in February 1995 in Pakistan and extradited to the U.S. for prosecution and was eventually convicted in the 1993 World Trade Center bombing conspiracy.

102. ABDUL RAHMAN YASIN, who was born in the United States to IRAQI parents but had been raised in IRAQ, within days of the 1993 bombing was questioned in New York and New Jersey in connection with the World Trade Center bombing, but was released after appearing to cooperate with U.S. officials. He fled the country the next day and traveled to Baghdad, IRAQ. U.S. prosecutors later learned that he, along with others, had prior training in bomb making, and had mixed the chemicals and constructed the bomb that was used in the World Trade Center. IRAQI INTELLIGENCE knew of YASIN's presence in IRAQ and provided him refuge. On August 4, 1993 YASIN was indicted in absentia for the World Trade Center bombing.

103. In June 1994 YASIN was seen in Baghdad by an ABC news correspondent who was told that YASIN worked for IRAQI government. U.S. law enforcement officials confirmed

that fugitive YASIN has been sheltered in IRAQ, a continuing violation of United Nations Security Council Resolution 687 which makes it unlawful to harbor a suspected terrorist. In June 2002, YASIN was interviewed in Baghdad by Leslie Stahl from CBS. YASIN remains in IRAQ.

104. RAMZI AHMED YOUSEF, Mohammed Salameh, Nidal Ayyad, Mahmud Abu Halima and Abmad Mohammed Ajaj were all eventually convicted in the Southern District of New York for the 1993 conspiracy to bomb the World Trade Center.

105. Following his arrest in 1995, YOUSEF told U.S. investigators that his intent was to create an explosion that would cause one of the World Trade Center Towers to fall over onto the other, destroying both and causing massive American casualties.

106. During the worldwide hunt for fugitive YOUSEF, he was living in the Philippines with KHALID SHEIKH MOHAMMED. KHALID SHEIKH MOHAMMED's involvement in terror activities became known when law enforcement authorities interrupted a plot to blow up a dozen U.S. commercial airliners flying to the United States from Asian cities. MOHAMMED's participation in the planning of these acts of terror was uncovered by authorities after he and YOUSEF accidentally started a fire in their apartment in Manila while mixing bomb chemicals. Filipino authorities were suspicious when they saw chemicals, bomb making instructions and timing devices in the apartment and they seized those items along with a computer containing the details of the airliner bombing plans. MOHAMMED and YOUSEF fled the country before they could be arrested.

107. MOHAMMED eventually found sanctuary in Doha, Qatar. In early 1996, MOHAMMED was visited in Qatar by BIN LADEN. Around the same time, FBI director Louis

Freeh, wrote to the Qatari government requesting that it surrender MOHAMMED to U.S. authorities. Not long after the FBI request, with the assistance of Qatari officials, MOHAMMED fled to Prague, Czech Republic, foiling U.S. attempts to arrest him.

108. Documents and AL QAEDA members captured in Afghanistan identified MOHAMMED as a leader in the AL QAEDA terror network and actively involved in the planning, logistics and financing of the September 11th Attacks. His participation in the planned hijacking of U.S. commercial airliners was not new for him. MOHAMMED is a close associate of ABU ZUBAYDAH, a top BIN LADEN associate who was fully aware of the targets of the September 11th hijackers. ZUBAYDAH is in the custody of United States authorities and is providing some corroborating information about AL QAEDA operations.

SOMALIA

109. In 1992 and 1993, AL QAEDA trained terrorists in Somalia and from nearby SUDAN attempted to incite an Islamic jihad there against U.S. military forces stationed in Mogadishu, Somalia by working with Somali warlord, General Farah Adid. BIN LADEN issued a fatwa urging Muslims to attack the U.S. and U.N. military forces stationed there during Operation Restore Hope. BIN LADEN, MAMDOUH MAHMUD SALIM, MUHAMMAD ATEF, SAIF AL ADEL, ABDULLAH AHMED ABDULLAH, MUHSIN MUSA MATWALLI ATWAH, a/ka "Abdel Rabman," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," AHMED MOHAMED HAMED ALI and MOHAMED SADEEK ODEB, along with Abu Ubaidah Al Bانشiri, provided weapons, military training and assistance to the Somali tribes working for Adid who were opposed to the U.N. intervention in Somalia and urged them to attack U.S. military personnel. On October 3 and 4, 1993, these forces did attack U.S. military personnel in Mogadishu and killed 18 U.S. servicemen.

1994-1996

110. In 1994, AL QAEDA member MOHAMED SADEEK ODEH and others established a cell in Nairobi and Mombassa, Kenya and followed BIN LADEN's SUDAN model by setting up seemingly legitimate businesses and aid organizations to facilitate their terrorist missions. The businesses employed AL QAEDA terrorists and the proceeds from those businesses provided money to their terrorist cause. These businesses and aid organizations included, but were not limited to, the Asthma, Ltd., TANZANITE KING and the Help African People organization. ATEF, KHALID AL FAWAZ, a/k/a "Khaled Abdul Rabman Hamad al FAWAZ," a/k/a "Abu Omar," a/k/a "Hamad," Odeh, WADIH EL HAGE, Fahid Mohammed Ally Msalam, Anas Al Liby and Ali Mohamed spent considerable time in Kenya from 1993 through August 1998 solidifying this AL QAEDA cell.

111. In or about 1994, BIN LADEN, working together with KHALID AL FAWAZ, set up a media information office in London, England (the "London office"), which was designed both to publicize BIN LADEN's statements and to provide a cover for activity in support of AL QAEDA's "military" activities, including the recruitment of trainees, the disbursement of funds and the procurement of equipment and services. In addition, the London office served as a communication center for reports on military, security and other matters from various AL QAEDA cells to AL QAEDA's headquarters.

112. In November 1995, upon information and belief AL QAEDA terrorists conspired with IRANIAN INTELLIGENCE and with the HEZBOLLAH to bomb the Khobar Towers in Saudi Arabia, killing five U.S. servicemen. Fearing further attacks by BIN LADEN and AL QAEDA, some Saudi government officials and businessmen agreed to provide financial support

to AL QAEDA and began funneling millions of dollars to charities that would then forward the money to AL QAEDA. Some of these charities were madrassas (schools) that provided new recruits for terrorism by preaching a form of Islam that is intolerant of non-Muslims.

RETURN TO AFGHANISTAN

113. In 1996, BIN LADEN was asked to leave the SUDAN by Sudanese officials pressured by the United States to crack down on terrorism. BIN LADEN returned to Afghanistan as the TALIBAN had seized control of most of that country. The number of AL QAEDA members and terrorist training camps in Afghanistan grew rapidly following BIN LADEN's return. AL QAEDA actively supported the TALIBAN and assisted them in violently suppressing all opposition. BIN LADEN and Defendant MULLAH OMAR developed a very close relationship.

114. From 1996 until 2001, BIN LADEN with the financial and logistical support of OMAR and others in the TALIBAN and IRAQ and IRAQI INTELLIGENCE, created, supplied and operated at least five training camps in order to create an "Islamic Foreign Legion" capable of attacking enemies throughout the world. These camps trained men from 15 nations in guerrilla warfare, terrorist activities, rocket warfare, demolition and bombing, including the use of mines, grenades, TNT, nitroglycerine and plastic explosives. Classes were also given in "how to kill a policeman" and "traps, murder and terrorist moves."

115. On August 23, 1996, a strengthened BIN LADEN issued a fatwa declaring a jihad against Americans present in Muslim lands. The message was disseminated throughout all AL QAEDA cells and associated terrorist groups, such as the EGYPTIAN ISLAMIC JIHAD. The London AL QAEDA cell run by KHALID AL FAWAZ under the name Advice and Reformation

Committee, and the Egyptian cell, run by AL ZAWAHIRI and ABDEL BARRY, were used to send the fatwa to Muslims living in the Western World. WADIH EL HAGE was also used by BIN LADEN to deliver messages, money and terrorist material to AL QAEDA operatives in the U.S. and U.K. AHMAD SA'ID AL-KADR an Egyptian-born aide to BIN LADEN was an associate of defendant AYMAN ZAWAHIRI when he was charged with the 1995 bombing of the Egyptian embassy in Islamabad, Pakistan in which 16 people were killed. AL KADR was running the Afghanistan operations of the Canadian charity, Human Concern International Society, and sending money to support AL QAEDA.

116. In February 1997, BIN LADEN publicly expressed his support for IRAQ in its conflict with the United States stating: "The hearts of the Muslims are filled with hatred towards the United States of America and the American president for American conduct towards IRAQ."

117. Having decided to carry out acts of terrorism, SADDAM HUSSEIN, with the advice and prompting of his son and IRAQI INTELLIGENCE chief, QUSAY HUSSEIN and his other son UDAY HUSSEIN, head of an IRAQI INTELLIGENCE subdivision known as the "Fedayeen" and "Al-Qare," concluded that a campaign of terrorist attacks against the United States, under the banner of BIN LADEN and AL QAEDA, was the most effective means of both deflecting U.S. attempts to topple his regime and obtaining IRAQI revenge.

118. IRAQ upon information and belief, agreed to supply arms to AL QAEDA and provide AL QAEDA with access to and training in the use of chemical and biological weapons and agreed to instruct AL QAEDA terror trainers at its Salman Pak camp in Baghdad that

contained a Boeing 707 used to practice hijacking. IRAQ also agreed to supply AL QAEDA terrorists with new identities and passports from Yemen and the United Arab Emirates.

119. AL QAEDA agreed to provide protection from political opponents to IRAQ and SADDAM HUSSEIN, and to commit assassinations and other acts of violence to create instability in regions of IRAQ, particularly Kurdistan, to assist the regime of SADDAM HUSSEIN. Defendant ABU WA'EL, an agent of the IRAQ regime, and the Islamic group he directed defendant ANSAR AL ISLAM, used explosives provided by IRAQ to make bombs. To further SADDAM HUSSEIN'S desire to keep Kurdistan off-balance, ANSAR AL ISLAM attempted three assassinations, killing Kurdish political leader Franso Hariri in February 2001, and Kurdish political party founder Shawkat Haji Mushir in February 2003. The attempt on the life of PUK Prime Minister Barham Salih during a visit with U.S. officials in April 2002 was unsuccessful.

120. On February 22, 1998, BIN LADEN, Khalid Al FAWWAZ and AYMAN AL ZAWAHIRI of the EGYPTIAN ISLAMIC JIHAD issued a fatwa published in the Arabic newspaper Al-Quds stating:

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

121. In their February 22, 1998 fatwa, BIN LADEN and AL QAEDA expressly referenced the United States' "continuing aggression" towards IRAQ as one of their reasons for calling on all Muslims to kill Americans "wherever and whenever" they are found:

The best proof of this is the Americans' continuing aggression against the Iraqi people using the [Arabian] Peninsula as a staging post, even though all its rulers are against their territories being used to that end, still they are

helpless. The BIN LADEN and AL QAEDA fatwa also cited the alleged "great devastation inflicted on the Iraqi people" by the United States, as well as the United States "alleged eagerness to destroy Iraq."

122. Additional fatwas of a similar nature were issued in May 1998 and published in Al-Quds, the Arabic language newspaper, under the banner of the ULEMA UNION OF AFGHANISTAN. A May 29, 1998 fatwa issued by BIN LADEN called for the use of a nuclear bomb to "terrorize the Jews and Crusaders who were enemies of God." At the time BIN LADEN was seeking to obtain nuclear material from IRAQ and others who possessed nuclear material in order to create nuclear weapons.

123. Between April 25 and May 1, 1998, two of BIN LADEN's senior military commanders, MUHAMMAD ABU-ISLAM and ABDULLAH QASSIM, visited Baghdad for discussions with SADDAM HUSSEIN's son -- QUSAY HUSSEIN -- the "czar" of IRAQI INTELLIGENCE.

124. QUSAY HUSSEIN's participation in those meetings highlights the importance of the talks in both symbolic and practical terms. Upon information and belief, as a direct result of these meetings, IRAQ again made commitments to provide training, intelligence, clandestine Saudi border crossings, financial support and weapons and explosives to AL QAEDA.

125. IRAQI INTELLIGENCE officials met with BIN LADEN in Afghanistan several more times. A second group of BIN LADEN and AL QAEDA operatives from Saudi Arabia were then trained by IRAQI INTELLIGENCE in IRAQ to smuggle weapons and explosives into Saudi Arabia and other countries, which they later accomplished in an effort to carry out future terrorist acts of violence. A third group of BIN LADEN and AL QAEDA operatives received a

month of sophisticated guerrilla operations training from IRAQI INTELLIGENCE officials later in the Summer of 1998.

126. Despite philosophical and religious differences with SADDAM HUSSEIN, BIN LADEN continually sought to strengthen and reinforce the support he and AL QAEDA received from IRAQ. In mid-July 1998, BIN LADEN sent Dr. AYMAN AL-ZAWAHIRI, the Egyptian co-founder of AL QAEDA, to IRAQ to meet with senior Iraqi officials, including Iraqi vice president TAHA YASSIN RAMADAN.

127. Upon information and belief, IRAQI INTELLIGENCE officials pledged IRAQ's full support and cooperation on the condition that BIN LADEN and AL QAEDA promised not to incite those groups inside IRAQ opposed to the regime of Iraqi dictator SADDAM HUSSEIN.

128. During the July 1998 visit, ZAWAHIRI toured an IRAQI military base and nuclear and chemical weapons facility near al-Fallujah in IRAQ and upon information and belief, observed training by IRAQI INTELLIGENCE officials of AL QAEDA operatives at the al-Nasiriyah military and chemical weapons facility in IRAQ.

U.S. EMBASSY BOMBINGS

129. To demonstrate its commitment to IRAQ and its anti-U.S. policies, in the Spring of 1998, AL QAEDA planned terrorist bombing attacks on the U.S. Embassies in Nairobi, Kenya and Dar Es Salaam, Tanzania. FAZUL ABDULLAH MOHAMED, KHALFAN KHAMIS MOHAMED, MUSTAFA MOHAMED FADHIL, MOHAMED RASHED DAOUD AL-'OWALI, SHEIKH AHMED SALIM SWEDAN, FAHID MOHAMED ALLY MSALAM and

an individual known as Abdullah Azzam were chosen as some of the AL QAEDA terrorists who would conduct the coordinated attacks in Nairobi and Dar Es Salaam.

130. In July and early August 1998, AL QAEDA terrorists MUSTAFA MOHAMED FADHIL, Khalfan Khamis Mohamed, AHMED KHALFAN GRAILANI, FAHID MOHAMMED ALLY MSALAM, AHMED the German, SHEIKH AHMED SALIM SWEDAN, Mohamed Sadeek Odeh and FAZUL OBDULLAH MOHAMMED were stationed in Dar es Salaam where they purchased a 1987 Nissan Atlas truck and outfitted it with oxygen, acetylene tanks, TNT, batteries, detonators, fertilizer and sand bags, creating a massive bomb to be driven into the U.S. Embassy. Odeh, FAZUL OBDULLAH MOHAMMED and others who participated in the bombings had been with BIN LADEN since the early 1990s and BIN LADEN's days in the SUDAN.

131. On July 30, 1998, IRAQ warned it would take action unless the United Nations embargo was lifted. IRAQ blamed the United States for the United Nations embargo. On August 4, 1998, IRAQ refused to cooperate with the United Nations weapons inspectors in IRAQ and talks for a resolution of the crisis collapsed, causing U.N. inspectors to leave.

132. Three days later, on August 7, 1998, at approximately 10:30 a.m., FAZUL, Al-'Owhali and AZZAM drove a Toyota Dyna truck (outfitted similarly to a Nissan Atlas truck in Dar Es Salaam) to the U.S. Embassy in Nairobi, Kenya and detonated a large bomb damaging the Embassy and demolishing a nearby Secretarial College building and Cooperative Bank building, resulting in the more than 213 deaths (12 Americans) and injuries to more than 4,500 people. Defendant MUSHIN MUSA MATWALL ATWAH a/k/a "Abdel Rahman" a long time

AL QAEDA lieutenant, wired the detonator and explosives in both trucks that exploded at the embassies.

133. On August 7, 1998 at approximately 10:40 a.m., ten minutes after the bombing in Kenya, Khalfan Khamis Mohamed and AHMED the German detonated the Dar Es Salaam bomb in the vicinity of the U.S. Embassy in Dar Es Salaam, Tanzania severely damaging the Embassy building and resulting in the death of 11 people and injuries to more than 85 people.

134. On August 7, 1998 shortly before the bombing, Eidarous, an AL QAEDA member in London, sent a letter to news organizations in Paris, Doha, Qatar and Dubai, UAE claiming responsibility for the Embassy bombings under the fictitious name Islamic Army for the Liberation of Holy Places.

135. At the trial in New York of some of the AL QAEDA U.S. Embassy bombers, some defendants elicited testimony in their defense that cited the poor living conditions in IRAQ. They blamed those conditions on the U.S.- U.N. sanctions, and used it as motivation and explanation for the AL QAEDA attacks on the Embassies.

THE 1998 U.S. AIR STRIKES ON AL QAEDA

136. On August 20, 1998, the United States initiated a pre-emptive and retaliatory air strike with cruise missiles on AL QAEDA training camps in Khost, Afghanistan and a factory in Khartoum, SUDAN, believed at the time to be a chemical weapons plant used by the Sudanese and IRAQI governments to manufacture weapons for their use and that of AL QAEDA terrorists.

137. On August 20, 1998 President Clinton issued a statement on the air strike.

Our target was terror... our mission was clear to strike at the network of radical groups affiliated with and funded by BIN LADEN, perhaps the preeminent organizer and financier of international terrorism in the world today.

138. In December 1998, after a stand off between the U.N. and IRAQ and a discovery of weapons violations in IRAQ, the U.S. led U.N. allies in a four-day air strike on IRAQ. IRAQI Trade Minister MUHAMMAD MAHDI SALAH then stated that he expected terrorist activities against the United States to increase as a result of the bombing of IRAQ. The Arabic language daily newspaper Al-Quds Al-Araby cited the cooperation between IRAQ, BIN LADEN and AL QAEDA in a late December 1998 editorial, which predicted that "President SADDAM HUSSEIN, whose country was subjected to a four day air strike, will look for support in taking revenge on the United States and Britain by cooperating with Saudi oppositionist Osama Bin-Laden, whom the United States considers to be the most wanted person in the world." The editorial noted that this type of cooperation was already taking place, considering that "Bin-Laden was planning on moving to IRAQ before the recent strike."

139. Following the December 1998 air strikes on IRAQ, SADDAM HUSSEIN dispatched FARUQ AL-HIJAZI to Kandahar, Afghanistan in order to meet with BIN LADEN and plot their revenge.

140. QUSAY HUSSEIN also dispatched representatives to follow-up with BIN LADEN and obtain his firm commitment to exact revenge against the United States for the December 1998 bombing campaign. IRAQ offered BIN LADEN and AL QAEDA an open-ended commitment to joint operations against the United States and its "moderate" Arab allies in exchange for an absolute guarantee that BIN LADEN, AL QAEDA and their allies would not attempt to overthrow SADDAM HUSSEIN's regime in IRAQ.

141. To demonstrate IRAQ's commitment to BIN LADEN and AL QAEDA, HIJAZI presented BIN LADEN with a pack of blank, official Yemeni passports, supplied to IRAQI INTELLIGENCE from their Yemeni contacts. HIJAZI's visit to Kandahar was followed by a contingent of IRAQI INTELLIGENCE officials who provided additional training and instruction to BIN LADEN and AL QAEDA operatives in Afghanistan. These Iraqi officials included members of "Unit 999," a group of elite IRAQI INTELLIGENCE officials who provided advanced sabotage and infiltration training and instruction to AL QAEDA operatives.

143. Upon information and belief, at this meeting, IRAQ agreed to provide BIN LADEN and AL QAEDA with the assistance of an expert in chemical weapons and BIN LADEN agreed to hunt down Iraqi opposition leaders who cooperated with the United States against HUSSEIN and to have a group of AL QAEDA's "Afghan" Arabs enter IRAQ to fight Kurdish dissidents.

145. In addition to the al-Nasiriyah and Salman Pak training camps, by January 1999, BIN LADEN and AL QAEDA operatives were being trained by IRAQI INTELLIGENCE and military officers at other training camps on the outskirts of Baghdad.

146. In January 1999, HAQI ISMAIL, believed to be a member of the IRAQ'S MUKHABARAT Secret Service, left IRAQ to train in an Afghanistan AL QAEDA camp. ISMAIL was believed to be a liaison between IRAQ, the TALIBAN and AL QAEDA and was rewarded with a position in the TALIBAN Foreign Ministry.

147. On or about June 1999, during an interview with an Arabic-language television station, BIN LADEN issued a further threat indicating that all American males should be killed.

MILLIENIUM PLOT

148. On December 14, 1999, Ahmed Ressay, an AL QAEDA operative, was arrested while driving a truck from Canada into the United States at Port Angeles, Washington. The truck was loaded with bomb making materials and detonators. Ressay later confessed to, and was convicted of conducting an AL QAEDA plan to detonate a large bomb at Los Angeles International Airport on New Year's Day 2000. AL QAEDA terrorists ABU JAFFER AL-JAZIRI, BIN LADEN's longtime IRAQI assistant, and MAHFUZ OUL AL-WALID, a/k/a Khaled AI-Shanguiti, a/k/a Abu Hafis, a/k/a "the Mauritanian," were both identified as orchestrating the so-called "Millennium Plot. "

149. In April 2000, UDAY HUSSEIN, as a birthday gift to his father, SADDAM HUSSEIN, assembled a squad of 1,200 trained men called AL QARE. Thirty of them were dispatched with UAE passports' to points around the world to standby for orders to commit acts of sabotage, urban warfare and hijacking.

ATTACK ON U.S.S. COLE

151. On October 12, 2000, members of AL QAEDA including BIN LADEN, JAMAL AL-BADAWI, KHALID AL-MIDHAR, MOHAMMED OMAR AL-HARAZI, WALID AL-SOUROURI, FATHA ADBUL RAHMAN, YASSER AL-AZZANI, JAMAL BA KHORSH, AHMAD AL-SHINNI, RAED HIJAZI, JAMIL QASIM SAEED MOHAMMED,

MOHAMMAD AL HAMATI a/k/a MOHAMMAD HAMDI SADIQ AL AHDAL, a/k/a ABU ASIM AL MAKKI, NURJAMAN RIDUAN ISMUDDIN a/k/a HAMBALI, and MOHAMMED IQBAL ABDURRAHMAN as well as the two suicide boat bombers Abd Al-Mushin Al-Taifi (deceased) (and a suspect in the August 1998 Embassy bombings) and Hassan Said Awadh Khemeri (deceased), and upon information and belief, members of Iraqi intelligence carried out their plan to bomb the U.S.S. Cole by ramming a small boat loaded with explosives into the side of the ship as it was anchored in the harbor at Aden, Yemen, resulting in the deaths of 17 American sailors and injuring an additional 39.

152. The Yemeni government investigation reported that the terrorists behind the attack were Islamic extremists who fought the Soviets in the Afghan War and who were tied to the EGYPTIAN ISLAMIC JIHAD and AL QAEDA and who were trained in Afghanistan. Four were arrested in Yemen. Jamil Qaseri Saeed Mohammed was arrested a year later in Pakistan. After his arrest, AL-BADAWI admitted that he received his instructions to bomb the U.S.S. Cole from AL QAEDA member AL-HARAZI who he had met during the war in Afghanistan.

153. MOHAMMAD AL HAATI owner of the defendant companies in Yemen, AL HAMATI SWEETS BAKERIES and AL NUR HONEY PRESS SHOPS a/k/a AL NUR HONEY CENTER was one of those Yemenis who served with the Afghan mujahideen. Kuwaiti Intelligence charges that AL HAMATI is a member of AL QAEDA who also helped to plan the bombing of the USS Cole. AL HAMATI was held for participation in terrorist activities in Saudi Arabia but released in 1999. Upon information and belief AL HAMATI allowed AL HAMATI SWEETS BAKERIES and AL NUR HONEY PRESS SHOPS to be used as fronts to facilitate the movement of goods and money for AL QAEDA.

154. On June 20, 2001, in a videotape released to the press, BIN LADEN appears to boast that his followers bombed the U.S.S. Cole. The 100-minute tape depicts BIN LADEN, wearing a Yemeni dagger on his belt and reciting a poem to show that he and AL QAEDA were not afraid of attacking the United States military: And in Aden, they charged and destroyed a destroyer that fearsome people fear, one that evokes horror when it docks and when it sails. Video of the damaged destroyer was superimposed with the words in Arabic, "the destruction of the American Destroyer Cole."

AL QAEDA-SAUDI HIJACKING

155. On October 14, 2000, just two days after the attack on the U.S.S. Cole, two Saudis hijacked a Boeing 777 from Saudi Arabia and had it flown to Baghdad, IRAQ. The hijackers were given "asylum" in IRAQ. They were extensively interviewed in the Iraqi press and criticized the Saudi government.

156. Upon information and belief, this hijacking was a message between BIN LADEN and IRAQ intended to demonstrate that AL QAEDA terrorists could seize control of large commercial aircraft that could be used as a weapon in the hands of suicide terrorists, foreshadowing a well coordinated attack in the planning stages at the time and less than a year away from execution.

IRAQI THREATS

157. On January 22, 2001, the Arab language newspaper Al Watan Al Arabi, reported that SADDAM HUSSEN and his sons had called for an Arab alliance to "launch a global terrorist war against the United States and its allies." The newspaper characterized HUSSEIN's statement as calling for an uncompromising campaign and "scorched earth policy."

158. In May 2001, AL QAEDA operatives in Kurdistan assassinated Franso Hariri, a member of the Kurdish Democratic Party, as part of a deal with SADDAM HUSSEIN. The killing of Hariri created instability in the region by damaging relations between the co-leaders of Kurdistan. This benefited the HUSSEIN regime in IRAQ.

159. In May 2001, Iraqi physician and kidney specialist Dr. Mohammed Khayal was dispatched from Baghdad to Afghanistan for three days to treat BIN LADEN's kidney problem, further demonstrating the important relationship between IRAQ and BIN LADEN less than four months before the single largest terrorist attack in history.

160. On May 29, 2001, Wadih El-Hage, a U.S. citizen believed to be BIN LADEN's personal secretary, was convicted in the Southern District of New York, along with Mohamed Sadeek Odeh, Mohammed Rashed Daoud Al-'Owali and Khalfan Khamis Mohamed, for participating in the conspiracy to bomb the United States Embassies in Nairobi and Dar es Salasm in August of 1998. BIN LADEN and other AL QAEDA members were indicted but remain at large.

IRAQI FORE-KNOWLEDGE OF THE SEPTEMBER 11TH ATTACKS

161. There is evidence that the Iraqi government had foreknowledge that AL QAEDA was planning to attack U.S. landmarks and civilians in September 2001 in Washington and New York and supported the planned attacks.

162. Upon information and belief, Iraqi news columnist Naeem Abd Mulhalhal has been connected with IRAQI INTELLIGENCE since the early 1980s. He comments on matters of IRAQI political interest for the Al Nasiriyah newspaper, a weekly paper published in the

provincial capital city of Al Nasiriyah. On September 1, 2001 he was honored for his "documentation of important events and heroic deeds that proud Iraqis have accomplished" and praised by SADDAM HUSSEIN. In addition, Al Nasiriyah also contains a military base that is believed to contain a chemical weapons storage facility. IRAQ had previously denied access to this base to UN weapons inspectors. It was visited by ZAWAHIRI as early as 1998 and AL QAEDA terrorists trained there for several years.

163. On July 21, approximately six weeks before the September 11th attacks, IRAQI columnist Mulhalhal reported that BIN LADEN was making plans to "demolish the Pentagon after he destroys the White House".

164. Mulhalhal's July 21 article further informed that BIN LADEN would strike America "on the arm that is already hurting." Upon information and belief, this references a second attack on the World Trade Center. This interpretation is further bolstered by another reference to New York as "[BIN LADEN] will curse the memory of Frank Sinatra every time he hears his songs," (e.g., "New York, New York") identifying New York, New York as a target.

165. Mulhalhal further indicated, "The wings of a dove and the bullet are all but one and the same in the heart of a believer." This appears to be a reference to the use of commercial aircraft as a weapon. The information was reported in an IRAQI newspaper whose editor-in-chief serves as secretary to UDAY HUSSEIN'S Iraqi Syndicate of Journalists. The article expressed IRAQI admiration and support for BIN LADEN's plans and its appearance in the newspaper would clearly have to be endorsed by SADDAM HUSSEIN himself.

166. All IRAQI news media was strictly controlled and censored by the government of SADDAM HUSSEIN and was under the direct oversight of UDAY HUSSEIN. Various

members of IRAQI INTELLIGENCE work at and control the content of each and every newspaper published inside IRAQ.

167. The information contained in Mulhalhal's published statements were known prior to the events of September 11th, and because Mulhalhal has ties to IRAQI intelligence, it demonstrates foreknowledge of the planned attacks by BIN LADEN and indicates support by IRAQI co-conspirators.

168. IRAQ's July 21, 2001 public statements also exemplify the BIN LADEN pattern of publicly threatening violent strikes against the United States prior to and after committing them. For example, weeks before the August 1998 AL QAEDA attacks on the U.S. embassies in Africa, BIN LADEN threatened U.S. civilians and shortly thereafter, bombed the embassies in Kenya and Tanzania within minutes of each other, killing 223 civilians.

169. Additionally, after the suicide boat bombing of the U.S.S. Cole in Yemen in October 2000, BIN LADEN publicly threatened violence against America while wearing traditional Yemeni clothing including a Yemeni war dagger. BIN LADEN sought media attention to taunt the United States and recruit additional Muslim supporters.

PREPARATION FOR SEPTEMBER 11TH ATTACKS

170. According to U.S. and foreign intelligence officials, in the spring of 2000 IRAQI INTELLIGENCE agents met with September 11th pilot hijackers ZAID SAMIR JARRAH and MARWAN AL-SHEHHI in Dubai, UAE in order to advance the hijacking of U.S. aircraft to commit terrorist acts. Not long after the meeting, AL-SHEHHI entered the United States on May 29 and JARRAH entered on June 27 to begin preparations for attacks.

171. According to Czech intelligence sources, on June 2, 2000, MOHAMMAD ATTA, a pilot in training and the operational leader of the September 11, 2001 terrorist attacks, traveled to Prague to meet other co-conspirators. The following day, ATTA arrived at Newark International Airport in the United States.

172. According to the FBI, from July 2000 through March 2001, ATTA, SHEHHI, HANJOUR, JARRAH and HAMZI traveled to the U.S. where they resided and took pilot courses to learn to fly the Boeing 747, 757, 767 and Airbus A320 in furtherance of the AL QAEDA IRAQI conspiracy to hijack U.S. aircraft to commit terrorist acts.

173. Upon information and belief, sometime between April 8-11, 2001, ATTA left Florida where he was a flight student, to again meet in Prague with IRAQI INTELLIGENCE agent AL-ANI. ATTA returned to Florida and within two weeks opened a Sun County Bank account with \$100,000 sent through a money changer in the UAE. Later in 2001, AL-ANI was expelled from the Czech Republic for espionage activities. Other intelligence reports indicate that AL-ANI met with another September 11th hijacker, KHALID AL MIDHAR as well.

174. Italian security sources reported that IRAQ made use of its embassy in Rome to foster and cultivate IRAQ's partnership with BIN LADEN and AL QAEDA. HABIB FARIS ABDULLAH AL-MAMOURI, a general in the IRAQI SECRET SERVICE, and a member of IRAQ's M-8 Special Operations branch, who was responsible for developing links with Islamist militants in Pakistan and Afghanistan, was stationed in Rome as an "instructor" for children of Iraqi diplomats. AL-MAMOURI met with September 11th pilot hijacker MOHAMMED ATTA in Rome, Hamburg and Prague. AL-MAMOURI has not been seen in Rome since July 2001, shortly after he last met with ATIA.

175. Sometime between April 23, 2001, and on or about June 29, 2001, SATAM AL SUQAMI (Flt. 11), WALEED AL SHEHRI (Flt. II), AHMED AL GHAMDI (Flt.175), MAJED MOQED (Flt. 77), AHMED AL NAMI (Flt. 93), HAMZA AL GHAMDI (Flt. 175), MOHALD AL SHEHRI (Flt. 175), WAIL AL SHEHRI (Flt. 11), AHMED AL HAZNAWI (Flt. 93), and FAYEZ AHMED (Flt. 175), traveled from various points in the world to the United States.

176. The FBI has reported that ATTA visited commercial crop dusting aircraft facilities in Florida in March and August of 2001. In the wake of the September 11th attacks, authorities concluded that ATTA was investigating the possibility of spraying chemical or biological weapons on U.S. civilians. In July and August 2001, on several occasions several other Middle Eastern men also visited the same crop dusting facility.

177. On July 7, 2001 two members of the IRAQ MUKHABARAT, ABU AGAB and ABU WA'EL traveled together from Germany to Afghanistan and eventually to Kurdistan. ABU WA'EL trained at AL QAEDA terror camps and became the authority for fundamentalist groups operating in Kurdistan, intent on crushing opposition to SADDAM HUSSEIN.

178. The FBI reported that in furtherance of his participation in the hijacking conspiracy, ZACARIAS MOUSSAOUI purchased flight deck videos for the Boeing 747 on June 20, 2001 and took a three day Boeing 747 simulator course in Minneapolis, Minnesota on August 13-15, 2001. He also purchased two knives in Oklahoma City, Oklahoma on August 3, 2001. MOUSSAOUI received approximately \$14,000 from RAMZI BIN AL-SHIBH on August 1-3, 2001.

179. U.S. government officials reported that in the summer of 2001, FAYEZ AHMED (Flt. 175), SAEED ALGHAMDI (Flt. 93), HAMZA AL GHAMDI (Flt. 175), WALEED AL

SHEHRI (Flt. 11), ZIAD JARRAH (Flt. 93), SATAM AL SUQAMI (Flt. 11), MOHALD AL SHEHRI (Flt. 175), AHMED AL GHAMDI (Flt. 93), and AHMED AL HAZNAWI (Flt. 93) each opened a Florida Sun Trust Bank account with a cash deposit. These and other bank accounts were used by the 9/11 hijackers for living expenses, travel, pilot training, weapons and other incidentals and served as places where AL QAEDA operatives could wire money to support the terrorist conspiracy in the months and weeks leading up to September 11, 2001.

180. On September 9, 2001, BIN LADEN and other AL QAEDA members, OMAR and other members of the TALIBAN, carried out their plan to assassinate Ahmad Shah Masood, the military leader of the Afghanistan Northern Alliance opposition forces that had been fighting the TALIBAN for many years. AL QAEDA terrorists posed as television journalists seeking an interview with Masood. The video camera was armed with explosives and when detonated at the purported interview, killed Ahmad Shah Masood, one of the suicide terrorists and other high ranking members of the Afghanistan Northern Alliance opposition forces.

181. This assassination solidified BIN LADEN's asylum and protection in TALIBAN controlled Afghanistan and cleared the way for AL QAEDA's unprecedented attack on the United States two days later. The TALIBAN would continue to refuse to surrender BIN LADEN or AL QAEDA members to the United States after the September 11th attacks.

SEPTEMBER 11TH ATTACKS

182. On September 11, 2001, defendants MOHAMMED ATTA, ABDIJL ALZIZ AL OMARI, WAIL AL-SHEHRI, WALEED AL-SHEHRI, and SATAM AL SUQAMI hijacked American Airlines Flight 11 carrying 92 persons, bound from Boston to Los Angeles, and at

approximately 8:46 a.m., crashed it into the North Tower of the World Trade Center in New York.

183. On September 11, 2001, defendants MARWAN AL-SHEHHI, FAYEZ AHMED, AHMED AL-GHAMDI, HAMZA AL-GHAMDI, AND MOHAUD AL-SHEHRI hijacked United Airlines Flight 175 carrying 65 persons, bound from Boston to Los Angeles, and at approximately 9:02 a.m., crashed it into the South Tower of the World Trade Center in New York.

184. On September 11, 2001, defendants KHALID AL-MIHDHAR, NAWAF AL-HAZMI, HAM HANJOUR, SALEM AL-HAZML, and MAJED MOQED hijacked American Airlines Flight 77 carrying 64 persons, bound from Virginia to Los Angeles, and at approximately 9:37 a.m., crashed it into the Pentagon.

185. On September 11, 2001, defendants ZIAD JARRAHI, AHMED AL-HAZNAWI, SAEED AL-GHAMDI, and AHMED AL-NAMI hijacked United Airlines Flight 93 carrying 45 persons, bound from Newark to San Francisco with the intention of crashing it into a target in Washington, D.C., probably the White House. At approximately 10:10 a.m., because of the heroic intervention of Flight 93's passengers, the aircraft crashed into a field in Shanksville, Pennsylvania.

186. At approximately 9:50 a.m., the South Tower of the World Trade Center collapsed; at approximately 10:29 a.m., the North Tower of the World Trade Center collapsed. Defendants intentionally caused the deaths of and injuries to thousands of innocent persons.

187. The hijackings referenced above were the culmination of a conspiracy among defendants to attack the United States and murder United States citizens, destroy United States' properties and businesses and disrupt the United States economy.

POST SEPTEMBER 11TH

188. On two videotapes made by AL QAEDA in September and October 2001, BIN LADEN took credit for the September 11th attacks and stated that the attacks went better than expected.

190. Upon information and belief, several hundred AL QAEDA members., including ABU ABDUL RAHMAN fled Afghanistan for Kurdistan in IRAQ to try to take control of towns not under the control of SADDAM HUSSEIN and IRAQ, including Halabja, Tawela and Biyarah. These areas were under the control of defendant ANSAR AL ISLAM and its leader Iraqi Mukhabarat officer and defendant ABU WA'EL a/k/a Sadoun Abdul Latif. Upon information and belief, ANSAR AL ISLAM was acting on behalf of IRAQ and SADDAM HUSSEIN to destabilize the Kurdish region. On September 23, 2001, Kurdish forces ousted ANSAR AL ISLAM from Halabja, but the Islamic fundamentalist group remained in control of Tawela and Biyarah.

194. ABU ZUBAYDH was arrested in April 2002 in Pakistan near the border of Afghanistan, along with other AL QAEDA members. Documents and other evidence were found at the scene of the arrest that demonstrate AL QAEDA plans for past and future terrorist activities. ZUBAYDH has made self-incriminating statements about his high level role in AL

QAEDA and his close connection to BIN LADEN. He has further identified several high level AL QAEDA officers, including, but not limited to, KHALID SHEIKH MOHAMMED.

195. On April 22, 2002 during a court appearance in the Eastern District of Virginia, ZACARIAS MOUSSAOUI stated that his Court appointed lawyers had "no understanding of terrorism, Muslims, Mujahideen," that he wanted to "fight against the evil force of the [U.S.] federal government" and called for the destruction of the United States and Israel.

RAN

196. Powerful government officials in IRAN provided long-term assistance to BIN LADEN and his army of allied Islamists. Iran's support enabled BIN LADEN to maintain a steady course of violent activities against America and American interests culminating on September 11, 2001.

197. In 1996 when BIN LADEN left the SUDAN and enjoyed sanctuary in largely Taliban-controlled Afghanistan, he notably maintained a relationship with the Iranian-supported Taliban opposition leader, defendant GULBUDDIN HEKMATYAR who was residing in Tehran. BIN LADEN and HEKMATYAR met in the 1980s while the Afghani HEKMATYAR was leading Hezb-e-Islami, a Pakistan-based group fighting the Soviet occupation of Afghanistan. Their cooperative relationship lasted over a decade.

198. In the mid nineties this cooperation consisted of jointly supported military training camps and drug smuggling operations in Afghanistan that provided funding for both Hezb-e-Islami and AL QAEDA. HEKMATYAR was welcomed in IRAN because he shared IRAN's opposition to the Taliban government. The religious leaders in IRAN opposed the TALIBAN for two reasons: religious and economic.

199. In the mid nineties, IRAN as a Shiia Muslim nation was actively competing with Wahabi Muslim-Saudi Arabia for influence in the fledgling Islamic nation of Afghanistan. At the same time IRAN was competing with Afghanistan to be the site of a planned gas pipeline from Central Asia to the Caspian Sea.

200. The conflict between IRAN and the TALIBAN did not, however, prevent Iranian assistance to BIN LADEN's AL QAEDA, directly and through HEKMATYAR. This assistance is ongoing. Following the September 11 attacks, BIN LADEN, HEKMATYAR and Iranian officials formed a new alliance called LASHKAR FEDAYAN-E-ISLAMI (ISLAMIC MARTYRS BRIGADE) based in Northeastern Afghanistan with the goal of launching suicide attacks against American troops.

201. According to a September 26, 2002 interview with Salauddin Safi, a military commander under HEKMATYAR living in Pakistan, IRAN "is helping with money and weapons," for suicide attacks on Americans in Afghanistan. Safi explained the relationship between IRAN and HEKMATYAR saying, "IRAN needs HEKMATYAR because IRAN is an enemy of the United States and HEKMATYAR is too," despite the fact that the United States removed the TALIBAN from Afghanistan. IRAN continues to seek influence and control in Afghanistan and to reject the American presence there and in other parts of the Middle East.

202. In addition to HEKMATYAR, BIN LADEN maintained associations with other Iranian sponsored terrorists. The International Policy Institute for Counter Terrorism reports that in 1995 and 1996, BIN LADEN approached IRAN'S MINISTRY OF INTELLIGENCE AND SECURITY (MOIS) and offered to join forces against America. This was followed by a number of meetings between BIN LADEN, Iranian operatives and leaders of the Iranian government's

proxy army, HEZBOLLAH. BIN LADEN met with IMAD MUGHNIYEH, HEZBOLLAH's director of operations at a meeting sponsored by the Iranian MOIS in IRAN in 1996, but it was not the first or only meeting between those two terrorists.

203. A witness at the United States Federal court trial in New York against some of the United States Embassy terrorist bombers reported that contacts between BIN LADEN and MUGHNIYEH began before BIN LADEN even left the SUDAN in 1996. The former AL QAEDA member, ALI MOHAMMED testified,

I arranged security for a meeting in the SUDAN between Mughniyah, Hezbollah 's chief and Bin Laden...Hezbollah provided explosives training for al-Qaeda and al-Jihad...Iran also used Hezbollah to supply explosives that were disguised to look like rocks."

204. Yossef Bodansky, Director of the House of Representatives Task Force on terrorism and unconventional warfare, reported that right after a speech on June 7, 1996 in which Iranian Spiritual Leader AYATOLLAH ALI KHAMENEI declared that HEZBOLLAH must reach "all continents and countries", the IRANIAN government hosted a meeting of international terrorists. At this meeting, a committee called the "Committee Of Three" was created to preside over an International HEZBOLLAH. Leading the committee were IMAD MUGHNIYAH, BIN LADEN and AHMAD SALAH (Salim), of the Egyptian Islamic Jihad. An Iranian leader, MAHDI CHAMIRAN SAVEHI (whose official title with the government is Director of the Foundation for Preservation of the Values of the Sacred Defense), would direct the committee's work in sponsoring terrorist attacks against the United States and others.

205. At an October 1997 meeting between terrorist organizations and high level Iranian officials, including GENERAL MOHSEN REZA'I, former commander of the ISLAMIC REVOLUNTIONARY GUARD CORPS (IRGC) who is now in charge of the reorganization of IRAN's security apparatus; GENERAL YAHYA RAHLM SAFAVI, head of the IRGC; QORBAN 'ALI NAJAF'ABADI, Information Minister; former minister 'ALI FALAHYAN; MOHAMMED MOHAMMADI RAYSHAHRI, special adviser to Iran's supreme leader ALI KHAMENE'I; and HOSEYN SHAYKH OL-ESLMAN, former assistant foreign minister, plans were made to increase support of anti-U.S. terrorism. The report stated "Reza'i informed the participants that IRAN would double the amount of material and logistical support for those organizations engaged in defending the revolution." "Defending the revolution" is a rallying cry for acts of violence against the West.

206. On September 14, 1998, the U.S. requested Germany extradite AL QAEDA Member MAMDOH MAHMUD SALIM, and stated that during the period 1992-1996, while BIN LADEN lived in SUDAN, AL QAEDA and the SUDANESE GOVERNMENT worked closely together on training and arming terrorists. According to the FBI, AL QAEDA "agreed to put aside its differences with Shi'a Muslim terrorist organizations, including the Government of IRAN and its affiliated terrorist group HEZBOLLAH, to cooperate against the perceived common enemy, the United States and its allies. "

207. In 1998, prior to the bombings of the U.S. embassies in East Africa, a representative of BIN LADEN reportedly met again with an official of the Iranian government in order to establish an "anti-U.S. alliance." By this time, communication between BIN LADEN

and Iranians was regular and frequent. Investigators reported that 10% of the calls made from BIN LADEN's satellite phone were to IRAN.

208. Running parallel to their interest in anti-American activities, BIN LADEN and IRAN were active in promoting an Islamic government in Albania and Kosovo. According to the Times of London March 22, 1998, on February 16, 1998, BIN LADEN and the Iranian Revolutionary Guards signed a pact consolidating their operations in Albania and Kosovo. They created financial support networks by setting up banks and humanitarian organizations. Small factories and businesses were encouraged with loans and this helped create jobs and bolster neighborhood economies.

209. Muslim proselytizing organizations like AL-HARAMAIN and AL MUWAFIQ attracted young Albanians who were then recruited for training as holy warriors at training camps that were being established in remote areas of the country.

210. This work did not distract the clerics of IRAN from continuing to support other AL QAEDA missions. German authorities debriefed terrorists in custody and learned that an important and virulent AL QAEDA combat commander MOHAMMED SARKAWI lived and worked in Tebran in the months before September 11, 2001. Around the time of the September 11 attacks SARKAWI traveled to Afghanistan but returned to IRAN before the American bombing campaign began in the fall of 2001.

211. SARKAWI's movements were tracked by monitoring his satellite phone, according to German information. Germany's interest in SARKAWI is based on its belief that he is involved in a terrorist group called AL TAWHID and that he assisted a hundred or more AL QAEDA fighters who were fleeing Afghanistan by arranging for funds, passports, escape routes

(sometimes through IRAN) and sanctuary. Defense Secretary Donald Rumsfeld confirmed the flight of AL QAEDA members to or through Iran.

212. After the September 11 attacks, IRAN provided an escape route for two Egyptian AL QAEDA members on the FBI's most wanted list, SAIF AL-ADEL and MAUFOUZ OULD AL-WALID. Additionally, American intelligence reports that Al- ADEL and top AL QAEDA leader ABU HAFS, "the Mauritanian", were in Eastern Iran where, the Washington Post reported, they might be planning further AL QAEDA operations.

213. HAJI MOHAMAD AKRAM, a captured BIN LADEN aide told an interviewer from the Christian Science Monitor that BIN LADEN fled Afghanistan to IRAN in November 2001. AKRAM said that at the time, BIN LADEN had offers of sanctuary from IRAQ and from IRAN. AKRAM claimed that IRAN distributed money to AL QAEDA for distribution to terrorist soldiers and that he himself had received the equivalent of \$1400.

214. Other AL QAEDA terrorists have been located in a dozen camps around Tehan that serve as underground railroads for terrorists and their families en route through IRAN for Beirut and Syria as well as a route for the smuggling of AL QAEDA and HEZBOLLAH assets, gold and diamonds from Pakistan to SUDAN.

215. SARKAWI is considered a major player in the Iranian AL QAEDA activities. He is also suspected of assisting in the murder of American diplomat Laurence Foley on October 28, 2002 in Amman, Jordan. Jordan's Foreign Minister, Marwan Muashe, reports that two men who admitted to the killing implicated SARKAWI, claiming he provided them with machine guns, grenades and money to attack embassies and foreign diplomats in Jordan.

216. At the time of the September 11 attacks, Iranian military officers including GENERAL ALI BLOKIAN, formerly an advisor to HEZBOLLAH in Lebanon, were assisting Afghans on the ground near the Iranian border region. The bodies of three Iranian Revolutionary Guards were found in the west Afghanistan province of Herat after the U.S. air strikes against the TALIBAN. Ismail Khan, an Iranian ally, ruled this district. Because he is working to challenge Kabul's rule, the IRANIAN REVOLUTIONARY GUARD is providing advice and assistance to Khan and others. Afghan defense officials claim that elite forces from the IRANIAN REVOLUTIONARY GUARD are providing arms and ammunition to Iranian-friendly commanders.

217. A U.S. government report in 2000, Patterns of Global Terrorism, alleged that "IRAN remained the most active state sponsor of terrorism."

"Its Revolutionary Guard Corps (IRGC) and Ministry of Intelligence and Security (MOIS) continued to be involved in the planning and the execution of terrorist acts and continued to support a variety of groups that use terrorism to pursue their goals."

218. The Iranian pattern of terrorism support has been ongoing for many years. Indeed, by providing training, facilities, planning, logistics, escape routes and most importantly leadership, IRAN enabled BIN LADEN's army to carry out acts of terrorism it otherwise would be incapable of accomplishing. Likewise, without terrorists like BIN LADEN and HEZBOLLAH, IRAN would lose a most effective weapon against the United States and the West.

HAMBURG AL-QAEDA CELL

219. On August 28, 2002, German prosecutors brought charges against MOUNIR EL-MOTASSADEQ (or "el-Motassadeq"), a Moroccan man who supported members of the Hamburg AL QAEDA terrorist cell and helped to plan and carry out the September 11, 2001 terrorist attacks.

220. MOUNIR EL-MOTASSADEQ is an AL QAEDA co-conspirator. His indictment was the first formal criminal charge brought by German authorities in connection with the September 11, 2001 attacks. EL-MOTASSADEQ was arrested in November of 2001 on evidence that he had access to the bank account of one of the suicide hijackers and arranged wire transfers to hijackers while they were learning to fly in the United States.

221. When arrested in 2001, prosecutors said EL-MOTASSADEQ was a close associate of MOHAMED ATTA, a suspected ringleader of the plot. In 1996, EL-MOTASSADEQ was one of the witnesses who signed ATTA's will. EL-MOTASSADEQ managed the finances of another hijacker, MARWAN AL-SHEHHI, and that money was used to help AL-SHEHHI pay for his flight lessons in the United States and cover living expenses here. According to the criminal indictment, these funds were used to support members of the terrorist group AL QAEDA.

222. EL-MOTASSADEQ admitted that he knew the September 11, 2001 hijackers, but he provided conflicting versions of the nature and intensity of those contacts. At times EL-MOTASSADEQ said he knew them only through the Al Quds mosque, which was attended by ATTA and other hijackers. On other occasions, he said he had visited the apartment on Marienstrasse where ATTA lived. EL-MOTASSADEQ and ATTA were both students at TUHH University in Hamburg.

223. In July 2000, EL-MOTASSADEQ traveled to Karachi, Pakistan for a "vacation." The Pakistanis later confirmed that he had been in the country at this time and that there were indications that he had visited an AL QAEDA camp in Afghanistan. In May 2001, EL-MOTASSADEQ visited the State nuclear plant near Hamburg, Germany.

224. The German investigation revealed that in summer of 1999 or earlier, a group of Muslim students in Hamburg joined forces with the express goal of carrying out, in countries of Western culture, especially in the United States, the "Holy War" ("Jihad") by means of international terror. The group's members included MOHAMMED ATTA, MARWAN YOUSEF MOHAMED RASHED AL-SHEHHI (or "al-Shehhi"), and ZIAD SAMIR JARRAH (or "JARRAH") (hijackers, all of whom died in the course of the attacks), co-conspirators and Defendants RAMZI MOHAMMED ABDULLAH BIN AL SHIBH (a/k/a Ramzi Mohamed Abdallah Omar), ZAKARIYA ESSABAR, SAID BAHAJI, as well as MOUNIR EL-MOTASSADEQ.

225. Initially, the principal meeting point of the Hamburg cell was the apartment rented by ATTA, BAHAJI and BIN AL SHIBH in Hamburg-Marburg, which temporarily served as AL-SHEHHI's residence, too. EL-MOTASSADEQ, ESSABAR and JARRAH convened for meetings of the group at this location. In September 1999, the apartment AL-SHEHHI rented nearby served as an alternative base of operations. In October of 1999, after AL-SHEHHI and ATTA moved into the second apartment, it also became the primary address of EL-MOTASSADEQ.

226. In October of 1999 or earlier, the group's members finalized their terrorist scheme, which called for the use of airplanes in "jihad" to kill as many "infidels" in the United

States as possible. In order to coordinate details and logistical support with the responsible representatives of the international terrorism network, they resolved to travel to Afghanistan in two groups.

227. In late November of 1999, the three hijackers (ATTA, AL-SHEHHI and JARRAH) and BIN AL SHIBH traveled on almost identical dates to an AL QAEDA training camp. Aside from providing training in military operations, the camps served to fuel radical extremist ideology and foster an inner resolve among recruits to sacrifice their own lives fighting the "godless enemies." AL-SHEHHI went back to Hamburg in early January 2000 (through late March 2000). JARRAH did not return to Hamburg until late January. ATTA stayed in Afghanistan until late February and BIN AL SHIBH re-entered Germany in March 2000.

228. In the spring of 2000, a second group traveled to Afghanistan. EL-MOTASSADEQ flew from Hamburg to Karachi on May 22, 2000, and returned on August 1, 2000. In the meantime, he underwent military training in a camp near Kandahar, Afghanistan.

229. In accordance with the plans for the attacks discussed in Afghanistan, the three terrorists began making arrangements for pilot training in the United States upon their return. Accordingly, in March 2000, Atta contacted 31 flight schools in the United States via email from Hamburg, inquiring about the possibilities and conditions of flight training for two or three men from different Arab countries. On March 26, 2000, JARRAH signed an agreement to receive pilot training at the Florida Flight Training Center in Venice, Florida, and on March 30, 2000, transferred the amount of 349 German Marks to the account of the flight school's Munich representative.

230. On May 25, 2000, JARRAH applied for a United States entry visa, which he received without difficulty, as ATTA had before him, on May 18, 2000. AL-SHEHHI had received his United States entry visa from the United States consulate in Dubai, United Arab Emirates (UAE), on January 10, 2000. All three terrorists had previously obtained new passports.

231. Following their entry into the United States (AL-SHEHHI arrived on May 29, 2000, ATTA on June 3, 2000), AL-SHEHHI and ATTA opened a joint bank account on July 18, 2000 with Sun Trust Bank in Venice, Florida, through which they obtained financing and material support for their stay in the United States from backers within the international terrorist network. On July 7, 2000, they started taking flight lessons together at the flight school Hoffman Aviation in Venice, Florida. By December 21, 2000, they had successfully completed their training, receiving professional pilot licenses from the Federal Aviation Administration.

232. ATTA and AL-SHEHHI then put their acquired skills to the test on a Boeing 727 flight simulator at the Simulations Center in Opa-Locka, Florida, in December 2000, and by taking several exercise flights at the Advanced Aviation Flight Training School in Lawrenceville, Georgia, and at the flight school in Decatur, Georgia, in January and February 2001, respectively.

233. JARRAH entered the United States on June 26, 2000, and, until January 13, 2001, underwent pilot training at the Florida Flight Training Center in Venice, Florida, where he obtained a private pilot license. Between December 15, 2000, and January 5, 2001, he took flight lessons at the Aero service Aviation Center in Virginia Gardens, Florida.

234. BIN AL SHIBH's applications for a non-immigrant visa for the United States were denied and he was unable to train in Florida with JARRAH.

235. To take BIN AL SHIBH's place, ESSABAR was to be sent to the United States to undergo pilot training. Like ATTA, AL-SHEHHI and JARRAH before him, ESSABAR attempted to obscure his visit to Pakistan from U.S. authorities by obtaining a new passport from the Moroccan embassy in Berlin on October 24, 2000. United States authorities however, denied ESSABAR's visa applications. His plan to become a suicide hijacker could not be realized. Instead, ZACARIAS MOUSSAOUI (currently detained and indicted in the United States for his involvement in the preparations for the attacks of September 11, 2001), traveled to the United States following an eight-week visit to Pakistan, and enrolled in flight school. However, due to MOUSSAOUI's arrest on August 17, 2001, he never completed his training.

236. EL-MOTASSADEQ and the other AL QAEDA co-conspirators who remained in Hamburg remained involved in the preparing for the attacks. In particular, they were responsible for ensuring that the terrorists and ZACARIAS MOUSSAOUI had sufficient funds for their stay and training in the United States.

237. Several meetings were held for group members in Germany and Spain for the purpose of coordinating those who remained in Hamburg and those who had traveled to the United States. Accordingly, BIN AL SHIBH and JARRAH met on January 4, 2001, in Bochum or Dusseldorf. Later, BIN AL SHIBH traveled to Berlin to meet ATTA who had arrived there no later than January 6, 2001, after spending time in Spain. ATTA returned to the United States on January 10, 2001. Another meeting between ATTA and BIN AL SHIBH on July 17 or July 18, 2001, in Tarragona, Spain, served the purpose of coordinating the exact times of the attacks.

238. EL-MOTASSADEQ, together with Bahaji, acted as the resident administrator of the terror organization in Hamburg. EL-MOTASSADEQ's chief responsibility consisted of securing funding for the group's terrorist activities. He made use of AL-SHEHHI's account for financing. EL-MOTASSADEQ made sure that the account received sizeable support payments from sources in the United Arab Emirates and elsewhere. By transferring tuition money to maintain the status of AL-SHEHHI as a student, he allowed AL-SHEHHI to remain in Germany. Shortly before AL-SHEHHI left for Afghanistan, in late November 1999, EL-MOTASSADEQ also gained control over the AL-SHEHHI's bank account and bank card which he used to transact financial and other personal business on behalf of AL-SHEHHI and cover up the latter's absence. The account and card were also used to distribute funds. EL-MOTASSADEQ transferred funds from AL-SHEHHI's to BIN AL SHIBH's account which the latter passed on to AL-SHEHHI in the United States; this money was used to finance AL-SHEHHI's flight training. After AL-SHEHHI left Germany, several cash withdrawals were made to provide funding for the intended flight training of BIN AL SHIBH and ESSABAR and to benefit other cell members and promote acts of international terrorism.

STATEMENTS OF CAPTURED AL QAEDA MEMBERS

239. UMAR FARUQ, an admitted terrorist co-conspirator and a member of the AL QAEDA terrorist organization, was arrested in or about May 2002. According to the confession of ABU ZUBAYDAH, a top AL QAEDA leader detained by the United States authorities, UMAR FARUQ was a senior AL QAEDA representative in Southern Asia. An interrogation of UMAR FARUQ was conducted by United States authorities at the United States Air Force Base in Baghram, Afghanistan, on May 23, 2002.

240. During a custodial interview on September 9, 2002, UMAR FARUQ confirmed that he was AL QAEDA's senior representative to Southeast Asia and was initially sent to the region by ABU ZUBAYDAH and IBN SHEIK AL-LIBI to plan large-scale attacks against United States interests in Indonesia, Malaysia, Philippines, Singapore, Thailand, Taiwan, Vietnam and Cambodia. In particular, FARUQ prepared a plan to conduct simultaneous car/truck bomb attacks against United States embassies in the region to take place on or about September 11, 2002.

241. ABDELGHANI MZOUZI had close and frequent contact with members of the AL QAEDA Hamburg cell who supervised and directed the September 11 attacks. He provided logistical support to defendant ATTA, ESSABAR and other suicide hijackers by making money available to them to finance flight training in the United States. MZOUZI arranged for living accommodations in a student residence in Germany for defendant AL SHEHHI his final weeks before leaving Germany for the United States. MZOUZI attended terrorist training camps in Afghanistan in the summer of 2000 with ESSABAR and defendant MOTASSADEQ. MZOUZI provided material and logistical support to defendant RAMZIBINALSHIBB and AL QAEDA.

242. HAJI JAMSHED is an AL QAEDA co-conspirator and a principal financier in the creation and management of AL QAEDA training camps.

243. AL QAEDA leader ABD AL-RAHIM AL-NASHIRI, the network's operations chief in the Persian Gulf, was recently captured by United States officials. AL-NASHIRI is a known high level AL QAEDA operative who carried out spectacular acts of international terrorism including the attack on the USS Cole in October 2000 and the near simultaneous

bombing of the U.S. embassies in Kenya and Tanzania. AL-NASHIRI was involved in the planning of other attacks for AL QAEDA some of which were foiled.

SAUDI ARABIAN DEFENDANTS

244. Upon information and belief, there were and are, a large number of Saudi citizens and members of The Saudi Royal Family who support BIN LADEN. High ranking officials in the Saudi government and Saudi businessmen have provided money to support BIN LADEN and AL QAEDA. Money to support BIN LADEN and AL QAEDA was transferred using charitable institutions, businesses and banks. In many cases, these entities shared management and or offices, creating an interlocking financing structure that obscures the movement, source and ultimate destination of money.

245. BIN LADEN was born in Saudi Arabia to a wealthy Saudi family which operated a large multi-national construction company. He and many other Saudis reacted to the Soviet invasion of Afghanistan by taking up arms in the name of Islam. Throughout the 1980's and 1990's and continuing today, many Saudis support and attend the religious schools that preach hatred toward the West. Indeed, 15 of the 19 September 11th hijackers were from Saudi Arabia.

246. The close relationship between BIN LADEN and certain of the highest members of the Saudi Royal Family stretches back for a long period of time and continues to this day.

247. BIN LADEN met with Defendant PRINCE SULTAN BIN ABDULAZIZ AL SAUD (or "PRINCE SULTAN") after IRAQ invaded Kuwait in August 1990. PRINCE SULTAN is the Second Deputy Prime Minister, Minister of Defense and Aviation, Inspector General, and Chairman of the Board of Saudi Arabian Airlines, which does business in the

United States and internationally. In the meeting, BIN LADEN offered the engineering equipment available from his family's construction company and suggested bolstering Saudi forces with Saudi militants who BIN LADEN was willing to recruit.

248. This offer was also made to Defendant PRINCE TURKI AL FAISAL AL SAUD (or "PRINCE TURKI"), the then Chief of Saudi Intelligence, or Istakhbarat. PRINCE TURKI had an ongoing relationship with BIN LADEN from the time that they first met in Islamabad, Pakistan at the Saudi embassy, during the Soviet Union's occupation of Afghanistan.

249. Defendant PRINCE MOHAMMED AL FAISAL AL SAUD (or "PRINCE MOHAMMED" or "PRINCE MOHAMMED AL FAISAL") is involved in the financing, aiding and abetting and material support of BIN LADEN, AL QAEDA, and international terrorism in part through FAISAL ISLAMIC BANK and AL SHAMAL ISLAMIC BANK in the Sudan. PRINCE ABDULLAH AL FAISAL BIN ABDULAZIZ AL SAUD (or "PRINCE ABDULLAH" or "PRINCE ABDULLAH AL FAISAL") and PRINCE NAYEF BIN ABDULAZIZ AL SAUL (or "PRINCE NAYEF") are also engaged in the aiding and abetting or material sponsorship of OSAMA BIN LADEN, AL QAEDA, and international terrorism as described herein. PRINCE SALMAN IBN ABDUL AZIZ (or "PRINCE SALMAN") has also provided material support to BIN LADEN, and AL QAEDA.

250. PRINCE TURKI was head of Saudi Arabia's Department of General Intelligence (Istakhbarat) from 1977 until 2001. As such, he was in a position to know the threat posed by BIN LADEN, AL QAEDA, the TALIBAN, and the extremist and violent perversion of jihad and hatred that the Saudi religious schools were encouraging in young students. PRINCE TURKI

abruptly left his position in or around August 30, 2001, when he was dismissed as chief of Saudi Intelligence just prior to the September 11, 2001 attacks.

251. PRINCE TURKI met personally with BIN LADEN at least five times while in Pakistan and Afghanistan during the mid-eighties to mid-nineties. PRINCE TURKI also had meetings with the TALIBAN in 1998 and 1999. In 1995, while the Saudi Istakhbarat was headed by PRINCE TURKI, he decided to give massive financial and material support to the TALIBAN.

252. Defendants PRINCE TURKI AL FAISAL AL SAUD and PRINCE MOHAMMED had close financial ties with AL QAEDA financier MUHAMMED GALEB KALAJE ZOUAYDI.

253. MULLAH KAKSHAR is a senior TALIBAN official who defected and provided a sworn statement regarding the transfer of funds from wealthy Saudis directly to AL QAEDA and BIN LADEN in Afghanistan. MULLAH KAKSHAR's sworn statement implicates PRINCE TURKI as the facilitator of these money transfers in support of the TALIBAN, AL QAEDA, and international terrorism.

254. In 1996, according to various intelligence sources, a group of Saudi princes and prominent Saudi business leaders met in Paris and agreed to continue contributing, sponsoring, aiding and abetting BIN LADEN's terrorist network.

255. In July of 1998, a meeting occurred in Kandahar, Afghanistan that led to an agreement between certain Saudis and the TALIBAN. The participants were PRINCE TURKI, the TALIBAN leaders, as well as senior Pakistani intelligence officers of the ISI and representatives of BIN LADEN. The agreement reached stipulated that BIN LADEN and his followers would not use the infrastructure in Afghanistan to subvert the royal families' control of Saudi government and in return, the Saudis would make sure that no demands would be acceded

to for the extradition of terrorist individuals, such as BIN LADEN, nor permit the closure of terrorist facilities and camps. PRINCE TURKI also promised to provide oil and generous financial assistance to both the TALIBAN in Afghanistan and to Pakistan. After the meeting, 400 new pick-up trucks arrived in Kandahar for the TALIBAN, still bearing Dubai license plates.

256. PRINCE TURKI was instrumental in arranging a meeting in Kandahar between Iraqi senior intelligence operative, the Ambassador to Turkey FARUQ AL- HIJAZI and BIN LADEN, in December of 1998.

257. Istakhbarat served as a facilitator of BIN LADEN's network of charities, foundations, and other funding sources. PRINCE TURKI has recently been named as an ambassador from Saudi Arabia to the United Kingdom.

258. Born in Riyadh, Saudi Arabia in 1924, PRINCE SULTAN is the son of Abdulaziz Bin Abdul Rahman Al Saud, founder of the modern Kingdom of Saudi Arabia and Hussa Bin Ahmad Sudairi. He is one of the six full brothers of King Fahd Bin Abdulaziz Al Saud. These seven brothers are referred to as the Sudairi seven. PRINCE SULTAN was appointed Governor of Riyadh in 1947.

259. PRINCE SULTAN has been the Second Deputy Prime Minister, Minister of Defense and Aviation since 1962 and Inspector-General of the Kingdom of Saudi Arabia. In addition, PRINCE SULTAN is Chairman of the Supreme Council for Islamic Affairs which has oversight and control over charities in Saudi Arabia.

260. Beginning with the Gulf War, PRINCE SULTAN took radical stands against western countries and publicly supported and funded several Islamic charities that were sponsoring BIN LADEN and AL QAEDA operations, including the Defendants INTERNATIONAL ISLAMIC RELIEF ORGANIZATION ("IIRO"). MUSLIM WORLD LEAGUE, WORLD ASSEMBLY OF MUSLIM YOUTH and AL-HARAMAIN. He was appointed head of the Supreme Council of Islamic Affairs which was responsible for charitable financing.

261. PRINCE SULTAN has been involved in the sponsorship of international terrorism through the IIRO and other Saudi-funded charities. Defendant IIRO is a direct arm of the Saudi Royal family, according to Arafat El-Asahi, the Director of the Canadian branch of the IIRO. The United States Department of State has also identified IIRO as an organization which sponsors terrorism. Dr. ADNAN AL BASHA, the Secretary General of the IIRO publicly thanked PRINCE SULTAN on December 22, 2000, for his support and aid.

262. A Saudi embassy press release announced in April 2001 that "PRINCE SULTAN affirms [the] Kingdom's Support" for the Palestinian Intifada, with the generous amount of \$40 million already disbursed to "the families of those martyred" and other "worthies."

263. PRINCE SULTAN personally funded several Islamic charities over the years that sponsor, aid, abet or materially support BIN LADEN and AL QAEDA: the IIRO (and its financial fund SANABEL EL-KHAIR), AL-HARAMAIN, MUSLIM WORLD LEAGUE, and the WORLD ASSEMBLY OF MUSLIM YOUTH. All of these charities are and/or were

involved in the financing of international terrorism. The total of PRINCE SULTAN's personal donations to these entities since 1994 amounts to at least \$6,000,000, according to official and public reports.

264. PRINCE SULTAN's role in the IIRO's financing is of significance. Since the IIRO's creation in 1978, PRINCE SULTAN donated various gifts to the charity. In 1994 alone, he donated \$266,652 to the IIRO. Since 1994, the amount funneled by PRINCE SULTAN into IIRO alone is reported to be \$2,399,868. PRINCE SULTAN's role in directly contributing to and in the oversight of IIRO evidences his material sponsorship, aiding and abetting of international terrorism. PRINCE SULTAN maintains close relations with the IIRO organization headquarters and knew or should have known these assets were being diverted to AL QAEDA.

265. PRINCE SULTAN is also a large financial contributor of the MUSLIM WORLD LEAGUE. PRINCE SULTAN donated during a television fundraising campaign for MWL. The total collection made as a result of the television campaign was SR 45,000,000, with the Emir of Riyadh, PRINCE SULTAN, donating a million Saudi Royals (\$533,304).

266. PRINCE SULTAN is also a regular donator to the WORLD ASSEMBLY OF MUSLIM YOUTH (or "WAMY"). WAMY was founded in 1972 in a Saudi effort to prevent the "corrupting" ideas of the western world influencing young Muslims. With official backing it grew to embrace 450 youth and student organizations with 34 offices worldwide. WAMY has been officially identified as a "suspected terrorist organization" by the FBI since 1996 and has been the subject of numerous governmental investigations for terrorist activities.

267. Shortly after the September 11, 2001 attacks, PRINCE SULTAN publicly accused the "Zionist and Jewish lobby" of orchestrating a "media blitz" against the Saudi Kingdom. PRINCE SULTAN argued against the United States use of Saudi bases to stage military strikes on Afghanistan after the September 11, 2001 attacks, stating that his government "will not accept in [Saudi Arabia] even a single soldier who will attack Muslims or Arabs." Saudi Minister of Defense PRINCE SULTAN also stated in 2002 that his country would not permit allied aircraft to launch preventive or major retaliatory strikes against IRAQ from bases in Saudi Arabia. PRINCE SULTAN expressed the hope that the Arab Nationals who have fought alongside the TALIBAN and AL QAEDA will be allowed to return safely to their respective countries.

268. PRINCE MOHAMMED is engaged in the sponsorship of international terrorism through DAR AL MAAL AL ISLAMI, THE FAISAL ISLAMIC BANK and AL SHAMAL ISLAMIC BANK in the Sudan. As detailed supra, until 1983, DMI was under M. Ibrahim Kamel's chairmanship. On October 17, 1983, PRINCE MOHAMMED became CEO of DMI. Under PRINCE MOHAMMED's chairmanship, DMI developed banking, investment and insurance activities in approximately twenty offices across the world. DMI was founded in 1981 to foster the spread of Islamic banking across the Muslim world and its Board of Directors included Haydar Mohamed bin Laden, a half-brother of OSAMA BIN LADEN. FAISAL ISLAMIC BANK SUDAN was one of the five main founders of AL SHAMAL ISLAMIC BANK.

269. Prominent Saudi businessman and terrorism financier ADEL ABDUL JALIL BATTERJEE is the Chairman and one of the largest shareholders of AL SHAMAL ISLAMIC

BANK in Khartoum, SUDAN. AL SHAMAL ISLAMIC BANK is an instrumental bank in BIN LADEN's financial support network. BIN LADEN used AL SHAMAL BANK for the funding of his AL QAEDA network leading up to the 1998 United States Embassy bombings in Africa. Defendant FAISAL ISLAMIC BANK was implicated during Al-Fadl's May 2001 United States trial testimony regarding the bombings as holding and managing bank accounts for AL QAEDA operatives (*supra*).

270. As the head of DMI, PRINCE MOHAMMED knew or should have known of these and other activities and acted as an aider and abettor and material sponsor of AL QAEDA, BIN LADEN, and international terrorism.

271. PRINCE ABDULLAH was born in 1923 and is the son of former King Faisal. His brothers include Defendant PRINCE TURKI and Defendant PRINCE MOHAMMED.

272. PRINCE ABDULLAH AL FAISAL, a former official of the Saudi Ministry of Interior, was Minister of Health between 1949 and 1950. He is Chairman of the Arabian Establishment for Trade and Shipping Ltd, Qassim Cement Company and owner of ALFAISALIAH GROUP. He is also Chairman of the board of trustees of the King Faisal Foundation.

273. ALFAISALIAH GROUP (a/k/a Al Faisal Group Holding Co.) (or "AFG") is based in Riyadh, Saudi Arabia. Its main shareholder is PRINCE ABDULLAH. Its Chairman is MOHAMMED ABDULLAH AL FAISAL, PRINCE ABDULLAH AL FAISAL's son.

274. ALFAISALIAH GROUP was reorganized in 2001 with PRINCE ABDULLAH holding 97.5% of the shares, and businessman MOHAMMED BIN ABDULRAHMAN AL ARIEFY, President, owning 2.5 percent of the shares. The company at that time changed its name to AL FAISAL GROUP HOLDING CO., a successor in interest to ALFAISALIAH GROUP.

275. Founded in 1970, the ALFAISALIAH GROUP is a large commercial conglomerate with 3,000 employees and thirteen subsidiaries involved in five business sectors (Food & Beverages, Petrochemicals & Plastics, Entertainment & Multimedia, Consumer Electronics, and High Tech & Information Technology). ALFAISALIAH GROUP is the representative agent in Saudi Arabia of several international companies, including Sony, Hewlett Packard, MegaStar, Columbia Tri-Star, 20th Century Fox, Motorola, Toshiba and Danone. Its main subsidiaries include Modern Electronic Establishment, Modern Petrochemicals Establishment, Al Safi Dairy Establishment, Al Faisalia Agricultural Establishment, Al Faisalia Real Estate Establishment and Al Faisalia Computer & Communication Services Establishment. ALFAISALIAH GROUP maintains branches in Jeddah, Al Khobar, Khamis Mushait, Medinah, Qassim, Arar and Tabuk.

276. According to FBI records, September 11, 2001, hijacker HANI SALEH H. HANJOUR (a/k/a Hani Saleh Hanjour, Hani Saleh, Hani Hanjour) is a Saudi national from the city of Taif, Saudi Arabia. Hanour was one of the hijackers on American Airlines Flight 77 that

crashed into the Pentagon on September 11, 2001. His brother Abdulrahman Saleh Hanjour harbored him in Tucson, Arizona, in the months preceding the September 11, 2001 attacks.

277. The two Hanjour brothers and another AL QAEDA suspect in the attacks, Abdal Monem Zelitny, had a registered address in Taif, Saudi Arabia, under the name of Alfaisaliah, P.O. Box 1717, Taif, Saudi Arabia. The name and address are the branch office of Alfaisaliah Group in Taif, a subsidiary of the Riyadh based holding company. As detailed above, Alfaisaliah is owned and controlled by PRINCE ABDULLAH AL FAISAL, son of King Faisal, and for whom terrorist financier ZOUAYDI has worked as an accountant in Jeddah, Saudi Arabia.

278. One of PRINCE ABDULLAH'S accountants in Jeddah, Saudi Arabia was Defendant MUHAMMED GALEB KALAJE ZOUAYDI (a/k/a Abu Talha) (or "ZOUAYDI") convicted in Spain for financing AL QAEDA operations in Europe. ZOUAYDI set up Spanish companies established during the time he was staying in Saudi Arabia and working for PRINCE ABDULLAH, between 1996 and 2000. ZOUAYDI laundered Saudi money through Spain to an AL QAEDA cell in Germany.

279. Evidence from eye witnesses indicates that ZOUAYDI was present in offices of PRINCE ABDULLAH in Jeddah. ZOUAYDI was also recognized in the offices of Dr. Bakhsh with Abdul Rahman Taha Bakhsh, brother of businessman ABDULLAH TAHA BAKHSH, former director of Zakat and Income Tax at the Saudi Ministry of Finance. Both brothers are members of the board of Trading Engineering & Contracting Corp. (Traco), based in Jeddah, Saudi Arabia.

280. Evidence recovered by the Spanish authorities shows that MUHAMMED GALEB KALAJE ZOUAYDI, a Syrian born businessman, along with several associates in Spain and Europe, funneled money from the Saudi-based company, Mushayt for Trading Establishment (or "Mushayt"), through Spanish corporations to entities and individuals known to be associated with the AL QAEDA terrorist organization in Europe. PRINCE ABDULLAH is implicated in these financial transactions of material support to AL QAEDA, as is PRINCE TURKI.

281. According to Spanish authorities, Mushayt received funds and donations from other companies and individuals in Saudi Arabia that were funneled to AL QAEDA through Spain. This fraudulent scheme provided material, financial support to the GLOBAL RELIEF FOUNDATION in Spain, to ABDUL FATTAH ZAMMAR and MAMOUN DARKAZANLI in Germany, who maintained the bank accounts of hijacker MOHAMED ATTA and other members of the Hamburg AL QAEDA cell. These co-conspirators (ZAMMAR and DARKAZANLI) are awaiting trial in Germany on charges of providing financial and logistical support to the organization of the September 11, 2001 attacks.

282. GHASOUB AL ABRASH GHALYOUN (a/k/a Abu Musab), an associate of ZOUAYDI's in Spain, was observed filming future targets of AL QAEDA in the United States. In his videotapes, Spanish authorities found pictures of the World Trade Center taken on August 9, 1997.

283. PRINCE NAYEF is Saudi Minister of Interior and heads the Saudi Committee for relief to Afghans, which supervises the activities of Defendant AL-HARAMAIN FOUNDATION whose sponsorship of terrorism is detailed infra. The Minister of Interior, by function, controls the activities of Islamic Charities and is empowered to verify their legality and conduct.

284. PRINCE NAYEF is the Chairman of the Saudi Arabian Committee for Support of the Intifada al Quds. According to documents captured by the Government of Israel in the Palestinian territories during operation Defensive Shield, this committee knowingly transferred large sums of money to the families of Hamas terrorists who had executed murderous attacks against Israelis. PRINCE NAYEF, along with others in Saudi Arabia, supports suicide martyrs.

285. PRINCE NAYEF has engaged in a pattern of conduct that aids, abets, and materially sponsors international terrorism and AL QAEDA. As with PRINCE SULTAN and PRINCE TURKI, PRINCE NAYEF has engaged in material support, including but not limited to monetary payoffs, to BIN LADEN's AL QAEDA.

286. Defendant ABDULLAH BIN ABDUL MUHSEN AL TURKI (or "al Turki") is a Saudi and the former rector of the University of Riyadh (1994), former minister of Waqf and Islamic Affairs until 2000, and advisor to KING FAUD. AL TURKI is also Secretary General of the MUSLIM WORLD LEAGUE.

287. Defendant ABDULLAH BIN ABDUL MUHSEN AL TURKI is a counselor to the government of Saudi Arabia and was in contact with AL QAEDA financier ZOUAYDI. AL TURKI acted as Saudi Minister of Islamic Affairs for many years and was in a position where he knew or should have known about the reach of international terrorism and AL QAEDA. AL TURKI later became a shareholder in the front organization known as Promociones which bought real estate but did no actual construction work, although listing itself as a construction company. Instead, that company made direct payments to AL QAEDA cells.

288. On October 10, 1999, AL TURKI and ZOUAYDI, a senior AL QAEDA financier for Europe, agreed to participate as business partners in a construction project in Madrid, Spain. A contract was written by ZOUAYDI'S Company in Spain stating that both parties will finance 50% of the project. The income would be split 70/30 between AL TURKI and ZOUAYDI.

289. ZOUAYDI was part of an international terrorist movement for global jihad which encompassed the AL QAEDA network. This network channeled money directly to the perpetrators of September 11, 2001.

290. Several faxes in support of this enterprise, scheme and conspiracy were sent by ZOUAYDI to AL TURKI. As a guaranty for the Spanish company, ZOUAYDI sent a check of 191 million Pesetas on September 15, 1999 to AL TURKI as beneficiary from Banco Sabadell in Madrid. In one fax sent on October 15, 1999, ZOUAYDI asked AL TURKI to send the money through AL RAJHI BANK (which hold his accounts in Saudi Arabia). On October 22, 1999, a fax was sent to AL TURKI by Prol & Asociados law firm in Madrid referring to a telephone

conversation with someone acting on behalf of AL TURKI, named Waleed O Houssainy, about a project of AL TURKI to buy 100% of ZOUAYDI's Spanish company.

291. On February 4, 2000, ZOUAYDI sent a fax to AL TURKI, referring to him as "advisor to KING FAHD." In his declarations to the Spanish judge on April 26, 2002, ZOUAYDI referred to AL TURKI as "advisor to KING FAHID." AL TURKI's representative, Waleed Al Hussein, is the manager of a major Saudi company owned by the prominent shareholders.

292. THE SAUDI HIGH COMMISSION, (a/k/a the Saudi High Relief Commission) (or "SHC") was founded in 1993 by PRINCE SALMAN IBN ABDUL AZIZ (or "PRINCE SALMAN"), the Mayor of Riyadh and a son of King Fahd, and a prime supporter of the charity. Hailed as the largest fundraising effort in the Arab and Muslim world, the SAUDI HIGH COMMISSION claims to have spent more than \$600 million in aid to Bosnian Muslims impoverished by the country's recent civil war.

293. Despite the Saudi commission's generous efforts in Bosnia, it has been widely criticized by aid agencies and Bosnian intellectuals for importing the extreme form of Saudi Islam, Wahhabism, which is alien to the more moderate, secular form of Islam found in Bosnia. Bosnian officials claim that the Wahhabis' intolerant and anti-Western form of Islam contradicts and offends Bosnian tradition and undermines the country's rich and diverse religious heritage.

294. On October 21, 2001, five Algerians were arrested in Bosnia Herzegovina on criminal charges of international terrorism following a threat to the United States embassy. The incident resulted in the five day closure of the United States and British embassies for what both embassies called "a credible security threat." The plot was discovered when United States intelligence intercepted a telephone conversation between two of the accomplices about the mission. During this telephone conversation, one of the terrorists said, "American interests would be jeopardized within 48 hours."

295. This group of Algerians is suspected to be a part of the AL QAEDA network. The NATO Secretary-General, George Robertson, stated that at least one of the five had "direct links with AL QAEDA and BIN LADEN." The leader of the group, BENSAYAH BELKACEM, has been identified as a top AL QAEDA lieutenant. In October, 2001, BELKACEM was arrested at his apartment in Zenica, Bosnia, where authorities found phony passports and a mobile telephone listing for ABU ZUBADAH, AL QAEDA's third-in-command. According to phone transcripts, BELKACEM was also in phone contact with an AL QAEDA military commander ABU AL-MAID.

296. One of the six Algerian terror suspects, Sabir Lamar, worked for the SAUDI HIGH COMMISSION as an Arabic language teacher. Sabir Lamar fought in Afghanistan with the Mujahideen. He is married to the daughter of a former local employee at the United States embassy in Sarajevo and is believed to have had keys to the building, in which photographs and other information were available.

297. In October, 2001, United States forces raided the Sarajevo branch of the SAUDI HIGH COMMISSION of Bosnia and Herzegovina and found computer hard drives with photographs of the World Trade Center before and after its collapse as well as photos of United States embassies in Kenya and Tanzania and the USS Cole. Additionally, United States forces discovered files on pesticides and crop dusters, information about how to make fake State Department badges as well as photographs and maps of Washington, with government buildings marked. About \$100,000 worth of local currency was found in a safe, as well as anti-Semitic and anti-United States computer material geared toward children.

298. The Financial Police of the Federation of Bosnia Herzegovina Ministry of Finance analyzed the documents seized from the offices of the SAUDI HIGH COMMISSION and described the organization as a front for radical and terrorism-related activities:

Members of the SFOR have on premises of the SAUDI HIGH COMMISSION Relief for Bosnia and Herzegovina confiscated some documentation for which it can be claimed with certainty that it does not belong in the scope of work of a humanitarian organization (various photographs of the World Trade Center, sketches of military bases, certain photographs of military ships, civil airplanes, certain specially protected facilities, and other).

299. In October 2001, a Bosnian spokesman announced that between 100,000 DM and 200,000 DM in cash were also seized in the offices of the Saudi High Commission. The SAUDI HIGH COMMISSION used 24 vehicles with diplomatic plates to transport members and material inside Bosnia Herzegovina.

300. PRINCE SALMAN was named Chairman of the General Donation Committee for Afghanistan (a/k/a Afghan Jihad Support Committee) in 1980 and has a history of funding Islamic extremism. In 1981, the General Donation Committee for Afghanistan gave \$39 million dollars to aid the Afghan Mujabideen. PRINCE SALMAN stated the donation was made to "our Afghan brothers."

301. In 1999, PRINCE SALMAN made a donation of \$400,000 during a fund-raising event organized for Bosnia Herzegovina and Chechnya by Defendants INTERNATIONAL ISLAMIC RELIEF ORGANIZATION, WORLD ASSEMBLY OF MUSLIM YOUTH, and AL-HARAMAIN FOUNDATION.

302. A letter seized by the Israeli Defense Forces during Operation Defensive Shield, further evidenced the involvement of PRINCE SALMAN in financing terrorist organizations. The letter dated December 30, 2000, was issued by the Embassy of the State of Palestine in Riyadh to PRINCE SALMAN IBN ABDIJL AZIZ, Chairman of the Popular Committees for Support of the Palestinian Fighters. The Palestinian ambassador expresses the concern of Yasser Arafat regarding funding of radical organizations.

I wish to inform you that [Yasser Arafat] called me and asked to convey his request to mediate and intervene and express his opinion about what is happening in our homeland. The Saudi committee responsible for transferring contributions to beneficiaries is sending large sums to radical committees and associations, including the Islamic Association which belongs to Hamas, the Al-Salah Association, and brothers belonging to the Jihad in all areas. This has a bad affect on the domestic situation and also strengthens these brothers and thus has a bad impact on everybody.

303. Given its level of financing, the SAUDI HIGH COMMISSION does not provide adequate financial aid to the needy. The SAUDI HIGH COMMISSION was functioning at least until February 2001, when the announcement was made that the organization provided in a nine-year period a total of \$560,900,000 in donations. Since at least year 2000, funds sent to help Bosnia Herzegovina were diverted for terrorist activities and not charity. For instance, in September 2000, PRINCE SALMAN was alerted by a letter from the Bosnian association "Mothers of Srebrenica and Podrinje" in which it was clearly claimed that the SAUDI HIGH COMMISSION in Bosnia Herzegovina did not provide charitable assistance.

304. This Bosnian association stated that while PRINCE SALMAN announced that 200 million DM were collected in only one day after Srebrenica's fall in July 1995, none of Saudi assistance reached the Srebrenica people.

305. PRINCE SALMAN knowingly failed to take appropriate actions regarding the management and use of funds of the SAUDI HIGH COMMISSION in Bosnia Herzegovina, as proven by the evidence of non-charitable work discovered in the raids conducted in the Sarajevo office of the organization less than one year later.

306. United States investigative forces are currently reviewing suspicious financial records of the SAUDI HIGH COMMISSION. SAUDI HIGH COMMISSION financial records fail to account for \$41 million dollars.

307. ABDUL AZIZ AL IBRAHIM (or "AL IBRAHIM") is a Saudi citizen and the brother-in-law of KING FAHD of Saudi Arabia. His sister, Jawhara, is the second wife of KING FAHD.

308. In 1989 ABDUL AZIZ AL IBRAHIM acquired a portion of the Marina Del Rey real estate venture in Los Angeles, through various offshore companies. American authorities discovered a loan of \$132 million that was granted to AL IBRAHIM at the end of 1989 by BCCI. AL IBRAHIM was one of BCCI's leading loan beneficiaries.

309. Apart from being a lead investor in Marina del Rey, AL IBRAHIM's real estate assets have included Ritz-Carlton hotels in New York, Washington, Houston and Aspen, a hotel and office complex near Chicago's O'Hare International Airport, undeveloped property in the hills high above Bel-Air and largely vacant land near Disney World in Florida. Ritz-Carlton hotels decided in 1997 to pull back their name from the facilities by terminating management agreements after they became controlled by Al Anwa USA, a company owned by ABDUL AZIZ AL IBRAHIM.

310. The registered President of Al Anwa USA is TAREK AYOUBI, who also manages Anwa Hotel & Resort International, Luxury Holdings Inc., MDR Hotel and NY Overnight Inc., all based at the same address in Marina Del Rey.

311. Al Anwa holding is AL ANWA FOR CONTRACTING ESTABLISHMENT (a/k/a Al Anwae Trading and Contracting Establishment, a/k/a Anwae Contracting Est) a construction company owned by ABDUL AZIZ AL IBRAHIM. It is a shareholder, along with

Defendant DALLAH AL BARAKA (Chaired by Defendant SALEH ABDULLAH KAMEL), of the National Environmental Preservation Co Ltd in Jubail, Saudi Arabia.

312. In 1991 with another brother, Walid, Defendant SALEH ABDULLAH KAMEL and ABDUL AZIZ AL IBRAHIM created the leading Arab television satellite service, Middle East Broadcasting Corp (or "MBC"), which purchased the press agency United Press International (or "UPI") in 1992.

313. In 1990, AZIZ AL IBRAHIM created the IBRAHIM BIN ABDUL AZIZ AL IBRAHIM FOUNDATION whose official stated aim is humanitarian assistance. The organization is present in Kenya, Bosnia, Chechnya, South America and Southern Asia. The Foundation has built mosques in Dusseldorf, Gibraltar, Milan and Moscow.

314. The organization's branch in Nairobi in Kenya was associated with BIN LADEN's network according to the FBI's investigation into the attacks against the American embassies on August 7, 1998.

315. In September 1998, the Kenyan government canceled the registration of five Islamic relief agencies for allegedly supporting terrorism including Defendant AL-HARAMAIN FOUNDATION, HELP AFRICAN PEOPLE, THE ISLAMIC RELIEF ORGANIZATION, THE IBRAHIM BIN ABDUL AZIZ AL IBRAHIM FOUNDATION, and MERCY RELIEF INTERNATIONAL. The authorities claimed that materials for the bomb were smuggled in as relief aid with the help of Islamic relief agencies.

316. The decision was announced by the Kenyan government's NGO coordinator who declared that:

Our investigations reveal that the operations of these organizations are inconsistent with the reasons for which they were registered... These organizations are supposed to work for the welfare of Kenyans, but are instead endangering Kenyans' lives... They had been found to be working against the interests of Kenyans in terms of security.

317. After several organizations appealed this decision, Kenya's High Court blocked the de-registration of four of the five non-governmental organizations. THE INTERNATIONAL ISLAMIC RELIEF ORGANIZATION, MUSLIM WORLD LEAGUE, AL-HARAMAIN FOUNDATION, and MERCY INTERNATIONAL RELIEF AGENCY can however still operate pending an appeal. Only the IBRAHIM BIN ABDUL AZIZ AL IBRAHIM FOUNDATION did not ask the court for an appeal.

318. In a study paper dated October 1999, called "The New Azerbaijan Hub: How Islamist operations are targeting Russia, Armenia and Nagorno-Karabagh", Yossef Bodansky, Senior Editor of Defense and Foreign Affairs' Strategic Policy refers to the IBRAHIM BIN ABDUL AZIZ AL IBRAHIM FOUNDATION as one of those which provided help to BIN LADEN.

The key Islamist facilities are concealed as charity and educational organizations affiliated with the web used by bin Laden's networks. Moreover, the headquarters of these organizations are staffed with Arab "teachers" and "managers" from the ranks of such organizations as the International Muslim Brotherhood, the Islamic Salvation Front, several branches of Islamic Jihad, and the National Islamic Front of SUDAN. The key organizations are... Al Ibrahim Foundation. Very little is known about this Baku-based charity except that its Arab principals have huge amounts of cash

in hard currency. They are involved in acquisition of real estate among other "educational" projects.

319. Upon information and belief, IBRAHIM BIN ABDUL AZIZ AL IBRAHIM FOUNDATION was funding the ISLAMIC MOVEMENT OF UZBEKISTAN (or "IMU"), an affiliate of AL QAEDA , whose leaders met BIN LADEN in 1999 in Kandahar, Afghanistan. The IMU received \$270,000 dollars from the IBRAHIM BIN ABDUL AZIZ AL IBRAHIM FOUNDATION.

320. In 1999, the Russian special services and reconnaissance disseminated a report stating that Chechen militants were allegedly being trained in three paramilitary bases in Azerbaijan and that three Islamic organizations - the IBRAHIM BIN ABDUL AZIZ AL IBRAHIM FOUNDATION, WORLD YOUTH ISLAMIC ASSEMBLY and ISLAMIC RESCUE ORGANIZATION - had taken part in setting up these bases.

321. During an investigative television program by the Russian NTV, on November 1, 2002, it was disclosed that in July 2002, more than a hundred young men from various regions of Russia attended a seminar organized by the clerical board of Muslims of the Asian part of Russia at Pervouralsk. The official goal of the event was to instruct to religious matters. One of the courses was based upon a study in sharia disciplines, published by IBRAHIM BIN ABDUL AZIZ AL IBRAHIM, which emphasized:

Armed struggle in the name of Allah, for his word to be above all else. . . . Sacrifice your life in witness of Allah's religion.

322. According to a document summarizing the seminar "the main task of the seminar was to select candidates for further instruction at Saudi universities, and to raise the level of Islamic awareness." After the NTV findings, an investigation was conducted and a criminal procedure is pending in Russia.

323. The seminar took place in the Middle Urals Kaziat Muslim community, where in 1995 Defendant ABDULLAH BIN ABDUL MUHSEN AL TURKI created a Joint Committee for Islamic Action and Studies with representatives from Defendants MUSLIM WORLD LEAGUE, IIRO, WAMY, along with the IBRAHIM BIN ABDUL AZIZ AL IBRAHIM FOUNDATION.

324. The role of certain Saudis in the sponsorship of AL QAEDA is evidenced in the AL QAEDA organization's own words. Confiscated AL QAEDA documents state that among all the Muslim governments in the world, the government of Saudia Arabia is the only representative model Islamic government, the greatest center of Islam as AL QAEDA moves to expel the Jews and Christians from Arab lands through mass murder.

325. BIN LADEN is referred to in AL QAEDA documents as the billionaire merchant prince and the beloved member of Saudi Arabia's billionaire family who has been supported by the bin Laden family to aim the Kalishnikov at super power America.

326. Information found in the possession of AL QAEDA terrorists indicates that financial support of international terrorism by wealthy Saudis is designed to undermine moderate

Arab regimes and movements while providing support for Saudi legitimacy as the strict guardians of Mecca and Medina.

327. These acts described herein constitute a pattern of conduct in sponsoring and promoting radicals and international terrorism generally, as well as AL QAEDA and BIN LADEN, specifically. The participation of certain Saudi nationals in the sponsoring and promotion of terrorism is widely known. As USA Today reported back in 1999:

More than a year after the U.S. Embassy bombings in East Africa, prominent businessmen in Saudi Arabia continue to transfer tens of millions of dollars to bank accounts linked to indicted terrorist OSAMA BIN LADEN, senior U.S. intelligence officials told USA Today.

The money transfers, which began more than five years ago, have been used to finance several terrorist acts by bin Laden, including the attempted assassination in 1995 of Egyptian President Hosni Mubarak in Ethiopia, the officials said.

Secretary of State Madeleine Albright is expected to raise the issue with PRINCE SULTAN, the Saudi defense minister, during his visit to Washington next week. Saudi Arabia, the main U.S. ally in the Persian Gulf, has pledged to fight terrorism.

According to a Saudi government audit acquired by U.S. intelligence, five of Saudi Arabia's top businessmen ordered the National Commercial Bank (NCB), the kingdom's largest, to transfer personal funds, along with \$3 million diverted from a Saudi pension fund, to New York and London banks.

The money was deposited into the accounts of Islamic charities that serve as fronts for bin Laden. The businessmen are paying bin Laden "protection money" to stave off attacks on their businesses in Saudi Arabia.

328. Certain members of the Saudi Royal family and related persons overtly and covertly aid, abet, and materially support the IIRO and other charities, despite their roles in

terrorist financing. Certain members of the Saudi Royal family, along with other wealthy Saudi supporters, contributed to the IIRO and related charities as a way to support AL QAEDA without suffering from the social (and legal) ramifications that such contributions bring. The IIRO received funds which were passed on to terrorists in part from the Zakat payments from individuals and companies in the kingdom of Saudi Arabia. The Saudi Royal family members own substantial assets in the United States of America, and do substantial business in the United States of America, the profits of which in part, are used to fund international terrorist acts, including those which led to the murderous attacks of September 11, 2001.

329. As the 2002 Report on terrorist financing by the independent task force of the Council on Foreign Relations pointed out: “it is worth stating unambiguously what official U.S. government spokespersons have not: [F]or years, individuals and charities based in Saudi Arabia have been the most important source of funds for AL QAEDA; and for years, Saudi officials have turned a blind eye to this problem.” The report goes on to note that this is hardly surprising given that the Saudis possess the greatest concentration of wealth in the area.

SAUDI BIN LADEN GROUP

330. THE SAUDI BIN LADEN GROUP (or "SBG"), also known as the BIN LADEN CORPORATION, is an expansive global conglomerate.

331. THE SAUDI BIN LADEN GROUP's website details its history in the following manner:

The history of bin Laden began in 1931 when Mohammed bin Laden founded the company. From its humble beginnings as a general contractor, the company has grown and prospered in parallel with the growth and prosperity of the Kingdom of Saudi Arabia. Over the years the company has been entrusted with many major construction projects, projects that helped the Kingdom to develop its resources and expand its infrastructure.

332. THE SAUDI BIN LADEN GROUP is based in Jeddah, Saudi Arabia. The group founded in 1931, is a privately held company wholly owned by the descendants of Mohammed Awad Bin Laden, father of OSAMA BIN LADEN. The international conglomerate is active in the areas of construction, engineering, real estate, distribution, telecommunications and publishing. Construction accounts for more than half of SBG's gross revenue.

333. SBG or its predecessor in interest, was the first private contractor in Saudi Arabia. SBG's status as an organization makes it exempt from publishing its financial records. For several years, it was the official and exclusive contractor of the holy sites of Mecca and Medina.

334. SAUDI BIN LADEN GROUP is run by BAKR M BIN LADEN, son of Mohammed Bin Laden. Family member Salem Bin Laden ran the group until his accidental death in 1998. SBG's board of directors include SALEHI GAZAZ, MOHAMMED BAHARETH, ABDULLAH BIN SAID, MOHAMMED NUR RAHIMI, TAREK M. BIN LADEN, and BIN LADEN. Until recently, the SAUDI BIN LADEN GROUP had an address in Rockville, Maryland.

335. OSAMA BIN LADEN used SBG support and assistance to build necessary infrastructure in Afghanistan as he did in SUDAN. In the introduction of his Declaration of War against the Americans in 1996, OSAMA BIN LADEN admitted this family support:

Then in 1979, just after he graduated from King Abdul Aziz University in Afghanistan, and the Mujahideen put out an international plea for help, Osama bin Laden responded by packing himself and several of his family's bulldozers off to Afghanistan.

336. The SAUDI BIN LADEN GROUP provided material support and financing to OSAMA BIN LADEN in Afghanistan, as reported by the United States State Department:

Under Al-Qaeda auspices, Bin Laden imported bulldozers and other heavy equipment to cut roads, tunnels, hospitals, and storage depots Afghanistan's mountainous terrain to move and shelter fighters and supplies.

His [OSAMA BIN LADEN's] father backed the Afghan struggle and helped fund it, so when Bin Laden decided to join up, his family responded enthusiastically.

337. After the Soviets withdrew from Afghanistan in 1989, OSAMA BIN LADEN returned to work in the SAUDI BIN LADEN GROUP's Jeddah-based construction business. He continued to support militant Islamic Groups until his departure to SUDAN in 1991. After his relocation to SUDAN, OSAMA BIN LADEN maintained close relationships with the SAUDI BIN LADEN GROUP and they remained his sponsor.

The relationships between OSAMA BIN LADEN and his family continued, despite claims to the contrary. Dr. Sand Al Fagih, Saudi dissident living in London, and former Afghan combatant, who kept close relationship with OSAMA BIN LADEN for many years, stated in 1994: There's a very interesting thing in Islamic structure of the

family: you are obliged to support your family members. Even if they are distant members. If it's a cousin or a niece or a nephew, especially a brother, you have to support them if you are a capable person. And the people feel sinful if they don't let this money go to its real owner, in this case, OSAMA BIN LADEN.

338. The notion that OSAMA BIN LADEN had been somehow "disowned" by the BIN LADEN family is not supported by the facts or by the realities of Islamic culture. In a 1997 interview, OSAMA BIN LADEN revealed that on nine different occasions, his mother, uncle and brothers had visited him in Khartoum in Sudan even though he had been exiled. The SAUDI BIN LADEN GROUP provided OSAMA BIN LADEN financial assistance and engineering support in Sudanese construction projects. Various sources confirmed that the Sudanese construction company set up by OSAMA BIN LADEN, AL-HIJRA FOR CONSTRUCTION AND DEVELOPMENT, was a subsidiary of the SAUDI BIN LADEN GROUP. This information is confirmed by an Intelligence Newsletter:

These are Wadi al Aqiq, an agricultural company with an investment arm; Al Timar Al Mubarikab, a sugar concern; Al Hijra a building and public works company... an affiliate of the powerful Saudi group headed by Bin Laden's father.

339. In SUDAN, OSAMA BIN LADEN participated in the construction of the Tahaddi road and the Port Sudan Airport. The SAUDI BIN LADEN GROUP provided support and contributions to these public works through two subsidiaries. The Public Buildings and Airports Division of the SAUDI BIN LADEN GROUP participated in the construction of the Port Sudan Airport, and the MOHAMMED BIN LADEN ORGANIZATION (of SBG) provided technical assistance on the road construction in the Sudan with OSAMA BIN LADEN. The SAUDI BIN LADEN GROUP confirmed publicly these two collaborations:

Over the years the Division has undertaken various challenging projects, large and medium scale, including complete airports and roads. . . The projects executed include... Port SUDAN Airport. SBG's skills... has been recognized and utilized in the United Arab Emirates, Jordan, Yemen and SUDAN.

340. The agreement for the construction of an airport in Port Sudan was between the Sudanese Government and the SAUDI BIN LADEN INTERNATIONAL COMPANY. In 1993, OSAMA BIN LADEN stated that he was involved in the construction of the road linking Khartoum to Port Sudan with some of former Afghan fighters who became part of AL QAEDA.

341. Relationships between the three entities, OSAMA BIN LADEN, the Republic of SUDAN, and the SAUDI BIN LADEN GROUP were stressed during the inauguration ceremony of the Port Sudan airport:

Meanwhile, OSAMA BIN LADEN, was the first guest invited to attend the inauguration of the new Port SUDAN Airport. He sat in the front row and was the guest of honor in this ceremony. It was a group of Bin Laden's companies that carried out the project of the new and modern airport that cost huge amounts of money.

342. Moreover, while OSAMA BIN LADEN was constructing the Tahaddi Road with SAUDI BIN LADEN GROUP's technical assistance, his own company, AL-HIJRA, was headed by Muslim activists. The testimony of Al-Fadl during the 2001 trial of the 1998 African Embassy Bombings further revealed the nature of AL-HIJRA executives in SUDAN:

Q. Do you know who ran the Al-Hijra Company while it was in the Sudan?

A. At the time, few people. The first one Dr. Sharif al Din Ali-Mukhtar,

Q. Who else?

A. Abu Hassan al Sudani, and Abu Hamman Al Saudi, Abu Rida Suri and Abu Hajer.

343. Other AL-HIJRA agents, officers, or executives were directly involved in AL QAEDA and terrorist operations. MAMDOUH MAHMUD SALIM, an AL QAEDA co-conspirator, was on the AL-HIJRA board of directors and is a founding member of AL QAEDA.

344. The SAUDI BIN LADEN GROUP sheltered and directly supported operatives of the AL QAEDA terrorist organization. Mohammad Jamal Khalifa is a key figure in the network of OSAMA BIN LADEN and has been implicated as a central AL QAEDA figure in several international terrorist plots. Yet KHALIFA was taken in by a branch of SAUDI BIN LADEN GROUP, the MOHAMMED BIN LADEN ORGANIZATION, headed by OSAMA BIN LADEN's brothers. The address listed on KHALIFA's visa application was the Mohammed Bin Laden Organization in Jeddah, Saudi Arabia.

345. The MOHAMMED BIN LADEN ORGANIZATION is a wholly-owned subsidiary of the SAUDI BIN LADEN GROUP. The board members include SALEH GAZAZ, MOHAMED BAHARETH, ABDULLAH BIN SAID, MOHAMED NUR RAHIMI, BAKR M. BIN LADEN, TAREK M. BIN LADEN, OMAR M. BIN LADEN, and YESLAM M. BIN LADEN.

346. In the early 1990s, TAREK BIN LADEN served as the general supervisor of the IIRO, a charity that has aided and abetted and materially supported AL QAEDA and international terrorism (*supra*). During this time, IIRO was rapidly becoming AL QAEDA's foremost charity used as a means to transfer funds, personnel, and other means of material support.

347. According to an Arabic publication, TAREK BIN LADEN had a prominent role in 1990 at the IIRO:

Tarek bin Laden has been a member of the IIRO in MWL for ten years. He has been working quietly for the orphans and the immigrants in the Islamic world. In the past two years the operation of IIRO has grown thanks to the support of the Saudi Royal family. Tarek says that the IIRO relies on donations of the Saudi people and some donations from the Islamic world.

348. OSAMA BIN LADEN's name is still listed in the SAUDI BIN LADEN GROUP's corporate records.

MUWAFFAQ-BLESSED RELIEF; AL-QADI AND BIN MAHFOUZ

349. One month after the September 11, 2001 attacks, on October 12, 2001, with Executive Order 13224, President George W. Bush designated Saudi businessman YASSIN AL-QADI as a terrorist entity and sponsor for financially supporting AL QAEDA. As stated in a United States Department of Treasury Press Release on October 12, 2001:

Yassin al-Qadi (heads) the Saudi-based Muwafaq (or “Blessed Relief”) Foundation, an AL QAEDA front that transfers millions of dollars from wealthy Saudi businessmen to bin Laden.

350. YASSIN AL-QADI is a United States designated terrorist and Director of GLOBAL DIAMOND RESOURCES, based in Nevada. Along with YASSIN AL-QADI, serving on the board of directors are representatives of the BIN LADEN family who invested in GLOBAL DIAMOND RESOURCES. YASSIN AL-QADI was introduced to GLOBAL DIAMOND RESOURCE's Chairman by an executive at the SAUDI BIN LADEN GROUP. In regards to the company's decision to let AL-QADI join as an investor, the Chairman said, “I relied on the representations of the BIN LADEN family. They vouched for him.”

351. Defendant MUWAFFAQ (or "BLESSED RELIEF") was registered in the Channel Islands in 1992 but run from Jeddah, Saudi Arabia. The BLESSED RELIEF charity had an international presence with offices in Europe, Ethiopia, Pakistan, SUDAN, Somalia and a post office box in the United States. BLESSED RELIEF purported to conduct traditional relief work such as the distribution of food, clothing and medical equipment to victims of war or famine. MIJWAFFAQ-BLESSED RELIEF was endowed by Defendant KHALID BIN SALIM BIN MAHFOUZ, the AL QAEDA financier, and run by YASSIN AL-QADI. KHALID BIN SALIM BIN MAHFOUZ's son, ABDUL RAHMAN KHALID BIN SALIM BIN MAHFOUZ, is also a director of the BLESSED RELIEF charity.

352. YASSIN AL-QADI ran BLESSED RELIEF from 1992 until approximately 1997 with \$15 to \$20 million of his own money, along with contributions from other wealthy associates and according to a June 1998 U.S. Justice Department report, sent \$820,000 to buy

weapons for HAMAS. Millions of dollars have been transferred to OSAMA BIN LADEN and AL QAEDA through BLESSED RELIEF. During the 1990s an audit of the Defendant NATIONAL COMMERCIAL BANK OF SAUDI ARABIA, which was then run by KHALID BIN SALIM BIN MAHFOUZ, revealed the transfer of \$3 million for BIN LADEN that was moved from the accounts of wealthy Saudi businessmen to BLESSED RELIEF.

353. In a 1995 interview, BIN LADEN identified BLESSED RELIEF's place in his support network, "The bin-Laden Establishment's aid covers 13 countries...this aid comes in particular from the SAUDI HIGH COMMISSION ." BIN LADEN went on to list a number of the Human Concern International Society's branches, including the BLESSED RELIEF SOCIETY.

354. YASSIN AL-QADI incorporated the United States branch of BLESSED RELIEF in Delaware in 1992, along with Talal M. M. Badkook and Dr. Mohaman Ali Elgari. BLESSED RELIEF in the United States was also used as an AL QAEDA front used by wealthy Saudis and others to funnel money to BIN LADEN's terrorist network.

355. YASSIN ABDULLAH AL-QADI is the Vice President of the Saudi Arabian company M.M. Badkook Co. for Catering & Trading, owned by his partner in BLESSED RELIEF, and Talal Mohammed Badkook. Talal Badkook is also a member of the Al-Mustaqbal group along with SALEH MOHAMED BIN LADEN, son of Mohammed Bin Laden, and ABDULLAN SALEH KAMEL, son of SALEH KAMEL and the Chairman of the Dallah al-Baraka.

356. YASSIN AL-QADI is the Chairman of the National Management Consultancy Center (or "NMCC") in Jeddah, Saudi Arabia. The NMCC lists an address in Jeddah, Saudi Arabia, which is the same address listed on BLESSED RELIEF's Delaware corporate records.

AL-RAJHI BANK

357. Officially founded in 1987, Defendant AL-RAJHI BANKING & INVESTMENT CORPORATION, (or "AL-RAJHI BANK") has a network of nearly 400 branch offices throughout Saudi Arabia and manages seventeen subsidiaries across the world. Defendant SULAIMAN ABDULAZIZ AL-RAJHI is the Managing Director of AL-RAJHI BANKING & INVESTMENT CORPORATION and Defendant SALEH ABDULAZIZ AL-RAJHI is the Chairman.

358. The AL-RAJHI BANKING & INVESTMENT CORPORATION is the primary bank for a number of charities that serve as AL QAEDA front groups. AL-HARAMAIN ISLAMIC FOUNDATION, THE MUSLIM WORLD LEAGUE ("MWL"), and the IRO all funnel terrorism financing and support through the AL-RAJHI BANKING & INVESTMENT CORPORATION financial system. One of the American Airlines Flight 11 hijackers, ABDULAZIZ AL-OMAIRI, held an account with AL-RAJHI BANKING & INVESTMENT CORPORATION.

359. Defendant SULAIMAN ABDUL AZIZ AL-RAJHI has a history of financially supporting AL QAEDA terrorists. SULAIMAN ABDUL AZIZ AL-RAJHI managed the defendant NATIONAL COMMERCIAL BANK (infra) budget of the SAUDI JOINT RELIEF COMMITTEE. The AL-RAJHI family is also the primary financier of the SAAR FOUNDATION NETWORK (infra) and, as such, is implicated by the SAAR Network's

sponsorship of terrorism and BIN LADEN. SALEH ABDULAZIZ AL-RAJHI has been closely linked to BIN LADEN's personal secretary and convicted terrorist, WADIH EL-HAGE. When the Kenyan house of BIN LADEN's personal secretary, WADIH EL-HAGE, was raided in 1997, information regarding SALEH ABDULAZIZ AL-RAJHI was discovered. WADIH EL-HAGE is an AL QAEDA member who was convicted for the 1998 United States Embassy bombings in Kenya and Tanzania.

360. Co-conspirators, agents, aiders and abettors of the AL-RAJHI banking scheme to fund or otherwise materially support terrorism include: SULAIMAN ABDUL AZIZ AL-RAJHI, SALEH AL-RAJHI, ABDULLAH SULAIMAN AL-RAJHI, and KHALID SULAIMAN AL-RAJHI. All of these Defendants do business in and have a significant business presence in the United States, including but not limited to, through AL-WATANI POULTRY, one of the World's largest poultry businesses, and through Defendants MAR-JAC POULTRY, INC., MAR-JAC INVESTMENTS, INC. and PIEDMONT POULTRY. They are also material sponsors of international terrorism.

NATIONAL COMMERCIAL BANK AND BIN MAHFOUZ

361. The defendant NATIONAL COMMERCIAL BANK (or "NCB") was founded in 1950 by SALIM BIN MAHFOUZ. Defendant KHALID BIN SALIM BIN MAHFOUZ was born in Hadramaut, Yemen, on September 12, 1928. KHALID BIN SALIM BIN MAHFOUZ is the son of SALIM BIN MAHFOUZ, who emigrated to Saudi Arabia in or about 1930. The NCB was the first commercial bank of Saudi Arabia, based in Jeddah. After SALIM BIN MAHFOUZ's death in 1986, his son KHALID BIN MAHFOUZ became President and CEO of the NCB and remained in that position until 1999, becoming its principal shareholder with control over more than 50% of the bank's capital. The NCB has several wholly-owned subsidiaries, including

SNCB Corporate Finance Ltd. in London, SNCB Securities Ltd. in London, and SNCB Securities Ltd. in New York City through which it operates an international banking enterprise.

362. The NATIONAL COMMERCIAL BANK was implicated between 1986 and 1990 in the fraudulent schemes and practices of the Bank of Credit and Commerce International (or "BCCI"). NCB Chairman KHHALID BIN SALIM BIN MAHFOUZ became Chief Operating Officer and major shareholder of BCCI. A 1992 United States Senate Report on the BCCI scheme detailed the role of NCB in hiding assets, money laundering, the cover-up and obstruction of a Senate investigation, and sponsoring international terrorism. The NCB was used by OSAMA BIN LADEN and AL QAEDA as a financial arm, operating as a financial conduit for OSAMA BIN LADEN's operations. As a former CIA counter-terrorism expert explained in October 2001:

How does the AL QAEDA organization fund its worldwide network of cells and affiliated groups? Several businessmen in Saudi Arabia and in the Gulf contribute monies. Much of the money is paid as 'protection' to avoid having the enterprises run by these men attacked. There is little doubt that a financial conduit to Bin Laden was handled through the NATIONAL COMMERCIAL BANK, until the Saudi government finally arrested a number of persons and closed down the channel. It was evident that several wealthy Saudis were funneling contributions to Bin Laden through this mechanism. Now, it appears, that these wealthy individuals are siphoning off funds from their worldwide enterprises in creative and imaginative ways.

363. The BIN MAHFOUZ family businesses are organized through a series of "holding" companies, including a conglomerate, Saudi Economic and Development Company LLC (Sedco), founded in 1976 and based in Jeddah, and the petroleum company which is chaired by KHALID BIN MAHFOUZ's son.

364. Between 1986 and 1990, KHALID BIN SALIM BIN MAHFOUZ was Chief Operating Officer of the Bank of Credit and Commerce International (BCCI). After several fraudulent practices were discovered, KHALID BIN SALIM BIN MAHFOUZ was indicted on July 1, 1992, on charges of participation in a Scheme to Defraud in the First Degree in violation of New York Penal Law § 190.65, in connection with certain acts and omissions relative to BCCI Holdings and certain related entities. The indictment alleged a series of misrepresentations, sham loans, and fraudulent conduct in failing to disclose the status of his interest in BCCI.

365. Under KHALID BIN SALIM BIN MAHFOUZ, BCCI was also implicated in supporting international terrorism, as reported by the United States Senate:

In the course of targeting BCCI for laundering drug money, the CIA learned of BCCI's involvement in manipulating certain financial markets, in arms trafficking, and in supporting international terrorism, including handling the finances of Sabri al-Bannah or Abu Nidal, and his terrorist organization.

366. The 1992 Senate investigative Report detailed the initial involvement of BCCI in financially supporting terrorism:

BCCI's support of terrorism and arms trafficking developed out of several factors. First, as a principal financial institution for a number of Gulf sheikhdoms, with branches all over the world, it was a logical choice for terrorist organizations, who received payment at BCCI-London and other branches directly from Gulf-state patrons, and then transferred those funds wherever they wished without apparent scrutiny. Secondly, BCCI's flexibility regarding the falsification of documentation was helpful for such activities. Finally, to the extent that pragmatic considerations were not sufficient of themselves to recommend BCCI, the bank's pan-third world and pro-Islam ideology would have recommended it to Arab terrorist groups.

367. A bank audit of the defendant NCB conducted in 1998 revealed that over a 10 year period \$74 million dollars was funneled by its Zakat Committee to the IIRO, headed by OSAMA BIN LADEN's brother-in-law.

368. The defendant NCB audit report also stressed various irregularities due to "unreported expenses and loans" It states that "without knowledge of the Zakat Committee, NCB Directors established over the years credit and loans facilities for several charitable organizations, along with banking facilities that were not reviewed by the Committee." Direct donations were received through NCB facilities to the Red Crescent Saudi Committee, IIRO and the MUWAFFAQ Foundation. NCB, its agents and employees knew or should have known they were materially sponsoring, aiding and abetting AL QAEDA, OSAMA BIN LADEN, and international terrorism.

369. The NCB audit report reflects a \$3 million dollar transfer to MUWAFFAQ-BLESSED RELIEF FOUNDATION. KHALID BIN SALIM BIN MAHFOUZ was dismissed from the NCB in 1999 soon after the release of the bank's audit report and placed under arrest. Former CIA Director James Woolsey testified before the Senate Judiciary Committee that, along with the financial ties to and support of OSAMA BIN LADEN, KHALID BIN SALIM BIN MAHFOUZ was OSAMA BIN LADEN's brother-in-law by virtue of BIN LADEN's marriage to BIN MAHFOUZ's sister Kaleda Khalid bin Mahfouz and set up various charity organizations around the world since 1991. Every one of these foundations was linked to AL QAEDA and involved in the financing and material sponsorship of OSAMA BIN LADEN's international terrorist operations.

370. KHALED BIN MAHFOUZ is linked to BIN LADEN through several financial and charitable organizations, including, INTERNATIONAL DEVELOPMENT FOUNDATION, SAUDI SUDANESE BANK and AL KHALEEJIA FOR EXPORT PROMOTION AND MARKETING COMPANY and NATIONAL COMMERCIAL BANK.

371. The BIN MAHFOUZ family controlled the NCB in Saudi Arabia, until 1999 when the Saudi Government bought the majority of its ownership. Upon information and belief that bank has financed the operations of BIN LADEN and reports from NCB show that in 1998 MUWAFFAQ provided BIN LADEN with \$3 million.

372. MOHAMMED SALIM BIN MAHFOUZ (Khaled's brother) is the founder of SAUDI SUDANESE BANK in Khartoum, Sudan, which in the early 1990s, shared an address in the SUDAN with the IIRO, which upon information and belief was a recruiting facility for AL QAEDA. The London IIRO branch shares an address with the INTERNATIONAL DEVELOPMENT FOUNDATION, an organization also believed to be designed to support activities of BIN LADEN and also established by MOHAMMED SALIM BIN MAHFOUZ.

373. ABDULRAHMAN KHALED BIN MAHFOUZ (brother to Khaled) served on the board of directors of MUWAFFAQ FOUNDATION.

374. SALEH SALIM BIN MAHFOUZ managed the AL KHALEEJIA FOR EXPORT PROMOTION AND MARKETING COMPANY, upon information and belief, a company directly linked to BIN LADEN.

375. Upon information and belief, KHALID BIN MAHFOUZ, is also linked to the SAAR FOUNDATION and its related charities. Offices of the SAAR FOUNDATION, a Saudi

financed entity in Herndon, Virginia were searched by Treasury Department investigators in March 2002. SAAR shares a mailing addresses with many Islamic organizations with overlapping offices, donors, directors and significantly, overlapping goals. Many of the organizations whose offices were searched along with SAAR have been listed by the U.S. Treasury Department as having links to BIN LADEN or sponsoring terrorism.

376. JAMAL BARZINII, of WORLD ASSEMBLY OF MUSLIM YOUTH ("WAMY") with an office in Herndon, Virginia was also a target of the Treasury Department raids. The president of WAMY is ABDULA BIN LADEN, younger brother of OSAMA BIN LADEN. The U.S. Government has frozen the assets of WAMY and BARZINJI because of their role in funneling money to AL QAEDA.

377. SAAR provided the bulk of the operating expenses of the INTERNATIONAL INSTITUTE OF ISLAMIC THOUGHT ("IIIT") which in turn financed to two Florida charitable organizations accused of being cells for Islamic Jihad in Florida. IIIT is directed by Taha Al Alwani, an Iraqi who also founded the MUSLIM WORLD LEAGUE, another group whose assets were also frozen by the U.S. Government because of its links to terror. The MUSLIM WORLD LEAGUE is funded in part, by Saudi government officials.

DAR AL MAAL AL ISLAMI

378. DAR AL MAAL AL ISLAMI (or "House of Islamic Money" or "DMI") is the registered name for DMI Administrative Services SA. The company is headquartered in Cointrin, Switzerland. DMI Administrative Services SA replaced DAR AL MAAL AL ISLAMI on February 5, 2002, and is its successor in interest. DMI activities started July 29, 1981. Until

1983, DMI was operated under M. IBRAHIM KAMEL's chairmanship. On October 17, 1983, PRINCE MOHAMMED AL FAISAL AL SAUD became CEO. Under PRINCE MOHAMMED AL FAISAL AL SAUD's chairmanship, DMI developed banking, investment and insurance activities in approximately twenty offices around the world. DMI operates broadly in Islamic countries, and investments are conducted strictly under Islamic rules. DMI's actions and breach of duty have aided, abetted and provided material sponsorship of the spread of international terrorism and AL QAEDA:

The \$3.5 billion DMI Trust, whose slogan is "Allah is the purveyor of success" was founded 20 years ago to foster the spread of Islamic banking across the Muslim world. Its 12-member board of directors includes Haydar Mohamed bin Laden, a half-brother of OSAMA BIN LADEN.

379. DMI is currently chaired by ABDULKARIM KHALED UUSUF ABDULLA who replaced PRINCE MOHAMED AL-FAISAL AL-SAUD in early 2002. DMI has involved itself in AL QAEDA financing through several of its subsidiaries, including but not limited to, Islamic Investment Bank of the Gulf, FAISAL ISLAMIC BANK, TADAMON ISLAMIC BANK, and AL SHAMAL ISLAMIC BANK in the Sudan.

380. DMI owns 100% of ISLAMIC INVESTMENT COMPANY OF THE GULF. PRINCE MOHAMED chairs ISLAMIC INVESTMENT COMPANY OF THE GULF. OSAMA BIN LADEN's brother, HAYDAR MOHAMED BIN LADEN, was a director of the company. ISLAMIC INVESTMENT COMPANY OF THE GULF (Bahrain) EC is the main shareholder of FAISAL ISLAMIC BANK OF SUDAN, chaired by PRINCE MOHAMED. BENEVOLENCE INTERNATIONAL FOUNDATION. INC. AND BATTERJEE.

381. BENEVOLENCE INTERNATIONAL FOUNDATION ("BIF") was a Saudi based charity set up by BATTERJEE, chairman of the AL SHAMAL ISLAMIC BANK. Upon information and belief, BATTERJEE befriended BIN LADEN during the Afghan-Soviet War.

382. The U.S. State Department reported that BIN LADEN capitalized the AL SHAMAL ISLAMIC BANK with a \$50 million investment. BIN LADEN and companies he set up in the early 1990's, maintain accounts at the AL SHAMAL ISLAMIC BANK. According to U.S. officials, the bank has been used as a conduit for funds to AL QAEDA terrorists along with the charity BATTERJEE created, BENEVOLENCE INTERNATIONAL FOUNDATION.

383. BIF has a branch in Illinois that purports to provide assistance to Muslim orphanages and hospitals in the United States and abroad, particularly in Bosnia. The current chief executive of BIF is ENAAM M. ARNANOUT. BATTERJEE remains a director of BIF according to documents filed with the Illinois Secretary of State. ARNANOUT was arrested in May, 2002 on charges he perjured himself by denying links with BIN LADEN and AL QAEDA.

384. The organization is also known as "al Bir al Dawalia," which translated from Arabic means "Benevolence International." It was originally founded in the 1980's by BATTERJEE, who was an associate of OSAMA BIN LADEN. Defendant ADEL ABDUL JALIL BATTERJEE later transferred control of the organization to the current Chief Executive Officer ENAAM M. ARNANOUT (or "ARNANOUT"). ARNANOUT has been affiliated with BIF since at least 1992, and was criminally indicted for his role in sponsoring AL QAEDA through diversion of charitable funds to sponsor AL QAEDA.

385. BATTERJEE has investments across a number of different industries including commercial, property, medical, industrial, and contracting. This business is done primarily through the family's business, the BATTERJEE Group, but also through other investments and businesses. Recent attempts to locate BATTERJEE in Saudi Arabia. have failed and it is currently believed that he may be in the SUDAN.

386. BATTERJEE originally met ARNANOUT in 1987 when ARNANOUT was a teenager studying Islam in Pakistan. BATTERJEE appointed ARNANOUT as the head of the Bosnian branch in the early 1990s. According to BENEVOLENCE INTERNATIONAL FOUNDATION's 1992 articles of incorporation, ADEL BATTERJEE is one of the three founders of BIF in the United States. In 1993, the Saudi Government closed BATTERJEE 's charity al-Bir at the same time it was closing other organizations for ties to terrorism. Following this closing, BATTERJEE moved the BIF headquarters to Chicago, Illinois and brought ARNANOUT in from Bosnia to run the organization. BATTERJEE officially transferred control of the organization to ARNANOUT on September 15, 1997, and ARNANOUT assumed the Executive Director position.

387. ADEL BATTERJEE's name does not readily appear in any BENEVOLENCE INTERNATIONAL FOUNDATION corporate records after 1994, yet he continued funding the foundation. On February 12, 2002, the United States Government recorded a telephone conversation with the then jailed CEO of BIF, ARNANOUT, with his brother Hisham in Saudi Arabia. During this conversation, ARNANOUT discusses "Abu Sulafa" with his brother. The United States government has identified the name "Abu Sulafa" as an alias for ADEL

BATTERJEE. Using BATTERJEE's alias, ARNANOUT stated that BATTERJEE has been sending money to BENEVOLENCE INTERNATIONAL FOUNDATION's branches.

388. One Justice Department AL QAEDA expert suggested that this telephone conversation may further elucidate BATTERJEE's role as the source of the "mysterious set of wire transfers" that contributed \$30,000 to \$40,000 to BIF each month. Investigators have tracked the wire transfers to a Swiss Bank account registered to a Cayman Islands corporation.

389. Evidence introduced in the criminal trial of the Embassy bombers (known as United States v. Osama Bin Laden, et al., Case Number S98 Cr. 1023, United States District Court, Southern District of New York), and gathered in the related investigation, demonstrated that AL QAEDA sought and received a substantial amount of financial support from numerous international sources for the procurement of equipment (including weapons and communication equipment), recruitment, training, transportation, and lodging, among other support and expenses. In addition, AL QAEDA terrorists received training in how to avoid law enforcement and intelligence scrutiny and to travel surreptitiously. They were also taught to avoid putting matters in writing. AL QAEDA members have held positions with BIF and this charity is one of the organizations utilized by AL QAEDA.

390. Once money was withdrawn from the bank accounts of relief organizations, its use by AL QAEDA can be virtually untraceable. According to an affidavit of Special Agent Robert Walker of the FBI, an AL QAEDA witness explained that the money would almost always be withdrawn in cash, and the relief organizations from whose account the money was taken would generate paperwork which indicated that all the money was being used for charitable purposes such as building mosques or schools, or providing clothing for the poor.

According to this affidavit, only a portion of the money withdrawn was actually used for the purposes stated by the relief organizations. The remaining funds were provided to AL QAEDA for whatever use AL QAEDA deemed necessary. This is consistent with evidence adduced at the 1995 trial in the Southern District of New York of persons convicted of seditious conspiracy involving the 1993 plot to attack various buildings in New York and with the overall evidence. AL QAEDA operatives and supporters have also smuggled money into the United States.

391. On or about March 19, 2002, law enforcement authorities in Bosnia-Herzegovina searched eight locations affiliated with BIF, including BIF's offices in that country. The documents recovered included documents establishing direct communication between ARNANOUT and BIN LADEN and others in the late 1980's and early 1990's. The documents included a disk found at BIF's office in Bosnia which included scanned images of these documents.

392. On December 16, 1994, Defendant MOHAMAD JAMAL KHALIFA, while traveling with the aforementioned Bayazid, was detained in San Francisco by American officials. At the time, KHALIFA had been living for a substantial period of time in Manila, the Philippines, and was affiliated with a number of entities, including a non-government organization known as BENEVOLENCE INTERNATIONAL CORPORATION (or "BIC") and the INTERNATIONAL ISLAMIC RELIEF ORGANIZATION (or "IIRO"). At the time of his travel, KHALIFA had been convicted in absentia in Jordan for his alleged involvement in 1993 and 1994 in a series of bombings of public places in Jordan. Two of the principal participants in the bombing were Jordanians who had spent time with KHALIFA in the Philippines but who had then returned to Jordan to conduct these bombings and contemplated assassinations. KHALIFA

was then retried - and acquitted - after his extradition from San Francisco to Jordan following the December 1994 stop. At his Jordanian trial, KHALIFA admitted to the Jordanian authorities that he had known the bombers and had sent them money.

393. KHALIFA, alias "Abu Baraa," is referenced on a document recovered in the searches of BIF locations in Bosnia in March 2002. On or about November 19, 1998, telephone toll records indicate that BIF's Illinois office was in telephone contact with a telephone number in Saudi Arabia used by KHALIFA.

394. Financial records obtained from Citibank indicate that in the four month period from January 4, 2000, to April 11, 2000, BIF sent nineteen (19) wire transfers from its checking account, number 980110435, in the amount of \$685,560.

395. A folder recovered in another BIF search in December 2001, indicated handwritten notations in Arabic which included the statements:

Contribute with your mujahideen brothers to repel the Crusader-Zionist attack on Muslim lands. Steeds of war projects.

396. The reference to "steeds of war projects" is an apparent reference to a verse in the Koran which reads: "Against them [the enemies] make ready your strength to the utmost of your power, including steeds of war, to strike terror into the hearts of the enemies...."

397. On April 21, 1999, evidence recovered by the FBI from BIF's office in Palos Hills, Illinois, included, among other things, a copy of a February 1999 article in the Seattle Times concerning smallpox as a biological terrorism weapon. The sections of the text indicating that federal, state and local authorities are poorly prepared for a biological attack involving

smallpox were highlighted. In none of BIF's advertisements of its humanitarian causes has it ever indicated that it was dealing with the issue of smallpox in any country.

398. BIF claims to be a charitable organization but in fact is engaged in the support of various persons and groups involved in military and international terrorist activity.

399. ARNANOUT has a relationship with OSAMA BIN LADEN and many of his key associates dating back more than a decade, as evidenced by cooperating witnesses and seized documents. BIF is an organization that AL QAEDA has used for logistical support, including the movement of money to fund international terrorist operations. Various persons involved in terrorist activities, specifically including persons trying to obtain chemical and nuclear weapons on behalf of AL QAEDA have had contacts with BENEVOLENCE INTERNATIONAL FOUNDATION offices and personnel.

400. BENEVOLENCE INTERNATIONAL FOUNDATION has had direct dealings with representatives of the Chechen insurgents as well as Hezb e Islami, a military group operating at various times in Afghanistan and Azerbaijan. BENEVOLENCE INTERNATIONAL FOUNDATION made efforts to provide the Chechen mujahideen with money, an X-ray machine, and anti-mine boots, among other material support.

401. On December 14, 2001, searches were conducted of the offices of BENEVOLENCE INTERNATIONAL FOUNDATION in Palos Hills, Illinois, and in Newark, New Jersey, along with the home of its chief executive officer, ARNANOUT, removing materials from each place. According to a government witness, ARNANOUT was planning in March 2002, to leave for Jeddah, Saudi Arabia.

402. Also on December 14, 2001, the Treasury Department's Office of Foreign Asset Control (or "OFAC") issued an order blocking BENEVOLENCE INTERNATIONAL FOUNDATION's assets and records, pending further investigation into BIF's ties to terrorists. ARNANOUT, Chairman of BENEVOLENCE INTERNATIONAL FOUNDATION, has a relationship with OSAMA BIN LADEN and key associates dating back more than a decade. The BENEVOLENCE INTERNATIONAL FOUNDATION is used by AL QAEDA for logistical support: terrorists attempting to obtain chemical and nuclear weapons on behalf of AL QAEDA have contacts with the BENEVOLENCE INTERNATIONAL FOUNDATION and its office personnel; and BENEVOLENCE INTERNATIONAL FOUNDATION has had direct dealings with AL QAEDA operatives, providing them with military and financial support. Defendant ARNANOUT has been criminally indicted for his role in the September 11, 2001 attacks due to his sponsorship of AL QAEDA.

403. In the latter part of the 1980's, an AL QAEDA organization known as "mekhtab al khidemat" (the "services office") maintained offices and facilities in various parts of the world, including Afghanistan, Pakistan and the United States. The organization was operated principally by Sheik Abdullah Azzam and OSAMA BIN LADEN for purposes including the providing of logistical support to the mujahideen (fighters) in Afghanistan.

404. In the mid to late 1980s, Defendant ARNANOUT, using various aliases including "Abu Mahmoud," "Abu Mahmoud al Sri," "Abu Mahmoud al Hamawi," and "Abdel Samia," worked with and for mekhtab al khidemat and AIF to provide assistance to various mujahideen including those under the command of OSAMA BIN LADEN.

405. Within that same time frame, Defendant ARNANOUT served as director of communications in the "al Masada" mujahideen camp in Jaji, Afghanistan, under the direction of OSAMA BIN LADEN. Defendant ARNANOUT distributed resources, including weapons, at the direction of OSAMA BIN LADEN and others.

406. Defendant ARNANOUT and his co-conspirators fraudulently solicited and obtained funds from charitable donors and prospective donors to the BIF Enterprise by falsely representing that the BIF Enterprise would use donated funds solely for humanitarian purposes, with a small amount being used for administrative expenses, while concealing the fact that a portion of the money raised by the BIF Enterprise was being used to support groups engaged in armed confrontations and violence overseas.

407. Defendant BIF and ARNANOUT and co-conspirators used BIF's status as a charity and a tax-exempt organization to lessen scrutiny by various governments concerning the financial and other activities of the BIF Enterprise's employees and agents, the BIF Enterprise's overseas offices, and the travel of the BIF Enterprise employees, agents, and associates.

408. Defendant ARNANOUT and BIF co-conspirators kept secret from governments and the general public, including a significant number of donors, facts about Defendant ARNANOUT's relationship with organizations engaging in violence, including AL QAEDA and OSAMA BIN LADEN.

409. Defendant BIF and ARNANOUT and his co-conspirators agreed to conduct financial transactions, affecting interstate and foreign commerce, by wire transferring funds from BIF's checking accounts in Illinois to bank accounts in various locations, including New Jersey

and accounts outside the United States, knowing that the property involved in the transactions represented the proceeds of specified unlawful activities, namely, mail and wire fraud in violation of Title 18, United States Code, Sections 1341 and 1343, with the intent to promote the carrying on of unlawful activities and material support to organizations engaged in violent activities, in violation of Title 18, United States Code, Section 2339A; and knowing that the transactions were designed, in whole or in part, to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of unlawful activities. Defendant BIF and ARNANOUT and co-conspirators agreed to transport, transmit, and transfer monetary instruments and funds from a place in the United States to or through a place outside the United States with the intent to promote the carrying on of a specified unlawful activity, namely, the material support to organizations involved in violent terrorist activities.

410. Defendant BIF and ARNANOUT and co-conspirators agreed to provide and attempt to provide material support and resources to persons, groups and organizations engaged in violent terrorist activities, including AL QAEDA, and to conceal and disguise the nature, location, source and ownership of material support and resources, knowing and intending that they were to be used in preparation for and in carrying out acts of international terrorism in violation of Title 18, United States Code, Section 2339A.

411. Defendant BIF and ARNANOUT and co-conspirators corruptly endeavored to influence, obstruct and impede the due administration of justice by submitting to the United States District Court false and misleading declarations.

412. BIF and ARNANOUT engaged in a conspiracy, the method and means of the conspiracy included the following, among other illegal activities.

413. In or about 1992, Defendant ARNANOUT assisted in delivering, assembling and operating a satellite telephone for use in Afghanistan by GULBUDDIIN HEKMATYAR and HEZB-E-ISLAMI.

414. Sometime in 1993 or thereafter, members of the international terrorist conspiracy caused the production of videotapes depicting fighters in Bosnia-Herzegovina and eulogizing dead fighters, including AL QAEDA members and soliciting donations to support international terrorism.

415. On or about June 10, 1995, BIF caused the delivery of an X-ray machine and currency from the BIF Enterprise to a representative of the Chechen mujabideen in Baku, Azerbaijan.

416. In or about November 1995, Defendant ARNANOUT and other members of the BIF conspiracy caused the shipment of anti-mine boots to Baku, Azerbaijan, ultimately destined for the Chechen mujahideen. Defendant ARNANOUT and BIF members solicited donations from the public to purchase additional anti-mine boots for the mujahideen, falsely claiming that the project was for the benefit of civilians.

417. In or about May 1998, BIF and ARNANOUT facilitated the travel of an influential founding member of the AL QAEDA network, MAMDOUH MAHMUD SALIM (a/k/a Abu Hajar al Iraqi), to Bosnia-Herzegovina by indicating that Salim was a director of BIF.

418. In the latter part of the 1990's, with Defendant ARNANOUT' s knowledge, SAIF AL ISLAM EL MASRY (a/k/a Abu Islam el Masry), a member of AL QAEDA's majalis al shura (consultation council), as well as a top military expert and instructor, served as an officer of the BIF.

419. Between June 2000 and September 2001, BIF caused the transfer of approximately \$1,414,406.00 via wire from an account at Union Bank of Switzerland to BIF's checking account in the United States. Those funds were commingled in BIF's checking account with donations the BIF Enterprise received from other sources and disbursed in large part to the BIF Enterprise offices overseas.

420. In or about October 2001, Defendant ARNANOUT relayed to the BIF founder ADEL BATTERJEE in Saudi Arabia via telephone ARNANOUT's concern that ARNANOUT was under scrutiny of the United States government and in particular the fact that Defendant ARNANOUT had been searched at the airport upon his return to the United States.

421. In January 2002, following the blocking of BIF's bank accounts by the United States Department of the Treasury, Defendant ARNANOUT spoke via telephone to ADEL BATTERJEE in Saudi Arabia, and BATTERJEE requested Defendant ARNANOUT to relocate with his family to Saudi Arabia.

422. Beginning at a time unknown through in or about March 2002, Defendant ARNANOUT, and employees of the BIF Enterprise, possessed, and attempted to erase in part, in Bosnia-Herzegovina, among other items, an archive of documents and photographs concerning OSAMA BIN LADEN and AL QAEDA, including:

i. a chart of an organization involved in military activity headed by OSAMA BIN LADEN;

ii. notes summarizing several meetings during which AL QAEDA was formed in Afghanistan in August 1988 (indicating that Osama Bin Laden, Abu Ubaidah al Banshiri and Mamdouh Salim, a/k/a "Abu Hajer al Iraqi," among others, were in attendance), and specifying the text of the original bayat (oath of allegiance) made by prospective AL QAEDA members to AL QAEDA;

iii. notes reflecting the commencement of AL QAEDA 's "work" on or about September 10, 1988;

iv. personnel files of the mujahideen trained in the al Masada camp in Jaji, Afghanistan, in or about 1988, which contained the true names and aliases and military experience of the trainees;

v. a list of wealthy sponsors from Saudi Arabia including references to OSAMA BIN LADEN and ADEL BATTERJEE, the founder of the BIF Enterprise;

vi. various documents reflecting Defendant ARNANOUT's involvement in the acquisition and distribution of hundreds of rockets, hundreds of mortars, offensive and defensive bombs, and dynamite, as well as disguised explosive devices in connection with the al Masada camp;

vii. various documents in a separate folder reflecting Defendant ARNANOUT's participation in obtaining missiles, bombs and mortars in 1989 and 1990 in connection with Hezb e Islami;

viii. various newspaper articles including a 1988 article with a photograph depicting OSAMA BIN LADEN, Defendant ARNANOUT, and one of the founders of the BIF Enterprise; as well as 1998 articles concerning OSAMA BIN LADEN's threats against the United States and the State Department's 1997 list of designated terrorist organizations; and

ix. a handwritten organizational chart placing Defendant ARNANOUT at the top of a jihad organization involved with weapons.

423. In or about late 2001 and early 2002, while the BIF Enterprise continued to solicit and receive donations from the public while fraudulently holding itself out as a humanitarian organization that had never supported or financed violence, Defendant ARNAINOUT falsely and

publicly stated that he did not know OSAMA BIN LADEN personally, that Defendant ARNANOUT never fought against the Soviet Union, that Defendant ARNANOUT was never at the al Masada camp.

424. On March 26, 2002, in an effort to obtain a court order requiring, among other things, the release of BIF funds frozen by the United States Department of the Treasury, BIF and Defendant ARNANOUT submitted a declaration knowingly and falsely stating: "BIF has never provided aid or support to people or organizations known to be engaged in violence, terrorist activities, or military operations of any nature. BIF abhors terrorism and all forms of violence against human beings."

425. On or about April 15, 2002, ARNANOUT spoke to the BIF director in Pakistan and advised him to avoid government scrutiny in Pakistan by fleeing to Afghanistan with the BIF's money and to evade detection by refraining from the use of banks, telephones or electronic mail.

426. ARNANOUT conspired with others to provide material support and resources to persons, groups and organizations engaged in violent terrorist activities, including AL QAEDA, and persons engaged in violent confrontations and to conceal and disguise the nature, location, source and ownership of material support and resources, knowing and intending that they be used in preparation for and in carrying out acts of international terrorism.

427. Defendant ARNANOUT and other members of the BIF conspiracy agreed to transfer by wire funds from BIF's checking accounts to bank accounts in various locations,

including New Jersey and accounts outside the United States, which involved the proceeds of specified unlawful activities.

428. ARNANOUT transferred by wire approximately \$4,000 from BIF's checking account at Citibank FSB to Fleet Bank in Newark, New Jersey, knowing that the property involved in the transaction represented the proceeds were to be used by terrorists.

429. Co-conspirators, aiders and abettors of the BENEVOLENCE INTERNATIONAL FOUNDATION (a/k/a al-Birr al-Dawalia), include Defendants: BENEVOLENCE INTERNATIONAL FOUNDATION - U.S.A. (Main Office), BENEVOLENCE INTERNATIONAL FOUNDATION - U.S.A. (East Coast Office), BENEVOLENCE INTERNATIONAL FOUNDATION - Canada, Syed Suleman Ahmer, ENAAM MAHMOUD ARNANOUT (a/k/a Abdel del Samia, a/k/a Abu Mahmoud), MAZIN M.H. BAHARETH, SHAHIR ABDULRAOOF BATTERJEE, ADEL BATTERJEE, ZAHIR H. KAZMI, MUZAFFAR KHAN, SOLIMAN J. KHUDEIRA, and JAMAL NYRABEH, all located, doing business or registered to do business in the United States.

430. ARNANOUT initially denied knowing BIN LADEN, but a March 19, 2002, police raid at Bosnian offices and homes related to BIF, uncovered photographs of ARNANOUT with a rifle in his hands and BIN LADEN at his side at what appeared to be an AL QAEDA training facility. Documents found in the raid detail a relationship between ARNANOUT and BIN LADEN going back 15 years. Both BIF and ARNANOUT have had their assets frozen and are believed, by the United States Department of Justice, to be AL QAEDA co-conspirators.

431. A former AL QAEDA member informed the FBI that BIF is used by AL QAEDA for logistical support. Additionally terrorists attempting to obtain chemical and nuclear weapons on behalf of AL QAEDA had direct contacts with BIF and BIF employees and listed the Illinois BIF offices as their residence.

432. Terrorists who had direct contact with BIF include: MAMDOUH MAHMUD SALIM, an IRAQI who established links between AL QAEDA and groups in IRAQ, SUDAN and Lebanon. He was a key BIN LADEN aide who tried to obtain nuclear and chemical weapons for AL QAEDA. He was arrested in the 1998 AL QAEDA Embassy bombings and was at one time listed as a BIF director. Other terrorists linked to BIF include: MOHAMED BAYAZID, who also assisted AL QAEDA attempts to acquire nuclear material; MOHAMAD JAMAL KHALIFA, BIN LADEN's brother-in-law who has been linked to the 1993 World Trade Center bombing and the disrupted plot to bomb 12 American airliners in 1995; and WALI KHAN AMIN SHAH who was convicted for his participation in the plot to bomb American airliners.

433. Upon information and belief, BIF assisted these and other AL QAEDA terrorists with housing, travel documents and/or funding in the United States and abroad. AL QAEDA members were given jobs with the Foundation and used the charity to transfer money to AL QAEDA members.

434. Using unidentified witnesses who are former AL QAEDA members or terrorists currently in U.S. custody, and documents seized in the raids on the group's offices in Chicago and Bosnia, the U.S. Justice Department has detailed links between BENEVOLENCE INTERNATIONAL and AL QAEDA.

435. Federal agents stated that BIN LADEN and AL QAEDA members withdrew funds to support terrorist activities from bank accounts held by the charity and that BIF accounts in offices around the world provided a cover for the movement of terror funds.

436. The WORLD ASSEMBLY OF MUSLIM YOUTH (or "TWAMY") and BIF are tightly connected organizations that share the same leadership and work together on a number of joint projects. ADEL ABDUL JALIL BATTERJEE was the Secretary General of WAMY at the time he founded the AL QAEDA front organization BIF in the United States. Outside of BATTERJEE's role, the two organizations WAMY and BIF have also cooperated in joint-publishing of literature and film that bears both of their logos.

437. BATTERJEE commissioned the writing of a biography specifically about OSAMA BIN LADEN and the origins of the AL QAEDA network in Arabic. This biography, *The Arab Volunteers in Afghanistan*, was jointly published in 1991 by the BENEVOLENCE INTERNATIONAL FOUNDATION and the WORLD ASSEMBLY OF MUSLIM YOUTH. The book details OSAMA BIN LADEN's life, including the creation of BIN LADEN's terrorist network, AL QAEDA. On the back cover is a written statement that expresses the ideology of the book, "This is the jihad in Afghanistan. What we see now, it is a blessed river. The Arab people are the people that feed the jihad river."

438. The conspirators of the first World Trade Center bombing in February 1993 had in their possession several terrorist training manuals when they were caught. Ahmad Ajaj had in his possession an AL QAEDA manual that detailed how to be an effective terrorist, teaching proper ways to make bombs and remain covert. It was found in an envelope that had both the

WAMY and Lajnat al-Birr logos on it. Ajaj has been convicted for participating in the first World Trade Center attack.

439. KHALID AL-FAWAZ, a senior AL QAEDA leader currently imprisoned in The United Kingdom, had the same manual as Ajaj except for updates that included more recent AL QAEDA knowledge. AL-FAWAZ ran OSAMA BIN LADEN's public relations organization the Advice and Reformation Committee in London and masterminded the 1998 United States Embassy bombings, for which he was indicted by the United States government. That someone of AL-FAWAZ stature in AL QAEDA possessed manuals that were distributed by WAMY is indicative of the shared ideology and cooperation between WAMY and AL QAEDA.

440. Another manual found in Abmed Ajaj 's possession was hate literature against Americans, Christians, and Jews. This encyclopedia, which glorified the hijacking of buses and the killing of innocent civilians in Israel, was published by WAMY.

INTERNATIONAL ISLAMIC RELIEF ORGANIZATION

441. The INTERNATIONAL ISLAMIC RELIEF ORGANIZATION (or "JIRO") has materially supported terror around the globe, including OSAMA BIN LADEN and AL QAEDA. IIRO's office in the Philippines is headed by OSAMA BIN LADEN's brother-in-law, Defendant MOHAMMED JAMAL KHALIFA and has acted as a center of terrorist financing and training activity — across the globe. IIRO then evolved into a vast independent terrorist machine - finding, recruiting and aiding and abetting AL QAEDA members around the globe. TIRO was involved with the plot to assassinate former President William Jefferson Clinton and Pope John

Paul II, the plot to blow up twelve American airplanes simultaneously, and the 1998 Embassy bombings in East Africa.

442. The IIRO sister organization, INTERNATIONAL RELIEF ORGANIZATION (or "IRO"), sends money back and forth with IIRO. IIRO sends money to other organizations that sponsor terror. Another IIRO sister company, the SUCCESS FOUNDATION, sends money back and forth with the IIRO and IRO. The SUCCESS FOUNDATION also sends money to other organizations who sponsor terror.

443. Several employees of the MUSLIM WORLD LEAGUE (TMWL"), IIRO's parent organization, have explicitly worked with AL QAEDA. OSAMA BIN LADEN's associates from Afghanistan infiltrated and propagated MWL offices around the world. The Rabita Trust, another branch of the MWL, had its assets frozen as a Specially Designated Global Terrorist Entity (or "SDGT") of the United States Treasury. WA'EL JUL Aidan, as Secretary General of the Rabita Trust and MWL office in Peshawar, Pakistan has repeatedly aided and abetted terrorists. Julaidan has been branded a SDGT by the United States Treasury Department and his assets have been frozen. The Treasury Department described Julaidan as follows at his designation as a terrorist entity:

Osama bin Laden and a top al-Qa'ida lieutenant, Abu Zubaydah, have acknowledged Wa'el Julaidan as a known associate of their operations. Julaidan has been the head of various non-governmental organizations providing financial and logistical support to the al-Qa'ida network.

444. ABDURAIHMAN ALAMOUDI, the Secretary of the SUCCESS FOUNDATION, has openly stated his support for HAMAS and HEZBOLLAH, both designated

terrorist organizations. ALAMOUDI is the President of the AMERICAN MUSLIM FOUNDATION (or "AMF"), which receives thousands of dollars from the SUCCESS FOUNDATION, as stated on the income tax Form 990s for the SUCCESS FOUNDATION. MOHAMMED OMEISH, President of the United States branches of IIRO and IRO, as well as their sister organization the United States-based SUCCESS FOUNDATION, is also Vice-President of the AMERICAN MUSLIM FOUNDATION. ADNAN BASHA, IIRO's Secretary-General, wrote "The major finance is coming from the generous people of Saudi Arabia, KING FAHD, and the royal family." ARAFAT EL-ASHI, head of IIRO's Canadian branch, testified in the trial of MAHMOUD JABALLAH that IIRO and MWL were intimately connected to and funded by certain Saudi Arabian interests. ARAFAT-ASHI stated in his testimony in the JABALLAH trial that as a IIRO and MWL employee, he considered himself an employee of the Saudi government.

445. According to the account of MOHAMMED BAYAZID, AL QAEDA member and associate of OSAMA BIN LADEN, the MWL opened an office in Pakistan for the use of the founders of AL QAEDA. The MWL initially was funded by OSAMA BIN LADEN, then the government of Saudi Arabia took over the funding. According to the Arabic periodical publication Rose Al-Yusuf, the IIRO is firmly entrenched with OSAMA BIN LADEN's AL QAEDA organization. As one example, the IIRO supported an AL QAEDA guest house in Egypt.

446. MOHAMAD KHALIFA, as the head of IIRO, used the organization to collect and launder money for AL QAEDA operations. IIRO funded the terrorist AL QAEDA groups Moro Islamic Liberation Front (or "MILF") and the KHALID BIN MAHFOUZ (or "ASG"). A former Abu Sayyaf member stated: "Less than 30% of the IIRO funds went to legitimate public

works, the rest going toward the purchase of weapons." MOHAMAD KHALIFA's branch of the IIRO served as a base to plan and finance AL QAEDA and international terrorism.

447. IIRO built its office in Khartoum, SUDAN in the same residential neighborhood as OSAMA BIN LADEN's personal office, according to the testimony of a former AL QAEDA member, Jamal Ahmed Mohammed Al-Fadl. IIRO also built its Khartoum office near the office of BENEVOLENCE INTERNATIONAL FOUNDATION, another AL QAEDA front.

448. The IIRO was implicated in the bombing of the United States Embassies in Kenya and Tanzania in 1998. Kenya deregistered the IIRO after the bombing. IIRO Tanzania was reportedly working with AL QAEDA immediately before the United States Embassy bombing. IIRO went on to plot to destroy United States Consulates in India in 1999.

449. According to Canadian intelligence documents, IIRO funded al-Jihad. MAHMOUD JABALLAH, an Islamic al-Jihad member tried in Canada, was an IIRO employee. Egyptian al-Jihad, led by AL QAEDA's second-in-command, Ayman al-Zawahiri, is a branch of AL QAEDA. As an employee of IIRO Canada, MOHAMMED KHATIB founded the Canadian branch of Benevolence International Foundation.

450. IIRO works with numerous other AL QAEDA affiliated charities. IIRO shares the same address in THE UNITED KINGDOM AS THE INTERNATIONAL DEVELOPMENT FOUNDATION (or "IDF"), a charity affiliated with Defendant KHALID BIN MAFOUZ, a senior AL QAEDA financier (supra). The SUCCESS FOUNDATION, IIRO' s namesake, is also funded by KHALID BIN MAFOUZ. IIRO aids and abets the SAUDI JOINT RELIEF

COMMITTEE, an AL QAEDA charity in Bosnia and elsewhere. IIRO, through KHALIFA, sponsors, aids and abets BENEVOLENCE INTERNATIONAL FOUNDATION, the AL QAEDA charity front. IIRO provides funding for other alleged humanitarian organizations that have materially sponsored, aided and abetted and conspired with AL QAEDA: GLOBAL RELIEF FOUNDATION (or "GRF"), TAIBAH INTERNATIONAL, ISLAMIC AFRICAN RELIEF AGENCY, WORLD ASSEMBLY OF MUSLIM YOUTH (or "WAMY").

451. MOHAMMED OMEISH is Vice President of AMERICAN MUSLIM FOUNDATION which according to its tax form 990, filed in 1999, gave money to TARIK HAMDY. HAMDY helped OSAMA BIN LADEN get a satellite phone and other electronic equipment which was used to coordinate acts of international terrorism.

452. After September 11, 2001, IIRO's offices in Virginia were raided by the FBI as a result of AL QAEDA sponsorship. One of the September 11, 2001, hijackers claimed to be going to work for IIRO's Fazez Ahmed. IIRO also extensively funded the TALIBAN regime. As stated by Dr. ADAN BASHA, Secretary-General of IIRO, the IIRO donated more than Sixty Million (\$60,000,000) dollars to the TALIBAN Regime. The TALIBAN Regime was a known material sponsor, aider and abettor of AL QAEDA terrorists. After September 11, 2001, Pakistan deported 89 Arab aid workers from the IIRO and other organizations because they were aiding, abetting, funding, otherwise conspiring with, sponsoring and/or supporting AL QAEDA.

453. SANABIL AL-KHAIR was created to manage the IIRO's financial assets. IIRO's website states, "It [IIRO] has established an endowment fund (Sanabil Al-Khair) which will be used to generate a stable income to finance its various activities." The SANABIL AL-KHAIR

was incorporated in the United States under two different names: The SANA-BELL, INC. and SANABEL AL-KHEER, INC. Their corporate records indicate the same address as IIRO in Herndon, Virginia.

454. Additional co-conspirators, material sponsors and/or aiders and abettors and members of the terrorist enterprise of the INTERNATIONAL ISLAMIC RELIEF ORGANIZATION include Defendants: SUCCESS FOUNDATION, INC., MOHAMED S. OMEISH, ABDURAHMAN AL-AMOUDI, KHALED NOURI, SULAIMAN AL-ALI, ABDULLAH M. AL-MAHDI, TAREQ M. AL-SWAIDAN, ABDUL AL-MOSLAH, SALAH BADAHDH, ABDULLAH BIN SALEH AL OBAID, HASSAN A.A. BAHFZALLAH, and M. YAQUB MIRZA, all located, doing business or registered to do business in the United States.

THE MUSLIM WORLD LEAGUE

455. The MUSLIM WORLD LEAGUE ("MWL") was founded in 1962 in Saudi Arabia, to "disseminate Islamic Dawah and expound the teachings of Islam." The MWL is the parent organization of the charity IIRO. MWL uses the IIRO as an operational arm to perform many of its charitable activities.

456. The MWL is an organization funded, supported, and financed by persons or entities of Saudi Arabia. According to the testimony of Arafat al-Asahi, a MWL representative in Canada:

Q. During those eight years that you have been with the IIRO here in Canada, have you ever heard anything to the effect that the Canadian government has any concern whatsoever with respect to your office?

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

Q. I will. Thank you. When you say you work for the Government of Saudi Arabia, are you also paid by that government?

A. I am paid by my organization which is funded by the government. Let me tell you one little thing. Whenever the Saudi Embassy in Ottawa required anything, to ask about any Muslim project all over Canada, they come to us. They ask us about the people who are doing this project. Do you get this point?

Q. Yes.

A. Whatever we say is acceptable, fully acceptable, by the Saudi Embassy and by the government of Saudi Arabia.

Q. Is the Muslim World League the type or organization that would actually have physical offices in countries throughout the world?

A. Of course. I said in the beginning that we have over 30 offices all over the world? One is here; one is in Washington, D.C. They are spread all over, in Europe, in Asia.

Q. When you speak of an office that is an IIRO office, that counts as a Muslim World League office as well?

A. What happens is that sometimes the IIRO and the Muslim World League office is one, but sometimes they have two different offices, although the umbrella organization is the same, which is the Muslim World League.

457. The MWL has at least two offices in the United States. The New York City office is currently active, while its main office in Hemdon, Virginia, was the target of federal raids in early March 2002. Its officers at the Virginia office are President Abdullah bin SALEH AL-OBAID, Vice President Hassan A. A. Bahafzallah, and Secretary/Treasurer YAQUB M. MIRZA.

458. ABDULLAH AL-OBAID, President of the United States branch of MWL, and former Secretary-General of the organization, also runs one of the AL-RAJHI family's largest corporations, AL-WATANIA. ADULLAH AL-OBAID also served as Secretary-General of the RABITA TRUST.

459. YAQUB MIRZA, the secretary and treasurer of the MWL in the United States, is the financial mastermind of the SAAR Network (founded by the Al-Rajhi family). YAQUB MIRZA'S house was raided in March, 2002 by federal authorities investigating his alleged connections to AL QAEDA and September 11, 2001.

460. The MWL has numerous connections with AL QAEDA operatives. MOHAMMED BAYAZID, an AL QAEDA operative who fought alongside OSAMA BIN LADEN and the other Mujahideen in Afghanistan (and has been implicated in a plot to get nuclear materials for AL QAEDA), described how Defendant MOHAMMED JAMAL KHALIFA, OSAMA BIN LADEN's brother-in-law, opened a MWL office in Pakistan for the use of the founders of AL QAEDA:

Brother Jamal KHALIFA (Abu-l-Bara) was the one who started the educational project, both in the interior of Afghanistan and abroad. Thanks to Dr. Abdullah Azzam's efforts he succeeded in getting the approval of the Muslim World League to open an office for the League in Peshawar as an umbrella under which the brothers could work and move in Pakistan freely.

461. WAEL JULAJIDAN, whom the United States Treasury Department named as "one of the founders of AL QAEDA," headed the MWL in Peshawar, Pakistan and also served as the Director General of the defendant RABITA TRUST. JULAJIDAN has had his assets frozen by the United States Treasury Department which characterized JULAJIDAN as having "directed organizations that have provided financial and logistical support to al-Qa'ida". WA'EL JULAJIDAN operated MWL offices that served in the early days of AL QAEDA to attract and train holy warriors from around the world for the war in Afghanistan. He had contact with bin Laden lieutenants, defendants AYMAN AL ZAWAHIRI and ABU ZUBAYDA.

462. WADIH EL-HAGE, convicted for his role in the 1998 United States Embassy bombings in Africa, stated at his trial that he worked at the MWL in Peshawar, Pakistan in the 1980s. It was while working at the MWL that EL-HAGE met Abdullah Azzam, the mentor of OSAMA BIN LADEN, and a co-founder of AL QAEDA.

463. Ihab Ali, another AL QAEDA operative in prison in the United States on perjury charges, also went to work for the MWL in 1987. Ihab Ali played a large role in the embassy bombings, facilitating communication between OSAMA BIN LADEN and other AL QAEDA members and also piloting OSAMA BIN LADEN's personal jet. In 1993, Ihab Ali took flight lessons at the Altman Flight School in Norman, Oklahoma—the same school ZACARIAS MOUSSAOUI attended and which MOHAMMED ATTA scouted as a possibility for his flight training.

464. According to the grand jury, Ihab Ali did not disclose the extent to which his pilot training and international travels concerned efforts to assist in AL QAEDA 's terrorist activities.

465. In conjunction with the attempted assassination of Egyptian President Hosni Mubarak in 1995, one of the would-be assassins admitted: "The Muslim World League bought our travel tickets and gave us spending money before we arrived at the [OSAMA BIN LADEN's] farm in Suba region in southern SUDAN."

466. Co-conspirators, aiders and abettors of the MWL include Defendants: Rabita Al-alam Al-islami, a/k/a Islamic World League, ABDULLAH BIN SALEH AL-OBAID, HASSAN

A.A. BAIHAFZALLAH, AND YAQUB M. MIRZA, all located, doing business or registered to do business in the United States.

THE SAAR FOUNDATION

467. The SAAR Foundation was named after SULAIMAN ABDUL AZIZ AL-RAJHIT, head of the Saudi Arabian AL-RAJHI family, and was formed in the 1970s by a group of Muslim scholars and scientists from the Middle East and Asia. SAAR was incorporated in Herndon, Virginia as a 501e(3) non-profit organization on July 29, 1983, and dissolved as of December 28, 2000. The Saudi Arabian AL-RAJHI family is the foundation's biggest donor. The SAAR Network financially supports terrorism and its main contributors, the AL-RAJHI Family, has a long history of supporting terrorism.

468. Virginia Secretary of State corporate records indicate that there are more than one hundred affiliated organizations registered or doing business at just one of SAAR's addresses in

Herndon, Virginia. Most of these organizations do not maintain a physical presence at that address, or elsewhere. The SAAR Foundation and network is a sophisticated arrangement of non-profit and for-profit organizations that serve as front-groups for extremist Islamic terrorist organizations.

469. On March 20-21, 2002, the offices of many SAAR Network organizations, along with the residences of their top executives, were raided by the joint terrorism task-force, Operation Greenquest. Operation Greenquest was created after September 11, 2001, by the United States Treasury Department as a new multi-agency financial enforcement initiative bringing the full scope of the U.S. Government's financial expertise to bear against sources of terrorist funding. According to the search warrants issued at nearly twenty locations, the SAAR Network was raided for "potential money laundering and tax evasion activities and their ties to terrorist groups such as... AL QAEDA as well as individual terrorists.. . (including) OSAMA BIN LADEN."

470. The SAAR Foundation reported revenues of over \$1.7 billion for the year 1998, which represents more than any other United States charity has ever generated. The SAAR Foundation and its affiliated charities keep a low profile in that they do not conduct fundraising events or publicly reach out to potential donors like most charities.

471. On November 7, 2001, Bank al-Taqwa (infra) was first designated by President George W. Bush's Executive Order as a Specially Designated Global Terrorist Entity and the United States Department of Treasury and its assets were frozen. Two SAAR network executives, Samir Salah and Ibrahim Hassabella, were both former executives at Bank al-Taqwa.

Two other executives in the SAAR Network, Jamal Barzinji and Hisham al-Talib, worked for Youssef M. Nada (infra), the head of Bank al-Taqwa who also had his assets frozen. The SAAR network links with Youssef Nada include that SULAIMAN AL-RAJHI was on the Board of Directors at YOUSSEF NADA's AKIDA BANK in the Bahamas. People associated with the SAAR Foundation and its network were also implicated in the United States Embassy terrorist bombings in Kenya and Tanzania.

472. The SAAR network and the more than one-hundred businesses and individuals that comprise it are fronts for the sponsor of AL QAEDA and international terror. These organizations are closely inter-twined with Defendants IIRO, MWL and their related "charities." The connections between the AI-RAJHI family, the SAAR network, and the terrorist front-groups extends past the financial network to a repetitious pattern of overlapping officers. The United States branches of the MWL and its subsidiaries are a part of the SAAR Network. The MWL and SAAR share officers and addresses. Both play an intermediary role between wealthy Saudi financiers and terrorist groups.

473. Co-conspirators, material sponsors, and/or aiders and abettors of the SAAR network include Defendants ABU SULAYMAN, AHMED TOTONJI, HISHAM AL- TALIB, IQBAL YUNUS, JAMAL BARZINJI, M. OMAR ASHRAF, MOHAMMED JAGHLIT, MUHAMMAD ASHRAF, TAHA JABER AL-ALWANI, TARIK HAMDY, YAQUB MIRZA, SHERIF SEDKY, AFRICAN MUSLIM AGENCY, ARADI, INC., GROVE CORPORATE, INC., HERITAGE EDUCATION TRUST, INTERNATIONAL INSTITUTE OF ISLAMIC THOUGHT, MAR-JAC INVESTMENTS, INC., MAR-JAC POULTRY, INC., MENA CORPORATION, RESTON INVESTMENTS, INC., SAAR INTERNATIONAL, SAFA

TRUST, STERLING CHARITABLE GIFT FUND, STERLING MANAGEMENT GROUP, INC., and YORK FOUNDATION, all located, doing business or registered to do business in the United States.

AL BARAKA INVESTMENT AND DEVELOPMENT CORP.

474. AL BARAKA INVESTMENT & DEVELOPMENT CORPORATION (or "AL BARAKA"), a wholly owned subsidiary of DALLAH ALBARAKA GROUP LLC (or "DALLAH ALBARAKA"), is based in Jeddah, Saudi Arabia. Its investments include 43 subsidiaries, mainly banks in Arab and Islamic countries. Most of them are known as or registered as "al Baraka Bank." United States assets include AL BARAKA Bancorp Inc. in Chicago, Illinois, and AL BARAKA Bancorp Inc. in Houston, Texas.

475. A memo from the Russia Federation's Security Service details the AL BARAKA Bank's role in funding Defendant AL-HARAMAIN:

On existing knowledge, part of the obtained financing comes from the charitable collections (Zakat) and goes to the personal foreign accounts of field commanders, including Khattab and Basayef.

476. AL BARAKA provided OSAMA BIN LADEN with financial infrastructures in SUDAN beginning in 1983. For example, the use of AL BARAKA Bank by AL-HARAMAIN was confirmed by a statement from AL-HARAMAIN chairman, AQUEEL AL-AQUEEL, who declared that the charity maintained accounts at AL BARAIKA Bank in Saudi Arabia.

477. AL BARAKA INVESTMENT & DEVELOPMENT is mostly present in the Sudanese banking sector, through assets held in Algharb Islamic Bank, AL SHAMAL ISLAMIC

BANK, FAISAL ISLAMIC BANK, SUDANESE ISLAMIC BANK and TADAMON ISLAMIC BANK. AL BARAKA is also affiliated with the National Development Bank in SUDAN.

478. Defendant SALEH ABDULLAH KAMEL was born in Makkah, Saudi Arabia, in 1941. After being the adviser to the Saudi Minister of Finance, in 1969 he founded Dallah Albaraka Group LLC, quickly establishing himself as one of the leading promoters of an Islamic financial and banking system capable of rivaling large Western institutions.

479. Dallah Albaraka Group LLC, a diversified conglomerate based in Jeddah, Saudi Arabia, is involved in various industries, services and financial activities. The group includes twenty-three banks in Arab and Islamic countries, in addition to several investment and financial companies.

480. Dallah Albaraka Group LLC's portfolio includes a wholly owned subsidiary specializing in aviation-services, Dallali Avco Trans-Arabia Co Ltd. The company was formed in 1975 and is based in Jeddah, Saudi Arabia.

481. OMAR AL BAYOUMI, a Saudi national, was Assistant to the Director of Finance for an AL BARAKA company, Dallah Avco, a position he gave as a reference in an application for admission to Case Western Reserve University in Cleveland, Ohio in 1998.

482. On May 5, 1998, OMAR AL BAYOUMI registered a fictitious company name called Masjed al Madinah al Munawarah (a/k/a Masjid al Madinab al Munawarah) based in San Diego, California. In March 25, 1999 a mosque was registered in the State of Pennsylvania under the name of Masjid al Madinah al Munawarah, Inc.

483. Two of the hijackers on September 11, 2001, of American Airlines Flight 77, NAWAF AL HAZMI and KHALID AL MIHDHAR, received funding from OMAR AL BAYOUMI who paid their house rent in San Diego. OMAR AL BAYOUMI is listed as a suspect wanted by the FBI in connection with the September 11, 2001 attacks.

484. Dallah Albaraka Group LLC's financial arm is AL BARAKA Investment & Development (or "ABID"), a wholly owned subsidiary based in Jeddah, Saudi Arabia.

485. SALEH ABDULLAR KAMEL, Chairman of Dallah AL BARAKA and AL BARAKA Bank, was one of the three founding members of AL SHAMAL ISLAMIC BANK. SALEH ABDULLAH KAMEL founded the bank in 1983, along with a Sudanese company, AL SHAMAL INVESTMENT AND DEVELOPMENT, and the Government of Northern State, then controlled by Governor Mutasin m Abdel-Rabim, representative of HASSAN AL-TURABI.

486. The practice and policy of Dallah Albaraka Group LLC and AL BARAKA Bank is to provide financial support and material assistance to international terrorist organizations including AL QAEDA.

487. In 1998, AL AQSA ISLAMIC BANK was established with \$20 million in capital. The main shareholders were Dallah AL BARAKA Group LLC and the Jordan Islamic Bank. Jordan Islamic Bank, a Dallah al-Baraka LLC subsidiary, owns 14 percent of AL-AQSA ISLAMIC BANK. SALEH ABDULLAH KAMEL acknowledged that Dallah AL-BARAKA Group LLC owns another twelve percent directly.

488. Since 1998, Israel has refused to approve the bank, citing its obvious ties with known terrorists. At the beginning of 2001, several antiterrorist authorities from Israel visited

Citibank's headquarters in New York to warn its directors of the nature of the bank's activities with respect to international terrorism.

489. AL BARAKA provided support to the "charity" AL-HARAMAIN operations and helped transfer funds for OSAMA BIN LADEN operations, as reported by the Bosnian Intelligence Agency (Agency for Investigation and Documentation — AID) in a memorandum titled "Some illegal activities of humanitarian organizations investigated by the relevant investigative bodies of the Federation of Bosnia Herzegovina (FBH)":

Records available for 1998 show a flow of money into the so-called "operating" account of the HO [Humanitarian Organization] at the Deposit Bank, Sarajevo, from the "main" account, sent from Saudi Arabia via the Deutsche Bank and the Albaraka Bank in Turkey. The amount is 1,059,687 DEM [\$2.13 million].

490. Al Baraka Turkish Finance House, an AL BARAKA branch in Turkey, is a subsidiary of Dallah AL BARAKA Group LLC.

491. A Bosnian Intelligence memo regarding the activities of AL-HARAMAIN states the following:

Given all the above security factors, we believe that the clear lack of any concrete humanitarian projects indicates that the existence of this HO [Humanitarian Organization] was a fictitious cover...

492. The report establishes AL-HARAMAIN's role in financing and assisting OSAMA BIN LADEN's operations.

[t]he Saudi HO [Humanitarian Organization] al-Haramain, ... has acted as a channel for financing the activities of terrorist organizations. . . . According to available intelligence, the Sarajevo office assisted the terrorist organization Gama al Islamiya, while members of bin Laden's el Itihad al Islamiya

(AIAI) terrorist groups were employed at the Somalia offices, which also financed their operations.

AL-HARAMAIN

493. The Saudi Arabian-based AL-HARAMAIN ISLAMIC FOUNDATION INC. (or "AL-HARAMAIN") is a private charitable organization that is supposed to provide a variety of humanitarian services for Muslims worldwide. Established in Riyadh in 1992, AL-HARAMAIN quickly developed a vast network of offices and representatives that now spans over fifty countries, including the United States. AL-HARAMAIN raises most of its funds from Saudi Arabia where it oversees the distribution of its resources across the world.

494. Although AL-HARAMAIN operates these branches in many countries but are still controlled primarily from AL-HARAMAIN's headquarters in Riyadh, Saudi Arabia. The President and Vice-President of the United States branch, AQEEL AL-AQEEL and MANSOUR AL-KADI, both reside in Riyadh, Saudi Arabia where they run all of AL-HARAMAIN worldwide. Defendant AL-HARAMAIN ISLAMIC FOUNDATION, INC., is a Saudi charity front that has exploited its non-profit status for the benefit of OSAMA BIN LADEN and his terrorist network AL QAEDA, in the furtherance of international terrorism. In doing so, AL-HARAMAIN has developed an extensive worldwide network. Many of AL-HARAMAIN's foreign branches have been exposed for providing direct and material support to AL QAEDA. The United States State Department has designated two of AL-HARAMAIN's branches located in Bosnia and Somalia as terrorist entities and frozen the assets of both. The leaders of AL-HARAMAIN have direct links to AL QAEDA.

495. In December of 1999, AL-HARAMAIN conducted a joint fundraising event with a known AL QAEDA front, the Defendant INTERNATIONAL ISLAMIC RELIEF

ORGANIZATION (IIRO) and the WORLD ASSEMBLY OF MUSLIM YOUTH (WAMY) in Riyadh, Saudi Arabia. AL-HARAMAIN and its co-conspirators also solicit and operate widely in the United States.

496. Co-conspirators, aiders and abettors of the AL-HARAMAIN ISLAMIC FOUNDATION doing business or registered to do business in the United States include Defendants:

AL HARAMAIN FOUNDATION; AL HARAMAIN ISLAMIC FOUNDATION, INC.; AQEEL ABDUL-AZEEL AL-AQEEL; MANSOUR AL-KADI, SOLIMAN H.S. AL-BUTHE; and PEROUZ SEDA GHATY.

497. AL-HARAMAIN's self-titled "Most Important Aims" include relief work in areas of the world where Muslims are deprived. An unwritten, though no less important, aim of AL-HARAMAIN is providing assistance to OSAMA BIN LADEN's AL QAEDA.

498. Intelligence officials throughout the world have acknowledged that AL-HARAMAIN exploited its non-profit status by providing secret aid to terrorist groups. In referring to AL-HARAAIN in a speech given on March 11, 2002, United States Treasury Secretary Paul O'Neill, stated:

Few deceits are more reprehensible than the act of collecting charity from well-intentioned donors, and then diverting those funds to support hatred and cruelty. As I said during my visit to the Gulf, misusing charity funds to support terrorism harms the people who gave the donation, harms the people who should have received it and is dangerous to us all. Organizations that pervert the name of charity are an affront to us all, and we will find them, expose them, and shut them down.

499. After the June 2, 2002, raids of AL-HARAMAIN offices in Bosnia, the Commander of the NATO-led forces in Bosnia, Lieutenant General John Sylvester stated:

We detected a pattern here... for terrorist cells and those who aid and harbor them to operate behind the shield of legitimate humanitarian . . . organizations.... They were preaching good, and sometimes doing good, while plotting evil.

500. On March 11, 2002, the United States froze the funds of the Bosnia-Herzegovina and Somalia branches of the AL-HARAMAIN Islamic Foundation. These branches of AL-HARAMAIN were "diverting charitable funds to terrorism." The United States Treasury Department issued a Press Release about the designations that stated: The branch offices of al Haramain in Somalia and Bosnia are clearly linked to terrorist financing.

501. Although AL-HARAMAIN in Saudi Arabia was not included in this designation, the Bosnian and Somalian branches receive their funding and guidance from the AL-HARAMAIN headquarters in Riyadh, Saudi Arabia.

502. AL-HARAMAIN's Bosnia and Somalian offices and the rest of AL-HARAMAIN are closely intertwined. AL-HARAMAIN's headquarters provides the funding, management, and direction of the Somalian and Bosnian branches. The headquarters also maintains one website that covers AL-HARAMAIN worldwide and, on occasion, devotes certain pages of its web site to certain individual branches.

503. A United States Treasury Department Press Release stated that AL-HARAMAIN worked with the AL QAEDA-linked Somali-based terrorist group AL ITIHAD AL ISLAMIYA. This like-minded Islamic fundamentalist group operated in the AL QAEDA orbit as it sought to

establish an Islamic state in Somalia and moved into a terrorist force in the mid 1990s. AIAI's involvement in September 11 includes sharing of training and personnel with AL QAEDA using money provided by the Saudis through defendant AL HARAMAIN's offices in Bosnia and Somalia. Defendant the AL BARAKA AT BANK was a financial vehicle for AL QAEDA. The press release states:

The Somalia office of AL-HARAMAIN is linked to OSAMA BIN LADEN's AL QAEDA network and al-Itihad al-Islamiya (AIM), a Somali terrorist group. AL-HARAMAIN Somalia employed AIAI members and provided them with salaries through al-Barakaat Bank, which was designated on November 7, 2001 under E.O. 13224 because of its activities as a principal source of funding, intelligence and money transfers for OSAMA BIN LADEN.

504. The cooperation between AL QAEDA and AL-ITIHAD AL-ISLAMIYA has not ceased. The 2002 United States Department of State's Patterns on Global Terrorism report states that AL-ITIHAD AL-ISLAMIYA is a terrorist group that maintains ties to AL QAEDA. The Treasury Department Press Release about the designation also states that AL-HARAMAIN' s support of AL-ITIHAD AL-ISLAMIYA has been concealed under its humanitarian cover:

Over the past few years AL-HARAMAIN Somalia has funneled money to AIAI by disguising funds as if they were intended for orphanage projects or Islamic school and mosque construction. The organization has also employed AIAI members and provided them with salaries through Barakaat Banks and Remittances, a subsidiary of al-Barakaat Bank.

505. This concert of action, aiding and abetting of terror and material sponsorship of international terrorism is precisely the hallmark of the offensive upon the United States that culminated on September 11, 2001.

506. The AL-HARAMAIN Islamic Foundation was banned from Kenya for national security concerns following the 1998 embassy bombings. OSAMA BIN LADEN and AL QAEDA were convicted by the United States in 2001 for plotting and executing these dual attacks in Nairobi, Kenya, and Dar Es Salaam, Tanzania, which killed 224 people, including 12 Americans, and injured more than 4,000. These indictments and convictions demonstrate the United States government's belief that both OSAMA BIN LADEN and AL QAEDA have committed acts within and outside the United States which trigger the United States District Courts' jurisdiction over such entities.

507. The United States Treasury Department Press Release following the March 11, 2002, designation of AL-HARAMAIN's Bosnian and Somalian offices, stated the following about its connection to the terrorist group AL-GAMA'A AL-ISLAMIYYA:

The Bosnia office of AL-HARAMAIN is linked to al-Gama'a al-Islamiyya, an Egyptian terrorist group. Al-Gama'a al-Islamiyya was designated on November 2, 2001 and it is a signatory to OSAMA BIN LADEN's Fatwa dated February 23, 1998, targeting Americans and their allies.

508. In March 2002, Bosnian officials raided AL-HARAMAIN's Sarajevo office and discovered more proof of AL-HARAMAIN using its humanitarian image as a cover for terrorism. A Bosnian intelligence report explains how investigators discovered that AL-HARAMAIN's financial records from 1994 through 1998 had been destroyed and that \$1.59 million dollars had been inexplicably withdrawn from the charity between 1999 and 2001. The Bosnian intelligence report about the March 2002 raids also stated: "We believe that the clear lack of any concrete humanitarian projects indicates that the existence of this organization was a fictitious cover for probable links with terrorism." In 2001, the Saudi-based AL-HARAMAIN

aided AL QAEDA terrorists groups in Chechnya and elsewhere by providing them with recruits, weapons, and money.

509. AL-HARAMAIN's website used to have a direct link to the AL QAEDA site about the Chechan operations (qoqaz.com). The website was one of several AL QAEDA websites, including qoqaz.com, qoqaz.net, and azzam.com (among others) that are part of the AL QAEDA propaganda effort of Azzam Publications. The government of the United States has been tracking the domains of azzam.com and qoqaz.com in an ongoing effort to shut down the sites for their role as an AL QAEDA sponsor, promoter and mouthpiece. FBI Special Agent Robert Walker described qoqaz.net, the English language equivalent of qoqaz.com, in his April 29, 2002, Affidavit in Support of Complaint Against BENEVOLENCE INTERNATIONAL FOUNDATION, Inc. and ENAAM M. ARNANOUT. In his Affidavit, Walker stated that qoqaz.net leverages its relationship with charities:

In or about early 2000, a website (www.qoqaz.net) dedicated to the cause of Chechen mujahideen identified the leaders of the military fight in Chechnya as including Ibn al Khattab and included pictures of mujahideen training as well as killed mujahideen. CW-1 has identified Ibn al Khattab as a well-known mujahideen leader with links to OSAMA BIN LADEN. . . The website condemned America...

510. Shortly after the merger of EGYPTIAN ISLAMIC JIHAD with OSAMA BIN LADEN's AL QAEDA (see SUDAN allegations, infra), AHMED IBRAHIM AL-NAJJAR, initially a member of the Egyptian Islamic Jihad, was sent on a new mission to Albania to work for AL-HARAMAIN. After al-Najjar was deported from Albania to Egypt in 1999, he was sentenced to death for acts of terrorism. In his testimony, AL-NAJJAR admitted to being a full-fledged AL QAEDA member who entered Albania with a false passport and who, like many

other AL QAEDA operatives, was engaged in purported humanitarian activities while waiting for orders to participate in terror activities. The case of AL-NAJJAR is but one example of a senior AL QAEDA operative who not only found refuge from authorities with AL-HARAMAIN, but a platform from which to wage war and promote the use of terror.

511. AL-HARAMAIN took part in a committee of charitable organizations that formed the SAUDI JOINT RELIEF COMMITTEE (or "SJRC"). Along with AL-HARAMAIN, the SJRC is comprised of the IIRO, WAMY, the SAUDI RED CRESCENT, and the MUSLIM WORLD LEAGUE, among others. The SJRC has been connected to OSAMA BIN LADEN and two of his top operatives, WA'EL HAMZA JULAIDAN and Adel Muhammad Sadiq bin Kazem. The United States Treasury Department has branded JULAIDAN a Specially Designated Global Terrorist Entity [SDGT], stating that JULAIDAN is "an associate of Osama bin Laden and a support of al-Qa'ida terror." AL-HARAMAIN has been able to continue its cooperation with AL QAEDA for years in large part due to its ostensible appearance as a humanitarian organization.

512. In the United States, AL-HARAMAIN has three business entities in Ashland, Oregon: AL-HARAMAIN FOUNDATION, and AL-HARAMAIN Islamic Foundations. All three of these separately filed businesses are at the same address and under the same management. These three businesses are one and the same as AL-HARAMAIN's headquarters in Riyadh, Saudi Arabia. The President and Vice-President of the United States branch, AQEEL AL-AQEEL and MANSOUR AL-KADI, are the Secretary General and Deputy General, respectively, of the Riyadh office. The AL-HARAMAIN branch in Ashland, Oregon, is specifically linked to AL QAEDA operations.

513. AL-HARAMAIN Ashland states in its year 2000 Form 990 that it operates an Islamic center in Springfield, Missouri. Corporate records reveal that AL-H.ARAMAIN owns property in Springfield, Missouri.

514. AL-HARAMAIN has been implicated as providing funds for the bombing of a night club in Bali in 2002. AL-HARAMAIN continues in its illicit pattern of conduct in sponsoring acts of international terrorism.

515. During an interrogation conducted by United States authorities at the United States Air Force base in Baghram, Afghanistan, on May 23, 2002, Umar Faruq, senior AL QAEDA representative in Southern Asia, confessed that AL-HARAMAIN was the main financial mechanism for funding terrorists operations in the region, through its Indonesian office director in Jakarta, Ahmed al-Moudi. The AL-HARAMAIN organization is said to have planned terrorist attacks in Indonesia.

Al Haramayn was the funding mechanism of all operations in Indonesia. Money was laundered through the foundation by donors from the Middle East. Money was given to [him] to al Haramayn's branch in Jakarta, which he said is connected to Kompak [Crisis Center Committee or Committee for Crisis Handling of the Dewan Dakwah Islamiyah organization, Islamic Propagation Council in Indonesia]. The two groups plan terrorist activity in Indonesia. The foundation had an office in Makassar where Faruq was introduced to the foundation's head by Agus Dwikarna [Director of Kompak]. Faruq was given orders by Rasbid [al-Qaida senior officer] to get money transferred to the foundation's office in Jakarta through Ahmed al-Moudi [head of al Haramayn 's office in Jakarta].

516. UMAR FARUQ further stated that AL-HARAMAIN received money from a Saudi Sheikh (Sheikh Bandar), who heads the AL-HARAMAIN ISLAMIC FOUNDATION in

Saudi Arabia according to Faruq. Sheikh Bandar gave \$99,000 to Faruq to give to Al Moudi. Faruq said SHEIKH BANDAR was the head of AL HARAMAIN in Saudi Arabia.

517. Furthermore, during a custodial interview on September 9, 2002, UMAR FARUQ stated that terrorist operations of JEMAAH ISLAMIYA, founded by Abu Bakar Bashir and directed by his top commander defendant NURJAMAN RIDUAN ISMUDDIN AKA HAMBALI, an defendant MOHAMMED IQBAL ABDURRAHMAN a/k/a Abu Jibril, were funded by donations channeled through AL HARAMAIN ISLAMIC FOUNDATION. JEMAAH ISLAMIYA is an Islamic extremist group closely associated with AL QAEDA. Its terror activities with AL QAEDA included planning the Bojinka attack, a foiled attempt to bomb 12 American airliners traveling over the Pacific, and cooperation in the bombing of the USS Cole in 2000. HAMBALI is also believed to have arranged a meeting of September 11 hijackers with other AL QAEDA members in Malaysia in 2000:

AL QAEDA encourages Basyir's [Abu Bakar Bashir] goal to spark a religious civil war in Indonesia in order to achieve his vision of a pure Islamic state under Islamic law. Basyir's plan of training jihadists and massing weapons and ammunition has been coordinated with Rashid, a senior lieutenant of Osama bin Ladin. Rashid also acts as a representative of a committee of Gulf-state sheiks who are Al Qa'ida financiers and who have committed ample funds, weapons, ammunition and computers to support this war. Funds are channeled through the Al-Haramain NGO.

518. AI-HARAMAIN is engaged in unlawful aiding, abetting, conspiring with and offering material support to AL QAEDA which constitutes an unlawful pattern of conduct, illicit scheme and enterprise.

AL-BARAKAAT AND JUMALE

519. The AL-BARAKAAT GROUP OF COMPANIES SOMALIA LIMITED and BARAKAAT GROUP OF COMPANIES (BARAKAAT) encompass a money transfer network with operations in 40 countries. These companies were founded in 1989 by SHEIKH AHMED NUR ALI JUMALE, who controls the activities of the BARAKAAT. Defendant BIN LADEN, a friend of JUMALE's from the Afghanistan-Soviet war made a significant investment in BARAKAAT. United States Under Secretary for International Affairs John B. Taylor has described BARAKAAT as a premier financial transfer system for AL QAEDA:

The founder of the organization, Sheikh Abmed Nur Ali Jumale has close links with Osama bin Laden and has used al Barakaat to facilitate the financing and operations of Al Qaida and other terrorist organizations.

Treasury Secretary O'Neill corroborated BARAKAAT funding of AL QAEDA:

The al Barakaat companies are the money movers, the quartermasters of terror. At core, it is a hawala conglomerate operating in 40 countries around the world with business ventures in telecommunications, construction, and currency exchange. They are a principal source of funding, intelligence and money transfers for bin Laden.

520. Defendant JUMALE was able to penetrate the United States banking system using his BARAKAAT companies. Upon information and belief, during the 1990s and in 2000 and 2001, the BARAKAAT financial network moved over \$300-\$400 million per year in its worldwide network, an estimated \$15 to \$20 million is believed to have gone to AL QAEDA. BARAKAAT also donated a portion of its commissions to AL QAEDA. From 1979 to 1986, JUMALE worked in Jeddah, Saudi Arabia as a senior employee of the SAUDI AMERICAN

BANK. The bank was founded by Citibank, which owned 40% of it at the time he worked there. The United States government designated BARAKAAT and its branches as terrorist entities on November 7, 2001, and froze the organization's assets. Two of the United States branches - in Boston, MA, and Alexandria, VA - were accused of racketeering and conspiracy respectively to avoid reporting financial transactions. The members of the Alexandria branch have pled guilty. All of the BARAKAAT group of companies are co-conspirators, aiders and abettors, material sponsors of AL QAEDA, BIN LADEN and international terrorism.

SAUDI AMERICAN BANK

521. SAUDI AMERICAN BANK is based in Riyadh, Saudi Arabia, and was formed in 1980 pursuant to a royal decree to take over the then existing branches of Citibank in Riyadh and Jeddah, Saudi Arabia. Citibank opened its Jeddah branch in 1955 and its Riyadh branch in 1966. SAUDI AMERICAN BANK was formed in accordance with a program adopted by the Kingdom of Saudi Arabia in the mid-1970's under which all foreign banks were required to sell majority equity interests to Saudi nationals.

522. SAUDI AMERICAN BANK started operations on July 12, 1980, based in Riyadh. The SAUDI AMERICAN BANK is chaired by Abdulaziz Bin Hamad Al Gosaibi. Khalil A. Kordi and Rashid M. Al. Romaizan are among the directors of the bank. The SAUDI AMERICAN BANK is the second largest bank in Saudi Arabia.

523. The SAUDI AMERICAN BANK has offices in the United States based in New York. The Chairman of the bank is ABDULAZIZ BIN HAMAD AL GOSAIBI who was born in 1923 and is also Chairman of the Saudi Cement Company in Damman, Saudi Arabia. The Saudi Cement Company shareholders include Defendant OMAR SULAIMAN AL-RAJHI. The

SAUDI AMERICAN BANK is also the main banker of Arab Cement Company. The company is owned by AL RAJHI Group and SAUDI BIN LADEN GROUP. Arab Cement Company is managed by several other Defendants including KHALID BIN SALIM BIN MAHFOUZ and Mohammed Bin Laden.

524. The SAUDI AMERICAN BANK is the official correspondent of the al Baraka Bank Lebanon, based in Beirut and chaired by Defendant SALEH ABDULLAH KAMEL. The SAUDI AMERICAN BANK has maintained a partnership with al Baraka financial system since its beginning.

525. The SAUDI AMERICAN BANK serves as the bank for the Dallah AL BARAKA Group, named as Defendant herein and chaired by DEFENDANT SALEH ABDULLAH KAMEL. The SAUDI AMERICAN BANK is close to the Saudi Bin Laden family, and appears on its financial transactions. Bin Laden for Contracting and Trading is owned by members of the Bin Laden family including BAKR BIN LADEN and Mohammed Bin Laden.

526. SAUDI AMERICAN BANK financed these Sudanese projects, described above, by directly providing material support and assistance to OSAMA BIN LADEN. Indeed, SAUDI AMERICAN BANK was the main banker of the Saudi Bin Laden Group and Bin Laden Organization with respect to Sudanese operations. SAUDI AMERICAN BANK is also the Riyadh correspondent of AL FAISAL ISLAMIC BANK, which is managed by Defendant PRINCE MOHAMMED AL FAISAL AL SAUD. AL FAISAL ISLAMIC BANK has facilitated AL QAEDA terrorist operations as detailed above. The SAUDI AMERICAN BANK is also the

main correspondent in Riyadh for a branch of AL SHAMAL BANK, a branch of DMI Trust based in Nassau, involved in the financing of AL QAEDA.

527. In year 2000, the SAUDI AMERICAN BANK participated in the fund raising campaign in Saudi Arabia for collecting donations to the "heroes of the Al Quds uprising" (Intifada) by providing a bank account and facilities to receive donations for a committee of charity organizations including Defendants WAMY, IIRO and AL HARAMAIN FOUNDATION.

MERCY INTERNATIONAL RELIEF AGENCY

528. The Saudi-backed Mercy International Relief Agency (a/k/a MERCY INTERNATIONAL, a/k/a MERCY) (or "MIRA") was incorporated in Dublin, Ireland in 1992 with the ostensible purpose of embarking on Muslim charitable activities around the world. All the shareholders of the charity are all of Saudi nationality and listed their address at Makkah, Saudi Arabia. MIRA also has branches in Somalia and Kenya. Its Dublin branch dissolved on January 16, 1998.

529. During the trial and conviction of OSAMA BIN LADEN's personal secretary WADIH EL-HAGE, for his role in the 1998 United States Embassy bombings in East Africa, WADIH EL-HAGE's testimony before a grand jury established that MIRA was funded by "Saudi merchants":

- "Q. The grand jury had a couple of quick questions one of which is who funds the Mercy International relief agent in Kenya?
"A. Some Saudi merchants in Saudi Arabia.
"Q. Merchants in Saudi Arabia?
"A. Yes

530. An AL QAEDA member further maintained that MIRA was also an AL QAEDA sponsor. L'Houssaine Kherchtou, a 36-year old Moroccan, joined AL QAEDA in 1991. He affirmed this in his testimony as a government witness in the United States Embassy bombings trial. He worked for AL QAEDA in Kenya, and noted specifically that MIRA served and sponsored AL QAEDA's activities. In his testimony, Kherchtou asserted that several AL QAEDA members were workers at MIRA, received identity cards from MIRA, and that the organization was dealing directly with OSAMA BIN LADEN himself:

Q. And during the time that you were in Nairobi were you familiar with a charity or relief organization known as Mercy International Relief Organization?

A. Yes.

Q. And were there any AL QAEDA people affiliated with the Mercy International Relief Organization?

A. Let me just.

(Witness consults with interpreter)

A. Yes, the people of AL QAEDA they were dealing with the Mercy International.

Q. Who were those people? Which AL QAEDA people were dealing with Mercy International?

A. Bin Laden, Mohammad Masry.

Q. Are you talking about the military commander?

A. Yes.

Q. Abu Mohamimad, are you talking about Saleh lay again?

A. Yes.

Q. Were there any people inside Mercy International who were part of AL QAEDA in the past or the present?

A. Well, in the past Abu Jamal he was the manager of that relief agency but he was in the past of AL QAEDA.

Q. You said Abu Jamal?

A. Yes.

Q. Anyone else in Mercy International who was a member of AL QAEDA in the past or while in Kenya?

A. The accountant of Mercy International, too, he was of AL QAEDA but in the past his name Abu al Kheryemeni.

Q. Did you ever see any AL QAEDA members in Kenya who had identification cards in the Mercy International Relief agency?

A. No.

Q. Did you ever hear whether or not AL QAEDA members in Nairobi obtained identification cards from Mercy International Relief agency?

A. Yes.

Q. Who did you hear obtained those cards?

A. I heard that Abu Mohammed Amriki and Bin Laden they had identity card.

531. MIRA's Kenya Office served as a front for AL QAEDA. Like many OSAMA BIN LADEN fronts, MIRA was an operating charity. The organization may have embarked upon actual charitable work, but only as a cover for their insidious goals. Following the Embassy bombings, federal authorities raided the offices of MIRA in Kenya on August 21, 1998, after finding MIRA documents in Wadih el-Hage's residence. At MIRA's office, agents discovered documentary evidence linking it to OSAMA BIN LADEN.

532. Some of the documents seized belonged to WADIH EL-HAGE and concerned Abu Ubaidah, a top AL QAEDA leader who died in 1996. At the Embassy bombing trial in New York Assistant U.S. Attorney ("AUSA") Patrick Fitzgerald stated:

When they searched Mercy International, they found a number of documents, included among which Wadih El Hage's files and files concerning Abu Ubaidah.

533. Documents found on site indicated that MIRA was smuggling weapons into Kenya from Somalia. AUSA Fitzgerald noted that authorities found a receipt dated July 24, 1998, on the back of which stated it was related to getting weapons from Somalia.

534. FBI Special Agent John Michael Anticev interviewed Mohammed Odeh, who was convicted for his role in the 1998 Embassy bombings. Mr. Anticev testified that Mohammed Odeh explained to him that MIRA was working for AL QAEDA.

Q. Did Odeh talk to you at all about an entity known as the Mercy International Relief Agency?

A. Yes.

Q. What did he tell you about the Mercy International Relief Agency?

A. That was also -- it was run by a guy in Nairobi named Tawhili, and that organization had ties to AL QAEDA, and Harun and Abu Ubaidah al Banshiri were close to that organization.

535. The individual referred to above as Tawhili is also known as Sheikh Ahmad alem Suweidan, one of the FBI's most wanted terrorists. Therefore, a fugitive AL QAEDA member ran MIRA at all relevant points up to the Embassy bombings. Special Agent Anticev further testified that Harun, WADIH EL-HAGE's former roommate who also worked for AL QAEDA, frequented MIRA, typing information for top AL QAEDA leadership:

Q. Did Odeh describe to you any particular tasks that Harun performed for AL QAEDA?

A. Yes. Harun, he said that Harun was a good typist, and, you know, he spent a lot of time at MIRA, the organization we just talked about, and he would type reports for the hierarchy in AL QAEDA.

Q. And when you said MIRA, MIRA, are you referring to the Mercy International Relief?

A. Yes, Mercy International Relief.

Q. Did Odeh indicate to you what was contained in those reports that he typed for the hierarchy?

A. In those reports they were using certain code words to conceal what their true intentions were.

536. An AL QAEDA fugitive was deeply involved in MIRA's branch in Dublin. Hamid Aich (or "Aich"), an Algerian who lived in Ireland and volunteered at the MIRA branch in Dublin, was heavily involved in the 2000 bomb plot to destroy Los Angeles International

Airport (LAX). Shortly before moving to Ireland, Aich was a roommate of Ahmed Ressam, the man currently in jail for his role in the LAX bomb plot. On December 21, 1999, Aich was arrested by Irish authorities, seizing several personal papers and computer documents, though he was released shortly afterwards, while FBI agents were traveling to interrogate him. Aich fled and went into hiding, and his current whereabouts are unknown.

537. Documents found in MIRA's branch in Dublin link the charity to ZACARIAS MOUSSAOUI. Travel documents found in a raid at a flat which served as one of MIRA's offices in Dublin are linked to forged documents used by alleged 20th hijacker, ZACARIAS MOUSSAOUI, who has been criminally charged in the September 11, 2001 attacks. The documents relate to air travel financed by MUSTAFA MUHAMMED AHMAD a/k/a Shaykh Sai'id a/k/a Mustafa Ahmed AI-Hasawi an alleged paymaster of September 11th. The documents show that MOUSSAOUI's travel was financed by MUSTAFA MUHAMMED AHMAD. FBI agents maintain that the evidence found at MIRA's office "proves 'without a shadow of a doubt' that Moussaoui is linked to Osama bin Laden."

538. Dr. Safar Alhawali, Dr. Soliman Alsaloomi, Dr. Mohamed Said Alghtani (a/k/a Alghatani, AI-Qohtany), Dr. Abdallah Aldomaiji (a/k/a Aldonaji), Abdalaziz Farsi, Faisal Alahmadi, and Waheed Almasry were co-conspirators, aiders and abettors, agents of MIRA and material sponsors of international terrorism.

AL WAFa

539. The AL WAFa ORGANIZATION a/k/a Wafa Humanitarian Organization; a/k/a Wafa Al-Igatha Al Islamic charity was headed by Saudi citizen SHEIKH ABO ABDUL AZIZ

NAGI, a high ranking AL QAEDA official who was captured in Afghanistan in December 2001. Upon information and belief, while part of the organization provided money for humanitarian projects, much of the money was diverted to AL QAEDA. AL Wafa was also instrumental in providing AL QAEDA with arms, supplies and logistical support in Afghanistan before and after September 11, 2001. AL Wafa and AZIZ NAGI have been designated as terrorist co-conspirators and have had their assets frozen.

MISCELLANEOUS INTERNATIONAL SPONSORS

AL TAQWA AND NADA MANAGEMENT ORGANIZATION

540. In the late 1980s, the leaders of the Muslim Brotherhood formed financial management firms and banks called AL TAQWA ("Fear of God"), dedicated to the overthrow of Western nations, and the creation of a worldwide Islamic government. Headquartered in Lugano, Switzerland, with branches in Italy, Algeria, Liechtenstein, Malta, Panama and the Bahamas, they consist of the AHMED IDRIS NASREDDIN, a/k/a NASREDDIN AHMED IDRIS, AKIDA BANK PRIVATE LIMITED a/Ida AKIDA ISLAMIC BANK, INTERNATIONAL LIMITED a/k/a IKSIR INTERNATIONAL BANK LIMITED, AKIDA COMMODITY LIMITED, AKIDA INVESTMENT COMPANY LIMITED, AKIDA MANAGEMENT AND TRUST a/k/a AKIDA ISLAMIC BANKERS' TRUSTEE AND MANAGEMENT, ALI GHALEB HIMMAT, AL TAQWA TRADE PROPERTY AND INDUSTRY COMPANY LIMITED, a/k/a AL TAQWA TRADE PROPERTY AND INDUSTRY ESTABLISHMENTS a/k/a HIMMAT ESTABLISHMENT, AL TAQWA ZAKA ESTABLISHMENT, ARMAND ALBERT FRIEDRICH HUBER a/k/a AHMED HUBER, ASAT TRUST REGISTERED, BANK TAQWA FOR COMMERCE AND REAL ESTATE COMPANY LIMITED, a/k/a BANK TAQWA FOR COMMERCE AND REAL ESTATE ESTABLISHMENT, a/k/a BEN M.

NADA ESTABLISHMENT, a/k/a YOUSSEF M. NADA ESTABLISHMENT, BANK AL TAQWA LIMITED, a/k/a AL TAQWA BANK, CEMSTEEL IMPEX ESTABLISHMENT, GULF CENTER S.R.L, IKSIR LIMITED HOLDING, MIGA-MALAYSIAN SWISS, GULF AND AFRICAN CHAMBER, a/k/a CAMERA DI COMMERCIO, INDUSTRIA E TURISMO PER GLI STATI ARABI DEL GOLFO E LA SVIZZERA, MOHAMED MANSOUR, a/k/a MOHAMED AL-MANSOUR, NADA INTERNATIONAL ANSTALT, a/k/a NADA GROUP INTERNATIONAL ANSTALT, NADA MANAGEMENT ORGANIZATION SA, a/k/a AL TAQWA MANAGEMENT ORGANIZATION, NASCO BUSINESS RESIDENCE CENTER SAS DI NASREDDIN AHMED IDRIS ED, NASCO NASREDDIN HOLDING SA, NASCOSERVICE S.R.L, NASCOTEX S .A., a/k/a INDUSTRIE GENERALE DE FILATURE ET TISSAGE, a/k/a INDUSTRIE GENERALE DE TEXTILE, NASREDDEN CHARITABLE FOUNDATION, NASREDDI'N COMPANY NASCO SAS DI ARMED IDRIS NASSREDDIN EC, NASREDDIN FOUNDATION, a/k/a NASREDDIN STIFTUNG, NASREDDIN GROUP INTERNATIONAL HOLDING LIMITED, NASREDDIN INTERNATIONAL GROUP, LIMITED HOLDING a/k/a MIDDLE EAST AND TURKEY INVESTMENT HOLDING LIMITED, RAW MAT SERVICE AND MANAGEMENT SA, YOUSSEF MUSTAFA NADA, YOUSSEF M. NADA ESTABLISHMENT, a/k/a YOUSSEF M. NADA ANSTALT, YOUSSEF M. NADA & CO. GESELLSCHAFT MBH, ZEINAB MANSOUR a/k/a ZEINAB MANSOUR FATTOUH.

541. Upon information and belief, the AL TAQWA GROUP has financed and laundered money for Arab and Islamic political and militant groups including Algerian Armed Islamic Group (GIA) and the Egyptian Gama'a al-Islamiya, Islamist terrorist groups with links to

BIN LADEN and his AL QAEDA organization. Additionally, international investigations indicate that AL-TAQWA was facilitating the movement of BIN LADEN's money around the world in the late 1990s, a task made easier because its complex structure is designed to prevent scrutiny of its operations.

542. AL-TAQWA was founded by YOUSSEF M. NADA and AHMAD I. NASREDDIN, a/k/a Hadj Ahmed Nasreddin, AHMED IDRIS NASREDDIN, and its other principals are: ALI G. HIMMAT, AHMED HUBER and MOHAMED MANSOUR. HUBER and MANSOUR are senior members of the Muslim Brotherhood. Shortly after the 1998 AL QAEDA embassy bombings, U.S. intelligence agencies tracked telephone contact between AL-TAQWA and members of BIN LADEN's inner circle along with ALBERT "AHMED" HUBER, a convert to Islam in the 1960s who has publicly expressed support for AL QAEDA. HUBER has acknowledged the very active funneling of money from oil wealthy Saudi families to the AL TAQWA BANKS. NASREDDIN is also a AL-TAQWA founding member and bank shareholder who helped finance the creation of the ISLAMIC CULTURAL INSTITUTE OF MILAN, which follows the violent teachings of convicted terrorist OMAR ABDEL RAHMAN. The Institute was frequently visited by known AL QAEDA terrorists. Upon information and belief, the Institute is known in Western intelligence communities as one of the main AL QAEDA stations in Europe and was used to move weapons, men and money around the world.

543. ALI GHALEB HIMMAT, AHMED HUBER, MOHAMED MANSOUR, ZEINAB MANSOUR-FATTOUH, AHMED ALI JUMALE, AHMAD I. NASREDDIN AND

YOUSSEF M. NADA (a/k/a Youssef Mustafa Nada) are aiders, abettors, material sponsors and/or co-conspirators of international terrorism.

544. After September 11, 2001 AL TAQWA changed his name to the NADA MANAGEMENT ORGANIZATION, SA in an attempt to avoid scrutiny. AL TAQWA and the NADA group, as well as their four principals - NADA, HIMMAT, HUBER and MANSOUR, have had their assets frozen and are believed by the U.S. Department of Justice to be co-conspirators of AL QAEDA.

RABITA TRUST

545. RABITA TRUST is a charitable organization which was created to organize the repatriation and rehabilitation of stranded Pakistanis (Biharis) from Bangladesh. Founded in 1988, the trust fund was started jointly by the government of Pakistan and the Saudi-based charity, the MUSLIM WORLD LEAGUE. RABITA TRUST received the majority of its funding from the MWL and the Saudis, and has been involved with terrorism.

546. RABITA TRUST was initially granted 250 million Royals from the Pakistani government as well as 50 million Royals from the MWL to help relocate some 250,000 displaced Pakistani refugees in Bangladesh. In its 15 years of existence, the Rabita Trust has only managed to relocate a few hundred Biharis.

547. RABITA TRUST is an AL QAEDA front, and the Head of RABITA TRUST is a known AL QAEDA member. A Treasury Department press release issued when RABITA TRUST 's assets were frozen indicated that:

Rabita Trust is headed by Wa'el Hamza Julaidan, one of the founders of al-Qaida with bin Laden. He is the logistics chief of

bin Laden's organization and fought on bin Laden's side in Afghanistan.

548. According to a biography of Bin Laden and the original members of AL QAEDA noted for its accuracy and clarity, the head of RABITA TRUST, WA'EL JULAIDAN, fought alongside OSAMA BIN LADEN and championed his cause. The biography, written by a fellow compatriot of bin Laden, noted how AL QAEDA' s key founders fought against the Soviets in Afghanistan during the Soviet-Afghan war of the 1980s.

One of the men who led the Arab Afghan Jihad forces came from one of the wealthiest Saudi families; he was influenced by the Afghan struggle, who would live together with them and sacrifice everything for the Afghani jihad. This man was Osama Bin Laden, a young, tall man who followed Dr. Abdullah Azzam to fight in Afghanistan. Another Saudi joined together with them; his name was Wa'el Julaidan, a US student who was studying agriculture and left to fight jihad in Afghanistan. These three: Osama Bin Laden (a.k.a. 'Abu Abdallah'), Dr. Abdullah Azzam (a.k.a. Abu Muhammed), and Wa'el Julaidan (a.k.a. Abu Al-Hassen al-Madani), gathered together in December 1979 to create the new Islamic revolution in Afghanistan. Accordingly, Julaidan was branded a Specially Designated Global Terrorist Entity by the United States Treasury Department and his assets have been frozen.

549. RABITA TRUST is the sibling organization of the IIRO as they are both subsidiaries of the MWL.

550. RABITA TRUST is connected to the SAAR network (see above), through two officers, Dr. Abdullah Omar Naseef and Abdullah al-Obaid.

551. On October 12, 2001, President George W. Bush's Executive Order designated Defendant RABITA TRUST as a Specially Designated Global Terrorist Entity and the Treasury

Department froze its assets. Its chairman is Defendant ABDULLAH OMAR NASEEF who founded the Defendant RABITA TRUST in July 1988.

552. Abdullah Omar Naseef (or “Naseef”) also served as Secretary-General of the MWL during the time he created RABITA TRUST and has attempted to spread MWL offices around the world. Part of his global efforts are found in his involvement in a SAAR network charity. Naseef is an officer of Makkah al-Mukarramah, Inc., registered in Virginia as a non-profit organization. A second shared executive is the Vice-Chairman of the Board of Trustees of RABITA TRUST, ABDULLAH AL-OBAID, who is also an officer at two of the SAAR network businesses that were raided, the MWL and Sanabel al-Kheer. Defendant ABDULLAH OMAR AL-OBAID is unique in that not only is he an officer at the MWL and the SAAR Network, but he is also the Deputy General Manager at one of the al-Rajhi's largest businesses, AL-WATANIA POULTRY in Saudi Arabia. AL-WATANTA POULTRY has branches worldwide and in the United States.

THE GLOBAL RELIEF FOUNDATION

553. The GLOBAL RELIEF FOUNDATION (or "GRF") was incorporated in January 1992 in Illinois. According to its website, GRF “is a non-profit humanitarian organization working to provide care, support and relief to people in need throughout the world.”

554. GRF is active all over the world, providing relief for several countries, including the United States, Afghanistan, Kosova, Lebanon, Bosnia, Kashmir, Turkey, and Chechnya, among others. GRF has branches of its organization, aside from Bridgeview, Illinois, located in Belgium, Yugoslavia, and Serbia.

555. In 2000, GRF's name appeared on a list being circulated by the government of charities allegedly funding terrorism. On December 14, 2001, federal authorities raided the offices of the Global Relief Foundation as well as the residences of several of its directors. Simultaneously, the United States Treasury froze GRF's assets. A spokesman for the Treasury Department noted that GRF is aiding terrorism:

There was coordinated action to block the assets, because this group is suspected of funding terrorist activities.

556. The Treasury spokesman added that the public's safety was at risk if GRF were allowed to continue to operate:

This extraordinary action was taken because it's relevant to the health and safety of the American public.

557. On the same day as the raids in the United States, the NATO-led task force named the Kosova Force (KFOR) stormed two GRF offices in Yugoslavia and Serbia. A statement from KFOR explaining the raids detailed why:

This afternoon KFOR soldiers, working in close cooperation with UNMIK-Police, carried out a coordinated search operation on the offices of the Global Relief Foundation in Pristine/Pristina and Dakovice/Dakovica, after receiving credible intelligence information that individuals working for this organization may have been directly involved in supporting worldwide international terrorist activities.

558. This action was an orchestrated element of a worldwide operation coordinated with governments and law enforcement agencies against the offices of the Global Relief Foundation and other organizations suspected of supporting international terrorists.

559. GRF by and through its agents has engaged in the planning of attacks against the United States:

The Global Relief Foundation is a worldwide, US based Non-Governmental Organization (NGO), which has headquarters in Chicago, Illinois, USA and a European Headquarters in Brussels, Belgium. It is suspected of supporting worldwide terrorist activities and is allegedly involved in planning attacks against targets in the USA and Europe.

560. The head of the GLOBAL RELIEF FOUNDATION branch in Belgium received over \$200,000 from MUHAMMED GALEB KALAJE ZOUAYDI (a/k/a Abu Talha) (or "ZOUAYDI"), a high level AL QAEDA financier. ZOUAYDI, who was arrested by Spanish authorities on April 23, 2002, is a brother-in-law of OSAMA BIN LADEN. A top financier for AL QAEDA, he also served as one of the original terrorists who fought with OSAMA BIN LADEN and the other original founders of AL QAEDA.

561. On October 12, 2001, the United States Treasury froze the assets of Jam'yah Ta'awun Al-Islamia (Society of Islamic Cooperation) and branded it a Specially Designated Terrorist Entity. According to the Treasury, the Society of Islamic Cooperation is headed by ZOUYADI, who is also an explosives expert. Based in Kandahar City, United States Treasury department officials allege that the organization was founded by OSAMA BIN LADEN in early 2001.

562. ZOUYADI was closely connected to the AL QAEDA cell in Germany that participated in the September 11, 2001 attacks. ZOUYADI also sent money to MAMOUN

DARKAZANLI, who had his assets frozen as well as the assets of a company he controlled MAMOUN DARKAZANLI IMPORT-EXPORT COMPANY and both were designated a terrorist entity by the United States government shortly after September 11, 2001.

DARKAZANLI is suspected of being a key AL QAEDA point man in Europe, as is described in more detail infra.

563. GRF's offices have also been raided in Yugoslavia and Serbia as part of international investigations into GRF's support of terrorism. On at least one occasion, ZOUAYDI transferred 231,664 euros to the head of GRF's Belgium arm, Nabil Sayadi, who is also linked to OSAMA BIN LADEN.

564. Documents provided by the United States government in defense of its freezing of GRF's assets indicate that known AL QAEDA terrorist WADIH EL-HAGE was in direct contact with GRF officials while he was planning international terrorism attacks. Specifically, the government noted in its supporting documents that the FBI reported that evidence introduced at EL-HAGE's trial demonstrated that, in the late 1990s, GRF maintained communications with WADIH EL-HAGE.

565. Furthermore, the government indicated:

At the time, el Hage was in contact with GRF, he resided in Kenya, and played an "active role" in an AL QAEDA terrorist cell operating there....

566. During this same period, 1996 and 1997, EL-HAGE was also in contact with GRF offices in Belgium and Bridgeview, Illinois. In particular, documents recovered in a search in

Kenya showed that EL-HAGE was in contact with GRF in Bridgeview, Illinois after returning from a visit with AL QAEDA leadership in Afghanistan in February 1997.

567. Evidence provided by the government in freezing GRF's assets corroborates GRF's promotion of martyrdom to kill the "enemies of Islam." The government assessed:

Newsletters distributed by GRF and published in 1995 by the Central Information News Agency Network (CINAN), which, like GRF, is operated via a Bridgeview post office box, encourage "martyrdom through JIHAD." The newsletters, written in Arabic and translated by the FBI, include an article soliciting funds for the Bosnian relief effort to assist those suffering from the prolonged agony due to atrocities imposed by the "enemies of Islam." The article refers to the Jihad (struggle) that should be carried out by Muslims and states: "It seems that the Prophet (Mohammad) had linked religion with JIHAD. So when do we awake? When can we take revenge for God and his religion? When can we rise to defend our rights and self respect?" The article continued, "God had equated martyrdom though JIHAD with supplying funds for the JIHAD effort," and concluded, "All contributions should be mailed to: GRF."

568. GRF newsletters implored individuals to donate money to their organization for the purposes of buying weapons. The government explained:

Other GRF newsletters and publications encourage readers to give their Zakat, or charitable tithe, to GRF to assist in the purchase of, inter alia, weaponry. "[F]or God's cause (the Jihad, they [the Zakat Funds] are disbursed for equipping the readers for the purchase of ammunition and food, and for their [the Mujahideen's] transportation so that they can raise God the Almighty's word and protect the gaps..." The article concluded by exhorting Muslims "to make the Global Relief Foundation your messenger of goodness, and we will, God willing, disburse it as specified in Bosnia, Kashmir, Afghanistan, Tajikistan, and Lebanon."

569. Since GRF's assets were blocked, information gathered about GRF, according to the government, has only reaffirmed that GRF works closely with and in support of terrorist organizations:

In addition to this unclassified evidence, the classified material gathered since the date of the blocking has greatly amplified OFAC's [Office of Foreign Asset Control] belief that GRF may have acted in concert with, and in support of, terrorists and terrorist entities.

570. Several photographs obtained at GRF's offices in Chicago indicate that GRF used its humanitarian cover as means to send expensive communications equipment abroad. The government described what exactly was found during the raids on GRF's offices:

A set of photographs and negatives discovered at GRF's Chicago offices indicate types of "humanitarian" supplies that GRE has sent abroad. The photographs display large shipping boxes arrayed under a GRF banner. Other photographs reveal that the boxes contain sophisticated communications equipment: approximately 200 handheld radio transceivers, long range radio antennas, and portable power packs, with an estimated total value of \$120,000. Arrayed near the communications equipment are a tool kit, a box of Bushnell binoculars, saddles, and ropes.

571. Other photographs found in the raids indicate that GRF had an specific interest in munitions:

Other photographs in this same set depict fighters armed with automatic rifles, a sand-bagged bunker with a radio mounted outside, and mutilated corpses with the name "KPJ" (Kashmiri Press International) printed alongside. Finally, one photograph displays two dead men with the caption "HIZBUL MUJAHIDEEN," a known terrorist organization operating in the Kashmir region between India and Pakistan. On the reverse side of the photograph was handwritten in Arabic, "two martyrs killed by the Indian government."

572. Mohammed Chehade, Rabih Haddad, Hazem Ragab, and Mohammed Alchurbaji are aiders, abettors, agents, sponsors and/or co-conspirators of the GLOBAL RELIEF FOUNDATION.

TAIBAH INTERNATIONAL AID ASSOCIATION

573. TAIBAH INTERNATIONAL AID ASSOCIATION (or "Taibah") is a charitable organization headquartered in Falls Church, Virginia. Established in 1991, Taibah's IRS Form 1023, which serves as an application to the United States Government for tax exempt status, lists ABDULLAH A. BIN LADEN, OSAMA BIN LADEN's half- brother, as a founding officer. The same form also lists TAIBAH's stated goals as a humanitarian organization.

574. From its headquarters in the United States, TAIBAH has a presence around the world through offices, mosques, and educational centers in the following countries: Albania, Bosnia-Herzegovina, Bulgaria, Gargizia, Kazakhstan, Kosova, Ozpakistan. Russia, Shofishia, Tajikistan and Tataristan, among others.

575. Despite a well developed website, TAIBAH does not solicit funding through this channel. According to its IRS Form 1023, TAIBAH relies on fundraising trips to the Middle East and mailings sent to Muslims in the United States for its revenue. As a result, roughly half of the United States arm of TAIBAH INTERNATIONAL's revenue comes from Saudi Arabia. On its year 2000 IRS Form 990, TAIBAH lists a four year aggregate contribution of nearly \$150,000 dollars in fund raising from Saudi Arabia. Also, TAIBAH's Bosnian branch relies on Saudi Arabia for funding. The Saudi Arabian SAUDI HIGH COMMISSION has been identified by Bosnian intelligence as a source of TAIBAH's funds.

576. Although it purports to be a humanitarian organization, the TAIBAH INTERNATIONAL AID ASSOCIATION furthers the aims and materially supports OSAMA BIN LADEN and AL QAEDA. Through the actions of its agents, officers and employees, TAIBAH has provided financial and material support to AL QAEDA. The strong affiliation that TAIBAH maintains with many other AL QAEDA front-groups demonstrates its place as a highly connected component of OSAMA BIN LADEN's financial and logistical support network.

577. TIABAH's support of international terrorism and AL QAEDA is ongoing. One of the individuals involved in the October 2001 threat to the American and British Embassies in Bosnia was Mustafa al-Kadir, who was granted Bosnian citizenship based on his employment with Taibah INTERNATIONAL. Al-Kadir was still working with Taibah at the time of this foiled terrorist attack and ensuing arrests.

578. The NATO Secretary-General, George Robertson, stated that at least one of the five arrested Algerians (in Bosnia in October 2001) had direct links with AL QAEDA and OSAMA BIN LADEN. The leader of the group, BENSAYAH BELKACEM, has been identified as a top AL QAEDA lieutenant. In October 2001, BELKACEM was arrested at his apartment in Zenica, Bosnia where authorities found phony passports and a mobile telephone listing for ABU ZUBAYDAH, AL QAEDA's third-in-command. According to phone transcripts, BELKACEM was also in phone contact with AL QAEDA military commander Abu al-Maid.

579. On December 13, 2001, Bosnian police searched the offices of TAIBAH INTERNATIONAL. Following the raid, an audit and investigation of TAIBAH's financial

records was conducted on January 25, 2002. This audit reveals that TAIBAH's financial records were managed in a way that obscured its true financial status. The financial records contained flagrant abuses in TAIBAH's allocation of donations and in the manner its expense accounts were maintained. A March, 2002, Bosnian Intelligence Memo from the Agency for Investigation & Documentation (AID) that summarizes the audit described the illegal management of TAIBAH's funds by its executives:

It is also noteworthy that large cash sums were withdrawn by management individuals at the organization which were never accounted for by any record of expenditure, and which indicates a wide scope for possible illegal spending of money. It is clear that each of these items is for more than 10 thousand marks.

580. Other discrepancies noted in the audit were the misuse of automobiles, supplying of fictitious declarations of affiliation and employment, as well as suspicious requests for visas.

581. Funding for the Bosnian office of TAIBAH originates from bank accounts: at the AL-RAJHI ISLAMIC BANK. The flow of money begins with the AL-RAJHI ISLAMIC BANK in Saudi Arabia, then to TAIBAH via wire transfers through Hypobank in Germany and Commerce Bank in Bosnia. The AL-RAJHI ISLAMIC BANK, its agents, officers, directors, and so-called charities, members of the AL-RAJHI family are significant financial supporters of terrorism as is discussed supra.

582. In Bosnia, TAIBAH INTERNATIONAL works closely with another AL QAEDA front-group, the charitable organization and Defendant GLOBAL RELIEF FOUNDATION (or GRF). According to the 2002 Bosnian Intelligence Memo, when GRF was initially registered, it operated in Bosnia under the auspices of TAIBAH INTERNATIONAL. TAIBAH's close

working relationship with GRF is in accord with both charities' role as AL QAEDA sponsors and front groups.

583. The 2002 Bosnian Intelligence Report on non-profit organizations affirms that TAIBAH's Bosnian office received its revenues from another Saudi Arabian charity, the SAUDI RELIEF COMMISSION (a/k/a Saudi High Relief Commission) (or "SRC"). TAIBAH has been implicated in the 1998 United States embassy bombings along with the SRC.

584. Two officers from TAIBAH INTERNATIONAL's United States branch, SAMIIR SALAH and ABDULRAHMAN AL-AMOUDI (or "al-Amoudi"), play a large role with United States organizations that have come under scrutiny for their ties to AL QAEDA. Both of them are officers of a number of organizations in the SAAR network. ABDULRAHMAN AL-AMOUDI, TAIBAH' s Vice-President, is a past employee of the SAAR Foundation, the hub of the SAAR Network, and currently heads a few SAAR Network charities. AL-AMOUDI also runs the United States operations of the Saudi based IIRO. SAMIR SALAH, TAIBAH's Secretary, serves as a director at many SAAR Network organizations, including CFO at PIEDMONT POULTRY. SAMIR SALAH also managed the Caribbean branch of the BANK AL-TAQWA.

AL RASHID TRUST

585. The AL RASHID TRUST was established in Pakistan in 1996 at the time the TALIBAN took control in Afghanistan. The trust was established by MUFTI MOHAMMED RASHID (a/k/a Rashid) to carry out welfare projects from fundraising in the Pakistani Muslim Community. The AL RASHID TRUST changed its name to THE AID ORGANIZATION OF THE ULEMA (AOU) following September 11, 2001. This organization remains active and headquartered in Pakistan where it operates offices. Upon information and belief, the Trust

provides financial aid to jailed Muslim terrorists around the world and is closely aligned to the TALIBAN and BIN LADEN. The AL RASHID TRUST has been raising funds for the TALIBAN since 1999. The Trust helped fund radio, newsprint and madrassas (schools) that teach a view of Islam that is anti-western and endorses violence and martyrdom in the name of Allah. The Trust provided money and logistical support to the TALIBAN and AL QAEDA and has had its assets frozen. Upon information and belief, the group conspired with AL QAEDA and Pakistani terrorists to kidnap, torture and murder Wall Street Journal reporter Daniel Pearl, holding him hostage in a two room hut in the AL RASHID compound.

LAUNDERING OF AL QAEDA FUNDS THROUGH DIAMOND BUSINESSES

586. Three of the AL QAEDA members on the FBI's most wanted terrorist list have been discovered to have dealings in the diamond field. Following September 11, 2001, and the increased difficulty AL QAEDA is facing moving its money through its traditional financial channels, AL QAEDA has been converting more of its assets into diamonds. As one European investigator put it:

I now believe that to cut off AL QAEDA funds and laundering activities you have to cut off the diamond pipeline. We are talking about millions and maybe tens of millions of dollars in profits and laundering.

587. Yasmine Diamonds in Vereffening BVBA is a diamond company registered in Antwerp, Belgium. Ossailly's relatives are members of the board: Mike Ossailly, or Najla Ossailly, but the company is managed by Samih Ossailly.

588. Aziz Nassour and Samih Ossailly are both involved in diamonds business in Sierra Leone and Congo on behalf of AL QAEDA leaders in order to continue its terrorists

operations despite the international agreements to freeze bank accounts linked to AL QAEDA. According to various investigations conducted on this issue, Samih Ossaily set up a safe house in Monrovia to funnel money from the diamonds fields to international terrorists throughout the world, including AL QAEDA.

587. Echogem NV, was used as a courier to exchange \$300,000 for diamonds every week between December 2000 and September 2001.

589. Since 1998, Ibrahim Bah, through several Lebanese businessmen based in Belgium, has expanded his operations. Official sources identified the key brokers working with Bah as Aziz Nassour and Samih Ossaily.

590. A large part of these financial operations on behalf of AL QAEDA were operated by Aziz Nassour through two companies in Belgium: African International Contact Office BVBA based in Brussels, and Echogem NV based in Antwerp.

591. Echogem is based in Antwerp, Belgium. Until recently, the company was headed by Aziz Nassour as Managing director and Francis Gerres as CEO.

592. African International Contact Office BVBA is based in Brussels, Belgium. The company is chaired by Aziz Nassour as CEO and Ngalula Tseuhi is Managing Director of the company. Aziz Nassour ran his diamond trading activities with his cousin, Samih Ossaily, CEO of a company based in Brussels called Yasmine Diamonds in Vereffening BVBA. Ossaily is currently detained in Belgium, pending trial.

AFGHAN SUPPORT COMMITTEE (ASC)

593. The AFGHAN SUPPORT COMMITTEE ("ASC") a/k/a Ahya Ul Turas; Janiat Ayat-Ur-Rhas Al Islamia; Janiat Ihga Ul Torath Al Islamia; Lajnat Ul Masa Eidatul Afghania was established by BIN LADEN in the 1990s in a small town outside Peshawar, Pakistan with offices in Jalalabad, Afghanistan purporting to raise money for charitable works in Afghanistan and Pakistan. Upon information and belief, ABU BAKR AL-JAZIRI and ABD AL-MUSHIN AL-LIBI are the officers of ASC who raise money and distribute it to AL QAEDA terrorists. ASC provided travel and other logistical support to AL QAEDA. The U.S. Treasury has frozen the assets of ASC, AL-LIBI and AL-JAZIR, as they are believed to be AL QAEDA co-conspirators.

SHAYKH SAI'ID

594. SHAYKII SAI'ID a/k/a MUSTAFA MUHAMMED AHMAD a/k/a MUSTAFA AHMED AL-HAWSAWI was one of the paymasters for the September 11th hijackers. Documents show that SAI'ID sent \$100,000 from Pakistan to ATTA in the United States. On the morning of September 11, 2001 in United Arab Emirates SAI'ID receives wire transfers of \$15,000 from three of the 9/11 hijackers, money that they had not been spent prior to their suicide hijackings. SAI'ID immediately flew from the UAE to Pakistan. SAI'ID's involvement with BIN LADEN dates back to BIN LADEN'S days operating out of Khartoum, SUDAN. SAI'ID, a London educated economist controlled BIN LADEN's many Sudanese businesses, including a financial network called TABA INVESTMENTS that was created with a \$50 million dollar contribution from BIN LADEN. SAI'ID was jailed in 1994 for Islamic based terror operations in Kashmir but freed in 1999 in exchange for a release of hostages on an Indian Airlines flight. The aircraft was commandeered in a manner similar to the way the four September 11th aircraft were hijacked in the United States. A passenger was stabbed and

hijackers seized control of Flight 814 diverting the aircraft to Kandahar, Afghanistan. Though Afghanistan's TALIBAN government was in control of the area, authorities did not interfere with the hijackers' actions in Kandahar or make efforts to apprehend them later. The passengers were held captive for eight days while the release from an Indian prison of SAI'D and two other Islamic militants was arranged. Upon his release, SAI'D and the others fled to Pakistan, SAI'D has also been convicted of the kidnapping and murder of Wall Street Journal reporter Daniel Pearl.

ALLEGATIONS COMMON TO ALL CLAIMS FOR RELIEF

595. Plaintiffs Continental Casualty Company, Transcontinental Insurance Company, Transportation Insurance Company, Valley Forge Insurance Company, National Fire Insurance Company of Hartford and American Casualty Company of Reading, Pennsylvania provided insurance coverage to numerous insureds whose property was damaged or destroyed in the September 11th attacks.

596. In accordance with the terms of the applicable policies of insurance, plaintiffs Continental Casualty Company, Transcontinental Insurance Company, Transportation Insurance Company, Valley Forge Insurance Company, National Fire Insurance Company of Hartford and American Casualty Company of Reading, Pennsylvania have made payments to their insureds in an amount in excess of \$212,500,000, and may make additional payments in the future, in compensation for the damages resulting from the September 11th Attacks. By virtue of these payments, plaintiffs Continental Casualty Company, Transcontinental Insurance Company, Transportation Insurance Company, Valley Forge Insurance Company, National Fire Insurance Company of Hartford and American Casualty Company of Reading, Pennsylvania are subrogated to their insureds' rights of recovery against any responsible third parties.

597. The actions of the foreign state defendants -- the Republic of Sudan and the Islamic Republic of Iran (collectively, the "Foreign State Defendants") -- and the actions of their agencies and instrumentalities as described herein forfeited their right to claim immunity under the Foreign Sovereign Immunities Act ("FSIA"), 28 U.S.C. §§ 1605(a)(2), 1605(a)(5) and 1605(a)(7). In addition, pursuant to 28 U.S.C. § 1605(a)(5), all defendants who are or were officials, employees or agents of the Foreign State Defendants and who are or were officials, employees or agents of the Republic of Iraq are individually liable to plaintiffs for the damages to plaintiffs' insureds which were caused by their acts.

598. The actions of the Foreign State Defendants and their agencies and instrumentalities as described herein constituted commercial activity that had a direct effect on the United States and is not subject to immunity under the FSIA, 28 U.S.C. § 1605(a)(2).

599. The actions of the Foreign State Defendants, their agencies, instrumentalities, officials, employees or agents and the actions of the defendants who were officials, employees or agents of the Republic of Iraq, as described herein, constituted tortious acts and omissions, while acting within the scope of their office and employment, which caused property damage in the United States and thus are not subject to immunity pursuant to 28 U.S.C. § 1605(a)(5).

FIRST CLAIM FOR RELIEF

600. Plaintiffs repeat the allegations of paragraphs 1 through 599.

601. The September 11th Attacks constituted an intentional and unlawful trespass upon the real and personal property of plaintiffs' insureds, to which plaintiffs' insureds did not consent.

602. As set forth above, the September 11th Attacks were a direct, intended and

foreseeable product of a larger conspiracy among the defendants to commit acts of international terrorism against the United States, its nationals and allies.

603. The conspiracy among the defendants to commit acts of international terrorism against the United States, its nationals and allies, included the provision of material support and resources to defendant AL QAEDA and affiliated foreign states, FTOs, persons, organizations, commercial entities and other parties.

604. The co-defendants knew, or should have known, that their provision of material support and resources to AL QAEDA and affiliated foreign states, FTOs, persons, organizations, commercial entities and other parties would result in an unlawful trespass upon the real and personal property of plaintiffs' insureds.

605. The damages suffered by plaintiffs were the direct and proximate result of the aforesaid trespass upon the real and personal property of plaintiffs' insureds.

606. By reason of the foregoing, plaintiff is entitled to damages against defendants, jointly and severally, in an amount to be determined at trial but believed to be in excess of \$212,500,000.

SECOND CLAIM FOR RELIEF

607. Plaintiffs repeat the allegations of paragraphs 1 through 606.

608. This claim for relief arises under RICO.

609. At all relevant times, all defendants were associated with an enterprise engaged in, and whose activities affected, interstate commerce. That enterprise, which is the association-in-fact of defendants, functioned as a continuing unit and had an existence prior to, and separate from, perpetration of the predicate acts herein alleged.

610. At all times relevant hereto, each of defendants conducted or participated in, directly or indirectly, the affairs of the enterprise through a pattern of racketeering activity within the meaning of 18 U.S.C. §§ 1961 (1) and (5) and §1962 (c). This pattern of racketeering activity entailed at least two acts of racketeering activity by each defendant, one of which occurred after the 1970 effective date of RICO, and the last of which occurred within ten years after the commission of a prior act of racketeering activity.

611. The acts of racketeering activity consisted of:

(a) acts that involve murder and robbery which are chargeable under State Law and punishable by imprisonment for more than one year and are within the scope of 18 U.S.C. § 1961(l)(B);

(b) acts that are indictable under 18 U.S.C. § 1028 (relating to fraud in connection with identification documents) and are within the scope of 18 U.S.C. § 1961(1)(B);

(c) acts that are indictable under 18 U.S.C. §§ 1542, 1543, 1544 and 1546 (relating to forgery, fraud and misuse of passports) and are within the scope of 18 U.S.C. § 1961(l)(B);

(d) acts that are indictable under 18 U.S.C. §§ 1956 and 1957 (relating to money laundering) and are within the scope of 18 U.S.C. § 1961(1)(B);

(e) acts that are indictable under 18 U.S.C. § 2314 (relating to interstate transportation of stolen property) and are within the scope of 18 U.S.C. § 1961(1)(B);

(f) acts that are indictable under 18 U.S.C. §§ 1512 and 1951 (relating to obstruction of justice and extortion) and are within the scope of 18 U.S.C. § 1961(l)(B); and

(g) acts that are indictable under 18 U.S.C. §§ 2332b, 2339A and 2339B (relating to acts of terrorism and providing material support to terrorism) and are within the scope of 18 U.S.C. §1961(1)(B).

612. Each of defendants' racketeering activities was taken for the purpose of furthering defendants' common scheme to commit acts of terrorism against the United States, its nationals and its allies. Each racketeering act had similar purposes, involving the same or similar participants and methods of commission and had similar results.

613. As a direct and proximate result of the foregoing, plaintiffs have been damaged in their business and property in an amount to be determined at trial but believed to be in excess of \$212,500,000 and such damages are trebled pursuant to 18 U.S.C. § 1964.

THIRD CLAIM FOR RELIEF

614. Plaintiffs repeat the allegations of paragraphs 1 through 613.

615. Defendants unlawfully and willfully combined, conspired, confederated, and agreed with each other to violate 18 U.S.C. § 1962(c), i.e., to conduct and participate, directly and indirectly, in the conduct of the affairs of an enterprise through a pattern of racketeering activity, all in violation of 18 U.S.C. § 1962(d).

616. Pursuant to this conspiracy, each defendant either committed, or agreed to commit, at least two act of racketeering activity and conducted and agreed to conduct the affairs of the enterprise through a pattern of racketeering activity in violation of 18 U.S.C. § 1962(c), as described above.

617. As a direct and proximate result of the foregoing, plaintiffs have been damaged in their business and property in an amount to be determined at trial but believed to be in excess of \$212,500,000 and such damages are trebled pursuant to 18 U.S.C. § 1964.

WHEREFORE, plaintiffs demand judgment as follows:

1. On the first claim for relief, against defendants, jointly and severally, damages in an amount to be determined at trial but believed to be in excess of \$212,500,000;

2. On the second claim for relief, against defendants, jointly and severally, damages in an amount to be determined at trial but believed to be in excess of \$212,500,000, trebled, together with reasonable attorneys' fees;

3. On the third claim for relief, against defendants, jointly and severally, damages in an amount to be determined at trial but believed to be in excess of \$212,500,000, trebled, together with reasonable attorneys' fees; and

4. Such other and further relief as to this Court appears just and proper, together with pre and post judgment interest and the costs and disbursements of this proceeding.

Dated: New York, New York
December 7, 2004

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