

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

-----X  
 YISRAEL WEISER, *individually and on behalf of the* :  
 ESTATE OF ROEY WEISER, NAOMI FEIFER- :  
 WEISER, *individually and on behalf of the* ESTATE OF :  
 ROEY WEISER, SHANI WEISER, NADAV WEISER, :  
 VARDA MORELL AND EITAN MORELL, :  
*individually and on behalf of the* ESTATE OF MAOZ :  
 MORELL, E.E.M., *a minor*, C.M., *a minor*, SHACHAR :  
 YEHUDA MORELL, MORDECHAI ELIEZER :  
 MENACHEM MORELL, DOV YERACHMIEL :  
 MORELL, JAY MICHAEL (YECHIEL) LEITER, :  
 CHANA LEITER, NERIYA DOV LEITER, SARA :  
 BRACHA (LEITER) ATTIAS, DAVID ELIMELECH :  
 LEITER, SOPHIA (LEITER) REDLER, SAMUEL :  
 YAIR LEITER, NOAM ELISHA LEITER, AMIKAM :  
 TZION LEITER, EYAL BALVA AND SIGALIT :  
 BALVA, *individually and on behalf of the* ESTATE OF :  
 OMER BALVA, SHAHAR BALVA, ITAI HAIM :  
 BALVA, BARAK BALVA, YANIV ROUSSO AND :  
 FANNY ROUSSO, *individually and on behalf of the* :  
 ESTATE OF OFEK ROUSSO, INBAR ROUSSO, :  
 RUBY CHEN AND HAGIT CHEN, *individually and on* :  
*behalf of the* ESTATE OF ITAY CHEN, ROY CHEN, :  
 A.C., *a minor*, HILLA SHAY AND IZHAR SHAY, :  
*individually and on behalf of the* ESTATE OF YARON :  
 SHAY, SHIR SHAY, LIOR SHAY, OPHIR SHAY, :  
 MARK ZIERING AND DEBORAH ZIERING, :  
*individually and on behalf of the* ESTATE OF ARYEH :  
 ZIERING, ELIANA ZIERING, YONATAN ZIERING, :  
 TAL ZIERING, OREN GLISKO AND LIAT GLISKO, :  
*individually and on behalf of the* ESTATE OF ITAI :  
 GLISKO, ORI GLISKO, Y.G., *a minor*, TOVA :  
 SCHENKOLEWSKI, IRIS WEINSTEIN HAGGAI, :  
*individually and on behalf of the* ESTATES OF JUDY :  
 WEINSTEIN HAGGAI AND GAD HAGGAI, AHL :  
 HAGGAI, RAHM HAGGAI, ZOHAR HAGGAI, :  
 MAYA TREGER ROSENFELD, DVIR ROSENFELD, :  
 Z.R., *a minor*, ELIYAHU LEVY, IDDO MOSHE :  
 LEVY, NIR YEHEZKEL LEVY, TOM SHALOM, :  
 GURAM BENIASHVILI, ROBERT AIRLEY AND :  
 JENNIFER AIRLEY, *individually and on behalf of the* :  
 ESTATE OF BENYAMIN AIRLEY, AARON BOURS, :  
 RIVKA DAVIDOVICH, CHANA SARAH BEN :  
 ZAKEN, DONALD GOODMAN, HADAS PNINA :

**Case No. 24-cv-3244**

**COMPLAINT**

SAFFER BEN HAMO, AMICHAY KLUGHAUPT, :  
 ELITZUR MOSES, DAFNA MOSES, T.Z., *a minor*, :  
 MITCHEL NEWMAN, NOACH NEWMAN, :  
 GAVRIEL NEWMAN, DVIR TUVIA NEWMAN, :  
 BATYA LEAH SPREI, AVRAHAM ROTHNER, :  
 NADAV BENJAMIN SHINDMAN, AARON MOSHE :  
 SPITZ, LEAH SPITZ, GAVRIEL BINYAMIN SPITZ, :  
 AVITAL MIRIAM SPITZ, ARYEH THALER, :  
 JEFFREY THALER, KAREN THALER, ZEV :  
 THALER, ELIYAHU THALER, YOSEF THALER, :  
 PESHA THALER, A.T., *a minor*, L.T., *a minor*, R.T., *a* :  
*minor*, H.T., *a minor*, ARIEL VARDI, LEOR ZER- :  
 CHEN, YAAKOV ZER-CHEN, EITAN MOR AND :  
 SHLOMIT MIRIAM MOR, *individually and on behalf* :  
*of the* ESTATE OF SMADAR MOR EDAN, LERON :  
 MOR AND ZOLTAN IVAN GYONGYOSI *on behalf of* :  
 A.E., *a minor*, M.E., *a minor*, Am.E., *a minor*, LERON :  
 MOR, MICHAL ZIPPORAH ZAFRANI, *individually* :  
*and on behalf of the* ESTATE OF ITAY ZAFRANI, :  
 INBAL CHEN, A.Z., *a minor*, DAVID ZAFRANI, ORI :  
 ZAFRANI, OSNAT TAL ZAFRANI, RONI ZAFRANI, :  
 ODEYA CHEN NATAN, A/K/A ODEYA CHEN :  
 TEICHER, NAOMI TEICHER, MICHAEL JAY :  
 TEICHER, EITAN DAVID NATAN, NAAMA :  
 SAFFER AMAR, YEHOSHUA GOODMAN, :  
 AVRAHAM GUTSTEIN, MIRIAM GUTSTEIN, :  
 Z.C.G., *a minor*, YITSHAK YISACHAR GUTSTEIN, :  
 TAMAR GUTSTEIN, S.G., *a minor*, and SHELOMO :  
 TAWIL, :

Plaintiffs, :

-against- :

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

and :

ISLAMIC REVOLUTIONARY GUARD CORPS :  
 Armed Forces Headquarters :  
 Zone 7 – Shariati :  
 Ghoddoosi Square (Ghaar) :  
 Tehran, Iran :

and

HARAKAT AL-MUQAWAMA AL-ISLAMIYA  
(a/k/a Hamas)  
c/o Waqfiya Al-Ri'aya Al-Usra Al-Filistinya Wa Al-  
Lubnanya  
P.O. Box: 1267925  
Beirut, Lebanon

and

PALESTINIAN ISLAMIC JIHAD  
c/o Al Ihsan Charitable Society  
Al-Iman – Fathi Al-Ahmad Building  
Jenin, Palestinian Authority

and

HEZBOLLAH  
(a/k/a Hizbullah, Hezbollah, Hizballah)  
c/o The Martyrs Foundation (Al Shahid)  
1st Floor - Saadeh & Sawaya Bldg - Main Road – Kafaat,  
Hadath Lebanon

and

POPULAR FRONT FOR THE LIBERATION OF  
PALESTINE  
c/o Health Work Committees,  
Al-Fardan Martyrs Street  
P.O. Box 3966  
Ramallah – Al Bireh, Palestinian Territories,

Defendants.

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Plaintiffs bring this Complaint (1) under the terrorism exception to the Foreign Sovereign Immunities Act, 28 U.S.C. § 1605A, against the Islamic Republic of Iran (“Iran”), the Islamic Revolutionary Guard Corps (“IRGC”), including its Quds Force (“IRGC-QF”), jointly and severally (collectively, “the Iran Defendants”), and (2) under the civil-damages provision of the Anti-Terrorism Act, 18 U.S.C. § 2333(a) (“ATA”), as amended by the Justice Against Sponsors of Terrorism Act, 18 U.S.C. § 2333(d) (“JASTA”), against the following U.S.-designated foreign terrorist organizations (“FTOs”):<sup>1</sup> Islamic Resistance Movement–Harakat al-Muqawama al-Islamiya (“ Hamas”), Palestinian Islamic Jihad (“PIJ”), the Popular Front for the Liberation of Palestine (“PFLP”), and Hezbollah, jointly and severally (collectively, “the FTO Defendants”), and allege as follows:

## INTRODUCTION

1. On October 7, 2023, Hamas-led terrorists, joined by terrorists from PIJ, PFLP, Al Aqsa Martyrs Brigade (“AAMB”),<sup>2</sup> and the Popular Resistance Committee (“PRC”),<sup>3</sup> invaded Israel’s sovereign territory from various locations within the Gaza Strip to murder approximately 1,200 people (“October 7 Attack” or “October 7”). Those terrorists also committed horrific acts of

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<sup>1</sup> FTO is an acronym for “Foreign Terrorist Organization” - a designation made by the U.S. government pursuant to Section 219 of the Immigration and Nationality Act and the Antiterrorism and Effective Death Penalty Act of 1996 (“AEDPA”), as amended, codified at 8 U.S.C. § 1189. Section 219 of the AEDPA provides the U.S. Secretary of State with the authority to designate foreign organizations that engage in terrorism that threatens the security of the United States or U.S. nationals, which has the effect of freezing their assets and prohibiting most contact with them.

<sup>2</sup> AAMB is a Palestinian terrorist group affiliated with the Palestinian political party Fatah. It has been designated as an FTO by the U.S. Department of State since March 27, 2002.

<sup>3</sup> The PRC is a coalition of armed Palestinian groups opposed to the Palestinian Authority. It has committed numerous terrorist attacks, including a 2003 attack on a U.S. diplomatic convoy that killed three U.S. security guards. Although the PRC is not a designated FTO, it is a recognized terror group, which touts its participation in the October 7 Attack. Its terror apparatus calls itself the “Nasser Salam al-Din Brigades.” *See 5 Things to Know About the Palestinian ‘Popular Resistance Committees,’ Foundation for Defense of Democracies*, <https://www.fdd.org/analysis/2024/07/23/5-things-to-know-about-the-palestinian-popular-resistance-committees/>.

rape, torture, mutilation, decapitation, immolation, assault, hostage taking, and more in a rampage of brutality unthinkable in the modern world.

2. Hamas named the October 7 Attack “Operation al-Aqsa Flood.”

3. Iran financed, supported, and approved this largest massacre of Jews since the Holocaust.

4. October 7 and the ensuing conflict between Israel and Hamas in Gaza, Hezbollah in Lebanon, non-Defendant Ansarallah (“the Houthis”) in Yemen, and ultimately Iran itself are all byproducts of Iran’s longstanding effort to build a so-called “Axis of Resistance” against Israel and its primary benefactor—the United States of America.

5. The chief purpose of the Axis of Resistance is to expand Iran’s influence throughout the Middle East while demoralizing and degrading the defensive capabilities of its regional rivals—primarily Israel—by encircling Israel with what Iran’s IRGC has termed a “Ring of Fire.”

6. The “Ring of Fire” is composed of a series of heavily armed terror proxies arrayed along Israel’s borders and across the Middle East, including (but not limited to) Defendants Hamas, PIJ, the PFLP, Hezbollah, the non-Defendant Houthis, and others.

7. Armed and trained (and in many cases specifically directed) by the IRGC, the purpose of the “Ring of Fire” is to encircle Israel along multiple fronts with hostile forces committed to Israel’s destruction and armed with various weapons (including short and medium range rockets and missiles), who act on the IRGC’s instructions to coordinate assaults designed to weaken and ultimately annihilate the State of Israel.

8. Although the members of the Axis of Resistance share the common goal of destroying Israel and murdering Jews, while receiving Iranian support, they are a disparate group



of radical terrorist organizations with differing ethnic, national, and religious sectarian orientations.

9. The most prominent member of the Axis of Resistance is Lebanese Hezbollah. Established by the IRGC in the early 1980s, Hezbollah has long sworn fealty to Iran's Supreme Leader, Ali Khamenei, whom it regards as its "Spiritual Guide." Although Hezbollah maintains a Shi'a Islam religious orientation (like Iran), its members are ethnically Arab (not Persian, like the majority of Iranians) and are culturally Lebanese (not Iranian). Hezbollah nonetheless functions as an arm of Iran's IRGC-QF, taking direction from its "parent organization."

10. Defendants Hamas and PIJ are also ethnically Arab (not Persian), but they are also categorically different from many of Iran's other proxies because neither terrorist organization was created by the IRGC and neither adheres to the tenets of Shi'a Islam (although PIJ has become increasingly closer doctrinally to Shi'ism).

11. Rather, Hamas and PIJ both began as outgrowths of the Muslim Brotherhood,<sup>4</sup> a radical movement within Sunni (rather than Shi'a) Islam.

12. This distinction, particularly in the case of Hamas, played a crucial role in how the IRGC's attack plan for October 7 unfolded because (as described below) differences between the IRGC and the Muslim Brotherhood played out violently during the Syrian civil war and the mutual mistrust engendered by that conflict has not completely healed.

13. Defendant PFLP is also ethnically Arab, but its origins can be found in pan-Arab nationalism, rather than religious extremism. During the Cold War, when the Soviet Union was a key patron of the PFLP and other Palestinian terrorist organizations, the PFLP's identity was

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<sup>4</sup> The Muslim Brotherhood is a fundamentalist Islamist organization that was founded in Egypt in 1928 by Hassan al-Banna. The organization strives to reconstitute Muslim society and eventually to establish a large Islamic state that would expand Muslim rule into the rest of the world through jihad (holy war). Hamas emerged as the Palestinian branch of the Muslim Brotherhood in 1987.

infused with certain Marxist-Leninist overtones. After the collapse of the Soviet Union, the PFLP maintained its past alliances but increasingly solicited (and received) funding and other material support from Iran and the IRGC. In the years preceding October 7, PFLP placed its operatives in Gaza under Hamas's unified command.

14. As set forth in detail below, October 7 was the natural outgrowth, and the first large-scale implementation, of the IRGC's "Axis of Resistance doctrine"—a well-planned and coordinated attack designed to destroy Israel.

15. The planning for October 7 appears to have begun primarily in Gaza at Hamas's initiative—heavily shaped by Hamas's own ideology and motivations. Hamas sees itself as an apocalyptic movement destined to annihilate the State of Israel and restore Israel's territory to Muslim hands as part of a larger, preordained path toward Islam's eventual global triumph.

16. However, for what Hamas's inner circle called its "Big Project"—the October 7 Attack—and to ensure the attack's success, Hamas needed additional financing from the IRGC and enhanced logistical support (including training, weapons, and other logistical support).

17. Hamas also sought to obtain the IRGC's commitment to a coordinated attack that would include Lebanese Hezbollah—encamped on the other side of Israel's northern border—and Hamas's terrorist operatives in southern Lebanon (mostly recruited from Palestinian refugee camps) belonging to the group's Izz al-Din al-Qassam Brigades ("Qassam Brigades").<sup>5</sup>

18. By compartmentalizing information and using deception, Hamas concealed the specifics of the October 7 Attack plan and ensured that the other terrorist organizations operating

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<sup>5</sup> The Izz al-Din al-Qassam Brigades is the core terror apparatus of Hamas, responsible since the 1990s for kidnappings, murders, suicide bombings, and a variety of other atrocities. Hamas itself often refers to its terror operatives as "Qassami warriors" and to its terror infrastructure as its "apparatus." As Hamas leadership has explained, the other components of Hamas work hand in glove with the Qassam Brigades to accomplish Hamas's goals.

in Gaza—most notably PIJ, the PFLP, AAMB, and the PRC—would participate in the massacre without being privy to the details or scope of the plan beforehand.

19. That said, coordinating the attack beyond Gaza with the IRGC and Lebanese Hezbollah required far more effort and planning—a process that lasted for more than a year.

20. Numerous commentators, researchers, experts, and court decisions have found that Iran financed, equipped, and trained Hamas, PIJ, the PFLP, and Hezbollah before October 7, enabling those terror organizations to be the kind of groups capable of committing the October 7 Attack.

21. More than that, however, Iran helped plan the October 7 Attack itself, provided dedicated financing for it, and coordinated logistics and training between Hamas and Hezbollah in advance of the launch date for the attack.

22. As detailed below, the October 7 Attack, led by Hamas and joined by PIJ, the PFLP and others, was part of a fully coordinated plan, financed and managed by Iran through the IRGC-QF, to annihilate Israel by attacking it from multiple fronts simultaneously. For whatever reason, Hamas began its part of that coordinated attack in an uncoordinated way—without the other participants, chiefly Hezbollah in the north—joining the attack. But the devastation and the horror of the October 7 Attack, and subsequent related attacks, were fully supported and financed by Iran.

23. Following the October 7 Attack, Hamas and PIJ continued to launch rockets into Israel. On October 8, 2023, Hezbollah joined Hamas and PIJ by launching various attacks at northern Israel which ultimately necessitated the evacuation of tens of thousands of residents of towns and cities located in the northern third of the country. The Houthis in Yemen joined in as well, firing missiles at Israel and attacking shipping linked to Israeli and U.S. interests.

24. Once Israel recovered from the initial onslaught, it began bombing Hamas, PIJ, and PFLP targets in Gaza, and on October 13, Israel began ground operations in Gaza to neutralize Hamas's military capabilities, free more than 200 hostages taken by Hamas and its affiliated groups, and prevent a future repetition of October 7.

25. In the course of the Israel Defense Forces ("IDF's") efforts both in Gaza and along Israel's northern border with Lebanon, members of the IDF and civilians in Israel, some of whom are also American citizens, were murdered or seriously wounded by Hamas, PIJ, the PFLP, and Hezbollah in subsequent attacks directly related to and precipitated by the October 7 Attack ("Subsequent Related Attacks").

#### **JURISDICTION AND VENUE**

26. This Court has jurisdiction over this matter and over the Iran Defendants pursuant to 28 U.S.C. §§ 1330(a) and 1605A(a), which create subject-matter and personal jurisdiction for civil actions for wrongful death and personal injury against State Sponsors of Terrorism and their officials, employees, and agents.

27. The Foreign Sovereign Immunities Act ("FSIA"), at 28 U.S.C. § 1605A, provides jurisdiction for private rights of action against a foreign state that was a State Sponsor of Terrorism at the time of the terrorist acts at issue and also against any official, employee or agent of that foreign state—while acting within the scope of his or her office, employment, or agency—for wrongful death, personal injury, and related torts. Iran, a continuously designated State Sponsor of Terrorism since January 19, 1984, is such a foreign state.

28. As alleged below, the IRGC is a political/military subdivision of Iran. Accordingly, for all relevant purposes, the IRGC is also considered the foreign state of Iran. *See* 28 U.S.C. § 1603(a).

29. Venue is proper in this District as to Defendants Iran and the IRGC pursuant to 28 U.S.C. § 1391(f)(4), which provides that a civil action against a foreign state or its political subdivisions may be brought in the United States District Court for the District of Columbia.

30. FTO Defendants Hamas, PIJ, the PFLP, and Hezbollah are all designated Foreign Terrorist Organizations.

31. This Court has subject matter jurisdiction over the FTO Defendants pursuant to 28 U.S.C. § 1331, as a civil action arising under the laws of the United States, specifically the Anti-Terrorism Act, 18 U.S.C. § 2333, as a civil action brought by citizens of the United States and/or their estates, survivors, or heirs, who have been injured by reason of acts of international terrorism.

32. Venue is proper in this District as to the FTO Defendants pursuant to 28 U.S.C. §§ 1391(b)(3).

### PARTIES

33. Plaintiffs are described in detail below in Part V. They include U.S. nationals (including estates) and their close family members, who suffered direct and foreseeable injury as a result of the October 7 Attack and Subsequent Related Attacks committed by Hamas, PIJ, PFLP, and Hezbollah with Iran's and the IRGC's substantial material support.

34. ***Iran.*** Iran is, and was at all relevant times, a foreign state as defined by the FSIA, 28 U.S.C. § 1603(a). Since 1984, Iran has been designated by the United States as a State Sponsor of Terrorism pursuant to Section 6(j) of the Export Administration Act of 1979, previously codified at 50 U.S.C. § 4605(j), Section 620A of the Foreign Assistance Act, 22 U.S.C. § 2371, and Section 40(d) of the Arms Export Control Act, 22 U.S.C. § 2780(d). At all relevant times, Iran provided Hamas, PIJ, PFLP, and Hezbollah with substantial material support, including training, weapons, money, and resources for acts of extrajudicial killings and hostage taking, as those terms are used in the FSIA, 28 U.S.C. § 1605A(a)(1), that enabled Hamas, PIJ, PFLP, and Hezbollah to be

terrorist organizations capable of recruiting terrorists and committing terrorist violence, like the attacks that injured Plaintiffs.

35. ***IRGC (and the IRGC-QF)***. The IRGC and the IRGC’s Quds Force (“IRGC-QF”), which is a branch of the IRGC, are subdivisions of the state of Iran and are, for all relevant purposes, treated as Iran itself.<sup>6</sup> The IRGC is a paramilitary force answerable only to the Supreme Leader of Iran himself. The IRGC differs from Iran’s “regular” armed forces, which ostensibly function under a national command structure answerable to the nominal government of Iran, not the Supreme Leader. The IRGC is tasked with “protecting the revolution,” which it accomplishes by silencing perceived enemies at home through secret police methods and attacking perceived enemies abroad (via its Quds Force) through terrorist tactics. On October 13, 2017, the United States designated the IRGC as a Specially Designated Global Terrorist (“SDGT”) under Executive Order 13224, and the IRGC remains so-designated.<sup>7</sup> On April 15, 2019, the United States designated the IRGC as an FTO pursuant to AEDPA § 219, codified at 8 U.S.C. § 1189, and the IRGC remains so-designated.

36. The IRGC-QF is a branch of the IRGC and is Iran’s primary tool for exporting the Iranian Islamic revolution beyond Iran’s borders. The Quds Force does so by setting up and operating armed terrorist cells, establishing educational systems for indoctrination, and subverting pro-Western Arab-Muslim regimes. It also provides substantial material support to terrorist

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<sup>6</sup> See, e.g., *Henkin v. Islamic Republic of Iran*, No. 18-cv-1273 (RCL), 2021 WL 2914036, at \*17 (D.D.C. July 12, 2021); *Fritz v. Islamic Republic of Iran*, 320 F. Supp. 3d 48, 77, 85 (D.D.C. 2018); *Akins v. Islamic Republic of Iran*, 332 F. Supp. 3d 1, 33 (D.D.C. 2018); *Bluth v. Islamic Republic of Iran*, 203 F. Supp. 3d 1, 19 n.15 (D.D.C. 2016); *Rinkus v. Islamic Republic of Iran*, 575 F. Supp. 2d 181, 194 (D.D.C. 2008).

<sup>7</sup> Executive Order 13224, as amended, has the effect of blocking the assets of and transactions with certain identified terror groups and individuals. It also provides the Secretary of State with the authority to (1) designate additional individuals or entities that have committed or pose a significant risk of committing terrorist acts and (2) identify individuals or entities controlled or owned by terrorist groups or individuals. An entity or individual designated under E.O. 13224, as amended, is referred to as an SDGT.

organizations, including Hamas. On October 25, 2007, the Quds Force was designated an SDGT pursuant to Executive Order 13224 and remains so-designated. The Quds Force was also included in the April 15, 2019, designation of the entire IRGC as an FTO.

37. ***Hamas***. Hamas is an acronym of the Arabic “Harakat al-Muqawama al-Islamiya”—Islamic Resistance Movement—but its name also means, in Arabic, enthusiasm, courage, and zeal for battle. It is the most prominent terrorist organization operating in Palestinian-controlled territory and is the ruling government of Gaza. Established in 1987, Hamas’s stated core purpose is eliminating Israel, and it seeks that end through violence and terror, including rocket attacks, bombings, suicide bombings, shootings, stabbings, hostage taking, and more. At all relevant times, Hamas received substantial material support from Iran, including financing, weapons, ammunition, training, and other resources for acts of torture, extrajudicial killing, and hostage taking, as those terms are used in the FSIA, 28 U.S.C. § 1605A(a)(1), that enabled Hamas to be a terrorist organization capable of recruiting terrorists and carrying out terrorist acts, like the October 7 Attack and Subsequent Related Attacks.<sup>8</sup> On January 23, 1995, pursuant to Executive Order 12947, the United States designated Hamas as a Specially Designated Terrorist (“SDT”).<sup>9</sup> On October 8, 1997, Hamas was designated an FTO and remains so-designated. On October 30, 2001, Hamas was also designated as an SDGT under E.O. 13224 and remains so-designated.

38. ***PIJ***. Palestinian Islamic Jihad is another prominent terrorist group operating in Palestinian-controlled territory. It too has as its core purpose destroying Israel through terrorism

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<sup>8</sup> See, e.g., *Force v. Islamic Republic of Iran*, 464 F. Supp. 3d 323, 341 (D.D.C. 2020); *Braun v. Islamic Republic of Iran*, 228 F. Supp. 3d 64, 69 (D.D.C. 2017); *Estate of Steinberg v. Islamic Republic of Iran*, No. 17-CV-1910 (RCL), 2019 WL 6117722, at \*\*2, 4 (D.D.C. Nov. 18, 2019).

<sup>9</sup> Executive Order 12947 preceded E.O. 13224 and was narrower. It provided the Secretary of the Treasury with the authority to freeze the assets of and prohibit transactions with entities or persons designated as “foreign terrorists that disrupt the Middle East peace process,” as opposed to all terrorist entities or individuals. Entities or individuals designated under E.O. 12947, as amended by E.O. 13099, are referred to as SDTs. On September 9, 2019, E.O. 12947 was revoked and replaced by E.O. 13886, which amended E.O. 13224.

and violence. PIJ was established in 1981 and has committed numerous acts of terrorism since, including suicide bombings, small arms attacks, and mortar and rocket attacks. At all relevant times, PIJ received substantial material support from Iran, including military and logistics training, weapons, money, logistical and intelligence support, and other resources for acts of torture, extrajudicial killing, and hostage taking, as those terms are used in the FSIA, 28 U.S.C. § 1605A(a)(1), that enabled PIJ to be a terrorist organization capable of recruiting terrorists and committing terrorist acts, like the October 7 Attack and Subsequent Related Attacks.<sup>10</sup> On January 23, 1995, pursuant to E.O. 12947, the United States designated PIJ as an SDT. On October 8, 1997, PIJ was designated an FTO and remains so-designated. On October 31, 2001, PIJ was designated as an SDGT under E.O. 13224 and remains so-designated.

39. **PFLP.** The PFLP is a Palestinian nationalist terrorist group that has committed terrorist attacks around the world, including aircraft hijackings. It seeks to destroy Israel through terrorism and violence. At all relevant times, the PFLP received material support from Iran, including logistical support, training, financial support, and other resources for acts of torture, extrajudicial killing, and hostage taking, as those terms are used in the FSIA, 28 U.S.C. § 1605A(a)(1), that enabled PFLP to participate in the October 7 Attack and Subsequent Related Attacks. On January 23, 1995, pursuant to E.O. 12947, the United States designated the PFLP as an SDT. On October 8, 1997, the PFLP was designated an FTO and remains so-designated. On October 31, 2001, the PFLP was designated as an SDGT under E.O. 13224 and remains so-designated.

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<sup>10</sup> See, e.g., *Ben-Yishai v. Syrian Arab Republic*, 642 F. Supp. 3d 110, 121 (D.D.C. 2022); *Force v. Islamic Republic of Iran*, 464 F. Supp. 3d 323, 341 (D.D.C. 2020).



40. ***Hezbollah***. Hezbollah is an Arabic word meaning “the party of God.” It is one of the world’s largest and deadliest terrorist organizations. Hezbollah first emerged during the Lebanese civil war in the early 1980s as a militia recruited by the IRGC and comprising Shi’a followers of Iran’s Supreme Leader, Ayatollah Ruhollah Khomeini. From Hezbollah’s inception, it has always served as an instrument of Iran. Indeed, its members have been trained, organized, and funded by a contingent from the IRGC. In 1985, Hezbollah issued a manifesto describing its objectives to include expelling Western influence from Lebanon and the wider region, destroying Israel, pledging allegiance to Iran’s supreme leader, and establishing an Islamist government influenced by Iran’s political ideology. Since its inception, Hezbollah has committed numerous high-profile and extraordinarily deadly terrorist attacks against U.S. citizens and others. At all relevant times, Hezbollah received substantial material support from Iran, including military and logistics training, weapons, money, logistical and intelligence support, and other resources for acts of torture, extrajudicial killing, and hostage taking, as those terms are used in the FSIA, 28 U.S.C. § 1605A(a)(1), that enabled Hezbollah to be a terrorist organization capable of recruiting terrorists and committing terrorist acts. On January 23, 1995, pursuant to E.O. 12947, the United States designated Hezbollah as an SDT. On October 8, 1997, Hezbollah was designated an FTO and remains so-designated. On October 30, 2001, Hezbollah was designated as an SDGT under E.O. 13224 and remains so-designated.

## FACTUAL ALLEGATIONS

### **I. Iran Provides Substantial Material Support to Hamas, PIJ, PFLP, Hezbollah, and the Houthis.**

41. According to the U.S. State Department, Iran is “the leading state sponsor of terrorism, facilitating a wide range of terrorist and other illicit activities around the world.”<sup>11</sup>

42. Iran’s support, primarily through the IRGC, has facilitated the violence committed by Hamas, which spearheaded the October 7 Attack, and by PIJ and the PFLP which joined the Hamas-led October 7 Attack, and by Hezbollah, which attacked Israel on October 8 in solidarity with the October 7 Attack.

43. Iran’s support includes money, weapons, ammunition, equipment, training, logistics, and intelligence. Without that support, the October 7 Attack and the Subsequent Related Attacks would not have been possible.

#### **A. The Islamic Republic of Iran: “Death to America! Death To Israel!”**

44. In 1979, the Islamic Republic of Iran came to power both through a popular revolution and then through a series of referenda. From the beginning of the Islamic Republic, Iran’s political and religious institutions were overseen by a single person, a religious leader who is called “the Supreme Leader.” At the time of the 1979 revolution, Ayatollah Ruhollah Khomeini was the Supreme Leader. Currently, the Supreme Leader is Ayatollah Ali Khamenei. They are the only two to hold the title.

45. Iran’s political structure is bifurcated into two components: a formal governmental structure and a revolutionary structure. The Supreme Leader oversees both aspects. Iran’s president is subordinate to the Supreme Leader, but otherwise leads Iran’s formal governmental

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<sup>11</sup> *Country Reports on Terrorism* at 4, U.S. DEP’T OF STATE, available at [https://www.state.gov/wp-content/uploads/2023/11/Country\\_Reports\\_on\\_Terrorism\\_2022-v3.pdf](https://www.state.gov/wp-content/uploads/2023/11/Country_Reports_on_Terrorism_2022-v3.pdf).

structure. The Supreme Leader oversees the revolutionary structure, which includes entities that are parallel to the traditional government agencies within the formal government structure—for example, the IRGC, which is parallel to the regular military of Iran.

46. The violent slogan “Death to America! Death to Israel!” has a long history in the Islamic Republic of Iran. It also has current relevance. For example, on October 7, 2023, members of Iran’s parliament chanted “Death to Israel!” in response to the Hamas-led October 7 Attack.<sup>12</sup> Approximately one month later, on November 4, 2023, Iranian demonstrators on the streets of Tehran repeated this chant to mark the anniversary of the 1979 takeover of the U.S. embassy in Tehran.<sup>13</sup>

47. The slogan is not merely symbolic political vitriol; it reflects Iran’s official policy. Both Supreme Leaders Khomeini and Khamenei have referred to the United States as the “Great Satan” and Israel (and the United Kingdom) as the “Little Satan” to be defeated.

48. Indeed, Iran actively seeks the eradication of Israel. Led by its leader Ali Khamenei, the Iranian regime has supported terror attacks by Hamas and other Palestinian groups against Israel, as part of its strategic aim to destroy Israel.

49. Khamenei has publicly proclaimed: “[W]e regard Palestine as an organ of our body, and the support of the Palestinian nation is pride for the Iranian people... The Palestinian people must continue the blessed Jihad [holy war] and its standing against the enemies of Islam... The *Hamas*, [Palestinian] *Islamic Jihad* and Fatah forces [AAMB] must continue the struggle in a

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<sup>12</sup> Giselle Ruhiyyih Ewing, *Iran praises Hamas as attack reverberates around Middle East*, POLITICO, Oct. 7, 2023, available at <https://www.politico.com/news/2023/10/07/iran-praises-hamas-attack-israel-middle-east-00120491>.

<sup>13</sup> “Death to Israel, death to America”: Iran marks anniversary of 1979 embassy takeover, TIMES OF ISRAEL, Nov. 4, 2023, available at <https://www.timesofisrael.com/death-to-israel-death-to-america-iran-marks-anniversary-of-1979-embassy-takeover/>.

united way... But, indeed, the only solution [to the crisis in the region] is the elimination of the root of this crisis, which is the Zionist regime imposed on the region.”<sup>14</sup>

50. In an October 4, 2000, message, Khamenei called on the Palestinian people to wage terror attacks against Israel, stating:

I salute the entire Palestinian nation - particularly those who engage in jihad and follow the path of Intifada. I would like to tell you that your movement will receive increasing support from Muslims and revolutionaries. And by Allah’s favor, you will eventually overwhelm the occupiers. ***The Islamic Republic of Iran will proudly continue to support this holy movement*** and the most pious people of Iran will continue to pray for your success. ‘If you help (the cause of) Allah, He will help you and make your foothold firm [The Holy Quran, 47:7].’<sup>15</sup>

51. In February 2012, a senior political leader of Hamas, Ismail Haniyeh, visited Iran.<sup>16</sup> During that visit, Iranian leader Khamenei hailed the “Palestinian Resistance.” Haniyeh declared that Hamas will not recognize Israel and that it will continue fighting Israel until all the lands from the Jordanian river to the Mediterranean Sea are liberated and the Palestinian refugees will return to their lands.<sup>17</sup>

52. On July 23, 2014, Khamenei declared, “From the day of its illegitimate birth, the (Zionist) regime laid the foundations for overt violence.... ***The only solution is to destroy this***

<sup>14</sup> Khabar TV, Iran (Oct. 20, 2000) (emphasis added). ***Emphasis added throughout unless otherwise indicated.***

<sup>15</sup> *Palestine; Selected Statements by Ayatollah Khamenei about Palestine* 102 (Islamic Revolution Publishers) (2012).

<sup>16</sup> Anthony H. Cordesman, *The Gulf Military Balance: Volume I, The Conventional and Asymmetric Dimensions* at 160 (Center for Strategic and International Studies) (Jan. 31, 2014).

<sup>17</sup> Office of the Supreme Leader (Feb. 12, 2012), <http://www.leader.ir/fa/content/9144/> - دیدار - اسماعیل - هنیه - یار - هیر - انقلاب - اسلامی (last visited Nov. 10, 2024); AL-JAZEERA (Qatar), Feb. 12, 2012, <http://www.aljazeera.net/news/international/2012/2/12/خامنئي-يحذر-حماس-من-التسوية> (last visited Nov. 10, 2024).

*regime....* The solution is total armed resistance against this regime...Therefore, it is my belief that the West Bank should be armed just like Gaza.”<sup>18</sup>

53. On September 9, 2015, Khamenei urged Palestinians to resume terror attacks and reject any appeasement with Israel, stating that “in 25 years, Israel would no longer exist.” He expressed his readiness to back terror attacks against Israel until its expected destruction by declaring that “during this period, the fighting Jihadi Islamic spirit will not give the Zionists even a single moment of quiet.”<sup>19</sup>

54. A 2017 letter from General Qassem Soleimani—then commander of the IRGC-QF—to Hamas leader Ismail Haniyeh to congratulate him on being elected to be the head of Hamas’s Political Bureau and thus Hamas’s overall leader, stated:

We look forward to strengthening cooperation with you, the allies of the Axis of Resistance. Together, we will restore light on the Palestinian issue. I sincerely hope that your jihad continues until the liberation of the Al-Aqsa Mosque and all Palestinian land, and until Jerusalem becomes a meeting place for all Muslims.

55. A 2020 statement by Khamenei reiterated Iran’s deep commitment to supporting Hamas: “Iran will spare no effort to support the Palestinian people to restore their right and hold off the evil schemes of the Zionist entity.”<sup>20</sup>

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<sup>18</sup> Middle East Media Research Institute, *Iran’s Leader Khamenei: Armed Struggle Should Continue until Israel Is Destroyed by a Referendum* (July 23, 2014), available at <https://www.memri.org/tv/irans-leader-khamenei-armed-struggle-should-continue-until-israel-destroyed-referendum/>.

<sup>19</sup> Middle East Media Research Institute, *Iranian Supreme Leader Khamenei: “In 25 Years, There Will Be No Such Thing as the Zionist Regime”* (Sept. 9, 2015), available at <https://www.memri.org/tv/iranian-supreme-leader-khamenei-25-years-there-will-be-no-such-thing-zionist-regime/>.

<sup>20</sup> *Iran offers unconditional support to Hamas, Islamic Jihad*, EURASIA PRESS AND NEWS, July 20, 2020, available at <https://www.eurasia.ro/2020/07/20/iran-offers-unconditional-support-to-hamas-islamic-jihad/>.

56. A letter from General Soleimani sent prior to his assassination in 2020, called for the annihilation of Israel and pledged that “Islamic Iran will never leave Palestine.”<sup>21</sup>

57. On October 3, 2023, just days before the October 7 Attack, Khamenei stated in a speech: “The honorable Imam [Khomeini], may God be pleased with him, described the usurper [Zionist] regime as a cancer. This cancer will definitely be eradicated, God willing, at the hands of the Palestinian people and the resistance forces throughout the region.”<sup>22</sup>

58. More than mere encouragement, Iran has also provided substantial financial support, weapons, ammunition, equipment, training, and logistical support to Hamas, PIJ, the PFLP, and Hezbollah for the express purpose and intent to promote terrorist attacks by these groups, as described further below.

59. A January 2021 statement by IRGC Aerospace Force commander Amir Ali Hajizadeh boasted: “All the missiles you might see in Gaza and Lebanon were created with Iran’s support.”

60. U.S. officials have described the Iranian regime as the world’s “central banker of terrorism.”<sup>23</sup>

61. The U.S. State Department’s *Country Reports on Terrorism* from 2016 through the most recent report, regarding 2022, contain the following materially identical statement regarding Iran’s support for terrorism. This example is from the most recent 2022 report:

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<sup>21</sup> Middle East Media Research Institute, IRGC Qods Force Commander Qassem Soleimani in Letter Sent Prior To His Death To Hamas Military Wing Commander Muhammad Deif: Despite The Pressures And Siege, Iran Will Never Abandon Palestine (May 26, 2020), available at <https://www.memri.org/reports/irgc-qods-force-commander-qassem-soleimani-letter-sent-prior-his-death-hamas-military-wing>.

<sup>22</sup> Available at <https://english.khamenei.ir/news/10146/The-usurper-Zionist-regime-is-coming-to-an-end>.

<sup>23</sup> Rice: Iran “Central Banker” For Terror, CBS NEWS, Mar. 16, 2006, available at <https://www.cbsnews.com/news/rice-iran-central-banker-for-terror/>; Iranians Global Network, *Iran Is “Central Banker” For Terrorism* (Oct. 4, 2018), available at <https://iranians.global/iran-is-central-banker-for-terrorism/>.

Iran continued its support for terrorist activity in 2022, including support for Hizballah, U.S.-designated Palestinian terrorist groups in the West Bank and Gaza, and various terrorist and militant groups in Bahrain, Iraq, Syria, and throughout the Middle East. Iran used the Islamic Revolutionary Guard Corps-Qods Force (IRGC-QF) to provide support to terrorist organizations, provide cover for associated covert operations, and create instability in the region. Iran has acknowledged the involvement of the IRGC-QF in the Iraq and Syria conflicts, and the IRGC-QF is Iran's primary mechanism for cultivating and supporting terrorist activity abroad.

...

In 2022, Iran continued providing weapons systems and other support to Hamas and other U.S.-designated Palestinian terrorist groups, including Palestine Islamic Jihad and the Popular Front for the Liberation of Palestine-General Command. These groups were behind numerous deadly attacks originating in Gaza and the West Bank.<sup>24</sup>

**B. The IRGC and Its Quds Force Form the Axis of Resistance.**

62. Iran often provides material support to Foreign Terrorist Organizations through the IRGC and its Quds Force.

63. The IRGC was established in the immediate wake of the 1979 Iranian revolution. The IRGC defines itself as an agent of the Supreme Leader, to which it pledges its unflinching loyalty. The IRGC leadership and the Supreme Leader both frequently speak about the IRGC as the guardian of the principles of the revolution. The IRGC is dedicated to spreading fundamentalist (Shi'a) Islamist principles throughout the world and establishing fundamentalist Islamist governments in nations other than Iran.

64. The IRGC has its own military branches—an army, air force, navy—the purposes of which are not to defend Iran's borders, but to protect and advance the Islamic revolution, including through paramilitary operations in the Middle East.

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<sup>24</sup> *Country Reports on Terrorism* at 205, 206, U.S. DEP'T OF STATE, available at [https://www.state.gov/wp-content/uploads/2023/11/Country\\_Reports\\_on\\_Terrorism\\_2022-v3.pdf](https://www.state.gov/wp-content/uploads/2023/11/Country_Reports_on_Terrorism_2022-v3.pdf).

65. The IRGC also has a domestic militia, the Basij paramilitary force, with approximately 600,000 members.

66. The IRGC also holds a controlling number of positions in the Iranian government and its economy. IRGC veterans have served as governors of many of Iran's thirty-one provinces.

67. The IRGC also controls many companies spanning a wide range of industries, including petroleum production, construction, nuclear power, banking, and others—some of the proceeds from which the IRGC uses for illicit purposes, including funding terrorism.

68. By one U.S. government estimate, the IRGC has between 150,000 and 190,000 personnel—not including the domestic militia.

69. The Quds Force is also one of the IRGC's branches. Among its roles are to establish, fund, equip, and train foreign Islamic revolutionary groups, including Hezbollah, Hamas, PIJ, and others.

70. In essence, the IRGC-QF is charged with cultivating and supporting pro-Iran proxies in foreign countries and coordinating with these militant groups to conduct terrorist attacks.

71. According to the U.S. State Department's most recent *Country Reports on Terrorism*, "the IRGC-QF and the Ministry of Intelligence and Security remained Iran's primary actors involved in supporting terrorist recruitment, financing, and plotting across Africa, Asia, Europe, and North and South America."<sup>25</sup>

72. By using groups as proxies, Iran has sought to achieve its goals in other regions while simultaneously, if implausibly, denying responsibility for their actions.

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<sup>25</sup> *Country Reports on Terrorism 2022* at 5, U.S. DEP'T OF STATE, available at [https://www.state.gov/wp-content/uploads/2023/11/Country\\_Reports\\_on\\_Terrorism\\_2022-v3.pdf](https://www.state.gov/wp-content/uploads/2023/11/Country_Reports_on_Terrorism_2022-v3.pdf).



73. The leader of the IRGC-QF reports directly to the Supreme Leader.

74. General Soleimani was the leader of the IRGC-QF from 1998 until January 2020, when he was assassinated by the United States. He was then succeeded by the current leader, Esmail Qaani.

75. The IRGC-QF is responsible for providing material support to terrorist organizations around the world. For example, the IRGC-QF provided the Taliban with small arms, ammunition, rocket propelled grenades, mortars, plastic explosives, and more, intending to kill and wound U.S. and NATO forces in Afghanistan. The IRGC-QF also supplied weapons and training to Iraqi militias for use against U.S. and Coalition Forces following the U.S.-led invasion of Iraq in 2003, including the use of explosively formed penetrators, improvised rocket assisted munitions, rocket-propelled grenades, sniper fire, mortars, and operational and computer security. The IRGC-QF also provided training and weapons to the Syrian military and pro-Assad forces, and IRGC-QF troops and paramilitary volunteers fought on behalf of the Assad regime. The IRGC-QF has also operated in Nigeria and Venezuela, and has attempted assassinations in the United States.

76. Most relevant here, the IRGC-QF is the primary conduit through which Iran provides Hamas, PIJ, Hezbollah, the PFLP, and the Houthis with material support in the form of weapons, training, logistics, intelligence, and financing.

77. The IRGC-QF also manages the above-mentioned “Axis of Resistance”—a semi-formal alliance among and between Iran, Syria, Hezbollah, Palestinian terror groups (*e.g.*, Hamas, PIJ, and the PFLP), Iraqi Shi’a militias, and the Houthis.

78. Although the members of the Axis of Resistance have their own interests, they work together (under the direction of the IRGC-QF, with its coordination and material support) toward

the shared goals of weakening and, ultimately, destroying Israel and imposing costs on the United States (including killing and injuring U.S. citizens) for seeking to maintain its influence in the region—with the goal of expanding Iranian influence in the Middle East.

79. Since the Syrian civil war broke out in 2011-2012, the IRGC-QF has engaged in a massive effort to support the Assad regime by providing weapons, financing, and logistics, training Syrian forces, recruiting and training foreign fighters, and conducting military operations against anti-Assad (mostly Sunni) forces.

80. Since the U.S.-led invasion of Iraq in 2003, the IRGC-QF has established, trained, armed and funded various Shi'a militia to attack U.S. and Coalition Forces operating in Iraq and later to subvert and subsume the Iraqi government and complete Iraq's transformation into an Iranian client state.

81. And as described further below, the IRGC-QF is also the primary conduit through which Hamas, PIJ, Hezbollah, the PFLP, and the Houthis receive Iranian financing, weapons, equipment, training, and logistics support.

82. In October 2007, the U.S. State Department designated the IRGC-QF under E.O. 13224, noting its material support to Hamas, PIJ, the PFLP and “a long history of supporting Hizballah's military, paramilitary, and terrorist activities” among other terrorist groups.<sup>26</sup>

83. In 2017, Congress reaffirmed these findings in the Countering America's Adversaries Through Sanctions Act, Pub. L. 115-44, § 105(a), 131 Stat. 886, 892 (2017):

The Iranian Revolutionary Guard Corps-Quds Force (in this section referred to as the “IRGC-QF”) is the primary arm of the Government of Iran for executing its policy of supporting terrorist and insurgent groups. The IRGC-QF provides material, logistical assistance, training, and financial support to militants and terrorist operatives throughout the Middle East and South

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<sup>26</sup> Fact Sheet, *Designation of Iranian Entities and Individuals for Proliferation Activities and Support for Terrorism*, U.S. DEP'T OF STATE (Oct. 25, 2007), available at <https://2001-2009.state.gov/r/pa/prs/ps/2007/oct/94193.htm>.

Asia and was designated for the imposition of sanctions ... in October 2007 for its support of terrorism.

As part of the same Act, Congress also extended these findings to the IRGC itself:

The IRGC, not just the IRGC-QF, is responsible for implementing Iran's international program of destabilizing activities, support for acts of international terrorism, and ballistic missile program.

84. In April 2019, the U.S. State Department designated the IRGC in its entirety (including the IRGC-QF) as an FTO stating that “the designation highlights that Iran is an outlaw regime that uses terrorism as a key tool of statecraft and that the IRGC, part of Iran’s official military, has engaged in terrorist activity or terrorism since its inception 40 years ago.”<sup>27</sup>

85. At all relevant times, Iran, including through the IRGC, has provided Hamas, PIJ, the PFLP and Hezbollah with substantial material support and resources for the commission of terrorist acts, within the meaning of 28 U.S.C. § 1605A, including the October 7 Attack and the Subsequent Related Attacks.

**C. Hamas’s Development and Iran’s Support for Hamas Prior to October 7.**

86. Hamas is the most significant and deadly Palestinian terror organization.

87. Hamas was formed in the Gaza Strip in December 1987 by Sheikh Ahmed Yassin and six others as an outgrowth of the Muslim Brotherhood and has the declared goals of globalizing Islam through violent jihad (holy war), eliminating Israel, and establishing an Islamist state that covers present-day Israel, the Gaza Strip, and the West Bank.

88. For example, Hamas’s original 1988 charter states that “[t]here is no solution to the Palestinian problem except by Jihad.” The document is also replete with xenophobic, antisemitic references and openly calls for a genocidal war of ethnic cleansing against Jews in “Palestine.” In

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<sup>27</sup> Fact Sheet, *Designation of the Islamic Revolutionary Guard Corps*, U.S. DEP’T OF STATE (Apr. 8, 2019), available at <https://2017-2021.state.gov/designation-of-the-islamic-revolutionary-guard-corps/>.

October 1988, in an interview to the Kuwaiti newspaper *al-Anbaa*, Khalil al-Quqa, who was then considered to be the aide of Sheikh Yassin, said: “Allah gathered the Jews in Palestine not for them to have a homeland, but with the intent that it will become their mass grave.” In the *Jordan Times*, on October 12, 1997, an article quoted Yassin as saying, “ Hamas’s goal is to establish an Islamic state on the ruins of Israel.”

89. Because of Hamas’s history of conducting terror attacks, as noted above, the United States designated Hamas as an SDT in 1995, under E.O. 12947; an FTO in 1997, under 8 U.S.C. § 1189; and an SDGT in 2001, under E.O. 13224. In addition, the United States has designated numerous Hamas leaders and fundraisers as Specially Designated Nationals, thereby freezing their assets, as a result of their activities for Hamas.

90. Since its inception, Hamas has seen itself as a direct competitor to the Palestine Liberation Organization (PLO) and the Palestinian Authority (PA), which the PLO established as part of the Oslo Peace Accords in the early 1990s.

91. Even before the Oslo Peace Accords, Hamas made great (and largely successful) efforts to take over the student councils at universities throughout the West Bank and Gaza by developing its student organization, the “Islamic Bloc” (*Al-Kutla al-Islamiya*). Hamas also prioritized taking over trade unions, commercial organizations, and the bureaucracies that control Palestinian communications institutions (such as the Palestinian Journalists’ Syndicate). It also took control of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (“UNRWA”) in Gaza as well as various purported charitable societies and so-called “zakat” (tithing) committees in the West Bank.

92. Hamas historically operated in the Palestinian Territories (the Gaza Strip and the West Bank), Lebanon, and Syria. It was formally pushed out of Jordan in the late 1990s (but

continues to operate clandestinely there) and currently maintains significant operations in Turkey, Qatar, and Algeria.

93. In 2006, Hamas won the general PA elections in Gaza, attaining a parliamentary majority, and in 2007 it seized power in Gaza after a violent coup (it has held no elections since). Its takeover of Gaza resulted in the expulsion of the PA security services from the Gaza Strip in May-June 2007. From that point in time forward, Hamas maintained absolute political and military control of the Gaza Strip.

94. Politically, Hamas is governed by a main Political Bureau (or Politburo) of approximately 15 members. From 1996 until May 2017 the Chairman was Khaled Mashal. Ismail Haniyeh then served as Chairman from May 2017 until his assassination in July 2024. In August 2024, Yahya Sinwar was selected as Chairman, and he served until he was killed on October 16, 2024.

95. Hamas's main Political Bureau is elected by a Shura Council, which comprises members from the four local political bureaus, one each for Gaza, the West Bank, prisoners in Israel, and the diaspora.

96. Yahya Sinwar led the Gaza Political Bureau (replacing Ismail Haniyeh) from February 2017 until he was chosen as head of Hamas's main Political Bureau in August 2024 after Haniyeh's death.

97. Hamas's social network raises funds through "charitable" contributions. It attained its widespread power in the Palestinian Territories by providing social services to Palestinian communities while also providing regular employment for Hamas leaders and field commanders.

98. Moreover, Hamas has used the mosques, schools, orphanages, medical clinics, sports leagues, and summer camps under its control to indoctrinate Palestinians in the Muslim

Brotherhood's ideology, to recruit young Palestinians into the ranks of Hamas, to incite violence against Israelis (and Jews specifically) and to provide logistical and operational support for its core terror apparatus, the Qassam Brigades.

99. The Qassam Brigades commits murderous attacks within Israel, the West Bank, and Gaza. The Qassam Brigades were founded at the start of the 1990s and, before the October 7 Attack, numbered more than thirty thousand terrorists. They were directly subordinate to the top Hamas leadership, particularly in the Gaza Strip. They were (and are) responsible for perpetrating terror attacks for Hamas, and they have murdered thousands of Israeli civilians and numerous U.S. citizens.

100. Hamas proudly proclaims its strategies of using violent attacks to terrorize the civilian population and to influence government officials in Israel and the United States. Since its founding, Hamas has launched numerous violent attacks, including bombings, suicide attacks, rocket attacks, shootings, stabbings, and vehicular attacks, in support of that aim.

101. The Qassam Brigades are infamous for their suicide terror attacks. To take just a small set of examples: in 1996, Hamas suicide bombers killed 45 people in two separate bombings of buses on Jaffa Road in Jerusalem. In June 2001, a Hamas suicide bomber attacked the Dolphinarium disco in Tel Aviv, killing 21, the majority of whom were teenagers, and wounding more than 100. In August 2001, a Hamas suicide bombing of a Sbarro pizzeria in Jerusalem killed 16 people, including three Americans, and wounded approximately 130. In December 2001, two Hamas suicide bombers perpetrated an attack on Ben Yehuda Street in Jerusalem killing 11 and wounding approximately 188. In March 2002, a Hamas suicide bomber attacked a Passover seder at a hotel in Netanya, which included many elderly survivors of the Holocaust, killing 30 people and wounding approximately 140. In June 2002, a Hamas suicide bomber blew up bus 32A in

Jerusalem killing 19 and wounding approximately 50. In March 2003, a Hamas suicide bomber blew up bus 37 in Haifa, killing 17 and injuring approximately 53. In June 2003, a Hamas suicide bomber blew up bus 14A in Jerusalem killing 17 and wounding approximately 100.

102. From 2007 through the October 7 Attack, Hamas also fired thousands of rockets at Israeli civilian targets, killing and wounding scores of civilians, some of whom were U.S. citizens.

103. In the years leading up to the October 7 Attack, Hamas also expanded its efforts at hostage taking to gain leverage in negotiations with the Israeli government. Infamously, Hamas held kidnapped IDF soldier Gilad Shalit hostage for more than five years, until his release in October 2011, in exchange for 1,027 terrorists held by Israel. One of those exchanged prisoners was Yahya Sinwar who would go on to lead Hamas and mastermind the October 7 Attack. In 2014, Hamas also kidnapped, and murdered, three teenagers, including a U.S. citizen.

104. Since 2007, when Hamas first seized control of the Gaza Strip, it has successfully subordinated the other prominent terrorist organizations that operate in its territory, most notably PIJ, the PFLP, AAMB, and the PRC.

105. The first three are political rivals of Hamas. The PRC is largely a creature of Hamas's creation. But all of them are able to set aside their differences for the common goal of attacking Israel.

106. In July 2018, Hamas established a Joint Operations Room in Gaza which effectively placed PIJ, the PFLP, the PRC and other terrorist organizations under its operational control in the Gaza Strip.

107. These organizations then participated in the annual "Strong Pillar" paramilitary exercises under Hamas's sponsorship, which included drills in which attacks against Israeli military structures and kidnappings were staged.

108. As a result, both during the October 7 Attack and in the months of conflict in Gaza that followed, PIJ (and other Gaza-based terrorist organizations) largely acted under the direction and command of Hamas's Qassam Brigades while maintaining its unique organizational identity.

109. As noted above, Iran's substantial material support for Hamas is longstanding. Starting in the early 1990s, Hamas staged a representative in the Iranian capital of Tehran. Over the next 20-plus years, Iran provided material support to Hamas that has been well-documented, including in numerous court decisions.<sup>28</sup>

110. A February 6, 2004, Congressional report noted that Hamas received financial aid from Iran, which, according to one estimate, was ten percent of Hamas's annual budget.<sup>29</sup>

111. In December 2006, after Hamas won a majority of the legislative seats for the PA, Hamas's then "Prime Minister," Ismail Haniyeh, visited Tehran, where he met with Supreme Leader Ayatollah Khamenei and President Mahmoud Ahmadinejad. Iran reportedly gave Hamas \$250 million.

112. After Hamas violently assumed control of the Gaza Strip in 2007, three weeks of conflict broke out between Israel and Hamas beginning in December 2008 and lasting through January 2009.

113. Iran then increased its aid to Hamas, including by providing more advanced rockets. "The victory of the people of Gaza was a miracle of God, and the Islamic Republic definitely has a share in this victory," said Khaled Mashal, head of Hamas's Political Bureau at that time.<sup>30</sup>

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<sup>28</sup> See, e.g., *Bennett v. Islamic Republic of Iran*, 507 F. Supp. 2d 117, 123-24 (D.D.C. 2007); *Stern v. Islamic Republic of Iran*, 271 F. Supp. 2d 286, 292-295 (D.D.C. 2003); *Weinstein v. Islamic Republic of Iran*, 184 F. Supp. 2d 13, 21-22 (D.D.C. 2002).

<sup>29</sup> Congressional Research Service, *Foreign Terrorist Organizations* at 28-29 (Feb. 6, 2004), available at <https://fas.org/irp/crs/RL32223.pdf>.

<sup>30</sup> Wilson Center, *Iran, Hamas & Palestinian Islamic Jihad*, Oct. 11, 2023, available at <https://www.wilsoncenter.org/article/iran-hamas-and-palestinian-islamic-jihad>.



114. In February 2012, Ismail Haniyeh, then one of Hamas's most senior political leaders in Gaza, visited Iran.<sup>31</sup> During that visit, Iranian leader Khamenei hailed the Palestinian Resistance.<sup>32</sup>

115. The IRGC-QF has provided Hamas and PIJ with Fajr-5 artillery rockets, among other munitions, since at least 2012, and Syrian-made 302-millimeter rockets since at least 2014.

116. In November 2012, Ali Baraka, Hamas's representative in Lebanon, stated in a television interview that Iran was the principal military and financial supporter of the majority of the Palestinian organizations in the Gaza Strip. Baraka further stressed that the ties between Hamas and Iran were strategic and continued even after Hamas adopted its position opposing the Iran-backed Syrian regime. Baraka claimed that during Israel's Operation Pillar of Defense, which occurred in November 2012, a senior Iranian official had contacted him daily for updates and had relayed that Iran was ready to provide military and other material support during the operation, in the name of its ideological and moral commitment to the cause.

117. On November 21, 2012, Khaled Mashal, then Chairman of the Hamas Political Bureau, thanked Iran for its role in arming and funding Hamas in the Gaza Strip. At a press conference in Cairo, Egypt, shortly before the announcement of a ceasefire agreement between Israel and the Palestinian factions in Gaza, Mashal said that he was grateful for the Iranian role in aiding Gaza and thanked Iran for "arms and funding."<sup>33</sup>

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<sup>31</sup> Anthony H. Cordesman, *The Gulf Military Balance: Volume I, The Conventional and Asymmetric Dimensions* at 160, Center for Strategic and International Studies, Jan. 31, 2014.

<sup>32</sup> Office of the Supreme Leader (Feb. 12, 2012), available at <http://www.leader.ir/fa/content/9144/-اسماعيل-ديدار> (last visited Nov. 10, 2024); AL-JAZEERA (Qatar), Feb. 12, 2012, available at <http://www.aljazeera.net/news/international/2012/2/12/خامنئي-يذكر-حماس-من-التسوية>.

<sup>33</sup> Israeli Ministry of Foreign Affairs, *Iranian Weapons in Gaza* (Nov. 22, 2012), available at [http://mfa.gov.il/MFA/ForeignPolicy/Iran/SupportTerror/Pages/Iranian\\_weapons\\_in\\_Gaza\\_22-Nov-2012.aspx](http://mfa.gov.il/MFA/ForeignPolicy/Iran/SupportTerror/Pages/Iranian_weapons_in_Gaza_22-Nov-2012.aspx).

118. Iranian support for Hamas increased again in 2013 and 2014. “The U.S. State Department’s Country Report on Terrorism 2014 notes that Iran is not shy about its willingness to finance Hamas. ‘Since the conclusion of [Operation Protective Edge] ... Iranian governmental officials have publicly stated their willingness to resume Iran’s military support of Hamas.’ The report goes on to note that ‘historically, Hamas has received funding, weapons, and training from Iran.’”<sup>34</sup>

119. In 2014, *Reuters* reported that, according to diplomatic sources, Iran had previously given Hamas \$250 million per year.

120. In September 2015, the *Times of Israel* reported, “Iran has sent suitcases of cash—literally—to Hamas’s military wing in Gaza.... [Iran] handed over the suitcases [of cash], by way of couriers, directly to the leaders of [Hamas]’s military wing in the Gaza Strip.”

121. The U.S. Department of State confirmed in its *2014 Country Reports on Terrorism* that “Iran continued to sponsor terrorist groups around the world, principally through its Islamic Revolutionary Guard Corps-Quds Force (IRGC-QF). These groups included Lebanese Hizballah, several Iraqi Shia militant groups, [and] **Hamas** ....”<sup>35</sup>

122. Furthermore, during the 2014 Israel-Hamas conflict, IRGC-QF commander Qassem Soleimani sent a message to Palestinian terror groups in which he pledged his support for Hamas and groups in their fight against Israel:

Greetings to my brothers, political heads of Hamas and Islamic Jihad and all the Resistance groups... Greeting to commanders and operatives of [Izz al-Din] Al-Qassam (Hamas’s military wing), Saraya Al-Quds [Palestine Islamic Jihad’s military wing], Abu Ali Mostafa [PFLP], Nasser Salaheddin

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<sup>34</sup> See *Fraenkel v. Islamic Republic of Iran*, 248 F. Supp. 3d 21, 29-30 (D.D.C. 2017) (subsequent history omitted) (quoting *Country Reports on Terrorism 2014*, U.S. DEP’T OF STATE, available at <https://www.state.gov/documents/organization/239631.pdf>).

<sup>35</sup> *Country Reports on Terrorism 2014*, at 8, U.S. DEP’T OF STATE, available at <https://www.state.gov/documents/organization/239631.pdf>.

[Popular Resistance Committees], Al-Aqsa Martyrs Brigades [Fatah]... Just like in the past we have put into action our religious duty to support the resistance, we will continue this duty and will push on with our support and aid until the moment of victory, until the resistance on the ground, in the air and sea will be transformed into a hell for the Zionists. The murderers and the mercenaries should know that we will not withhold not even for a minute our support for the resistance and our standing behind the Palestinian nation, and that we don't have a grain of hesitation in this regard.<sup>36</sup>

123. In December 2014, the spokesman of Hamas's military wing, Abu 'Ubaida, publicly thanked Iran for its funding and weapons:

[W]e have only to thank those whom Allah enlisted to take part in this development... ***first and foremost the Islamic Republic of Iran***, which did not withhold from us ***funds, weapons and [other forms of aid]*** and helped us in our resistance by supplying us with missiles that pulverized the Zionist strongholds during the attacks and battles we waged against the occupier, and also supplied us with quality anti-tank missiles that crushed the legendary Zionist Merkava [tank].<sup>37</sup>

124. The Hamas-Iran relationship was affected by the Syrian civil war. Iran supported the Assad regime, which was fighting a brutal campaign against largely Sunni anti-Assad forces. The Assad regime (with massive support from the IRGC-QF) committed countless atrocities against its own Syrian civilians (including deploying poison gas against them).

125. Hamas, a radical Sunni supremacist organization, refused to support Assad (a longtime patron of Hamas) in his war against Syria's Sunni population and in some cases, actively contributed to the fight against the regime, a decision in tension with Iran's interests.

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<sup>36</sup> The Jerusalem Center for Public Affairs, *Iran's IRGC Quds Force Commander: "The Palestinian Resistance Movement Will Make the Sea, the Land, and Skies into Hell for the Zionists"* (July 31, 2014), available at <http://jcpa.org/irans-revolutionary-guard/>; *Fars* (Iran) (July 31, 2014), <https://www.farsnews.com/printable.php?nn=13930509000094> (in Farsi).

<sup>37</sup> Middle East Media Research Institute, *Hamas Senior Officials At Movement's 27th Anniversary Celebrations: We Will Not Recognize Zionist Entity Or Be Satisfied With A Palestinian State Within 1967 Borders; We Thank Iran For Supplying Us With Weapons, Missiles* (Dec. 16, 2014), available at <https://www.memri.org/reports/hamas-senior-officials-movements-27th-anniversary-celebrations-we-will-not-recognize-zionist>.

126. Although the relationship was somewhat strained during this period, Hamas and Iran continued to maintain strong ties, and the IRGC-QF continued to provide Hamas with funding, training, weapons, and other logistical and material support.

127. In August 2017, Yahya Sinwar, until recently Hamas's most senior leader in the Gaza Strip, stated, "Hamas continues to train its people for the mission of liberated Palestine, and the Iranian Islamic Republic plays a central role in all that's related to this goal through financial and military aid and providing training for the Izz al-Din al-Qassam Brigades."<sup>38</sup>

128. Sinwar also declared, in August 2017, that "[r]elations with Iran are excellent and Iran is the largest supporter of the Izz [a]l-D[i]n al-Qassam Brigades with money and arms."<sup>39</sup>

129. Documents recently seized from Hamas offices in Gaza make clear that Iranian support for Hamas took on many forms, including non-lethal training. For example, attached as **Exhibit 1** to the Complaint is a letter from Yahya Sinwar to the HR Department of the Qassam Brigades dated September 9, 2019.

130. In the letter, Sinwar informs the administrative staff of Hamas's terror apparatus that Iran is offering scholarships (in Iran) to 18 Qassam Brigades operatives—twelve to receive bachelor's degrees, four to receive master's degrees and two to be selected for doctorates.

131. Sinwar notes that fields of study will include: "computer engineering, programming, Farsi studies, political science, special forces, naval forces, or any specialty needed by the divisions and the specialties." Only terror operatives with a grade point average above 80% would be considered for the BA program.

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<sup>38</sup> Lt.-Col. (ret.) Michael Segall, *Hamas: Qassem Soleimani Gave Us Suitcases Stuffed with \$22 Million Cash*, JCFA, Jan. 7, 2021, available at <https://jcfa.org/hamas-qassem-soleimani-gave-us-suitcases-stuffed-with-22-million-cash/>.

<sup>39</sup> *After Syria fall-out, Hamas ties with Iran restored – Hamas Chief*, REUTERS, Aug. 28, 2017, available at <https://www.reuters.com/article/world/after-syria-fall-out-hamas-ties-with-iran-restored-hamas-chief-idUSKCN1B81LK/>.

132. The U.S. State Department's yearly *Country Reports on Terrorism* from 2016 to its most recently published 2022 report all state that Iran provides support to Hamas, often specifying that the support included weapons, funding, and training.<sup>40</sup>

133. The U.S. State Department's yearly *Country Reports on Terrorism* for 2020 noted that "Iran also provides up to \$100 million annually in combined support to Palestinian terrorist groups, including Hamas, Palestine Islamic Jihad, and the Popular Front."<sup>41</sup>

#### **D. Iran Provided Material Support to Palestinian Islamic Jihad (PIJ).**

134. PIJ was founded in or around 1980-81 by Fathi Shiqaqi and Abd al-Aziz Awda (also known as Sheikh Obdeh).

135. PIJ seeks "the establishment of an Islamist Palestinian state and the destruction of the state of Israel. The Islamic Jihad believes Palestinian liberation and the seizure of Jerusalem for the Islamic world would serve as a catalyst for a wider Islamic revolution across the Arab and Muslim world."<sup>42</sup>

136. Shiqaqi and Awda were residents of Gaza who professed admiration for the Iranian Revolution.

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<sup>40</sup> *Country Reports on Terrorism 2016* at 304, U.S. DEP'T OF STATE, available at [https://www.state.gov/wp-content/uploads/2019/04/crt\\_2016.pdf](https://www.state.gov/wp-content/uploads/2019/04/crt_2016.pdf); *Country Report on Terrorism 2017* at 218, available at [https://www.state.gov/wp-content/uploads/2019/04/crt\\_2017.pdf](https://www.state.gov/wp-content/uploads/2019/04/crt_2017.pdf); *Country Reports on Terrorism 2018* at 212, available at <https://www.state.gov/wp-content/uploads/2019/11/Country-Reports-on-Terrorism-2018-FINAL.pdf>; *Country Reports on Terrorism 2019* at 199, available at <https://www.state.gov/wp-content/uploads/2020/06/Country-Reports-on-Terrorism-2019-2.pdf>; *Country Reports on Terrorism 2020* at 200, available at [https://www.state.gov/wp-content/uploads/2021/07/Country\\_Reports\\_on\\_Terrorism\\_2020.pdf](https://www.state.gov/wp-content/uploads/2021/07/Country_Reports_on_Terrorism_2020.pdf); *Country Reports on Terrorism 2021* at 214, available at [https://www.state.gov/wp-content/uploads/2023/02/Country\\_Reports\\_2021\\_Complete\\_MASTER.no\\_maps-011323-Accessible.pdf](https://www.state.gov/wp-content/uploads/2023/02/Country_Reports_2021_Complete_MASTER.no_maps-011323-Accessible.pdf); *Country Reports on Terrorism 2022* at 206, available at [https://www.state.gov/wp-content/uploads/2023/11/Country\\_Reports\\_on\\_Terrorism\\_2022-v3.pdf](https://www.state.gov/wp-content/uploads/2023/11/Country_Reports_on_Terrorism_2022-v3.pdf).

<sup>41</sup> *Country Reports on Terrorism 2020* at 304, U.S. DEP'T OF STATE, available at <https://www.state.gov/reports/country-reports-on-terrorism-2020/>. See also the 2022 report at 277: "Iran provides up to \$100 million annually in combined support to Palestinian terrorist groups, including Hamas, Palestine Islamic Jihad, and the Popular Front for the Liberation of Palestine-General Command." <https://www.state.gov/reports/country-reports-on-terrorism-2022/>.

<sup>42</sup> "Palestinian Islamic Jihad (Islamic Jihad)," attachment to "Palestinian Islamic Jihad Listed as a Terrorist Organization," Office of the Australian Attorney General, Media Release 055/2004, May 3, 2004.

137. In 1981, Shiqaqi wrote a book about his admiration of the Islamic Republic of Iran.<sup>43</sup>

138. Following the assassination of Egyptian President Anwar Sadat in 1981, Shiqaqi was expelled from Egypt and returned to Gaza, where he formally established PIJ.

139. After the start of the Palestinian uprising against Israel in December 1987 known as the First Intifada, PIJ openly and loudly proclaimed the need for terrorist attacks on Israeli civilians. Consequently, the Israeli government expelled Shiqaqi and Awda to Lebanon in 1988, where they formed close relationships with Hezbollah and held press conferences with Iranian officials.

140. Since 1988, scores of PIJ operatives from the Palestinian Territories have received Iranian military and terrorist training at bases run by the IRGC in Lebanon and in Iran itself. Iran has provided PIJ with explosives and weapons, as well as the training required to use them.

141. Unlike Hamas, PIJ made little effort to develop a social and educational infrastructure or attract a mass following. Shiqaqi believed that a campaign of spectacular terrorist attacks against Israel in the name of revolutionary Islam would inspire a popular revolt. Even though both groups grew out of the Muslim Brotherhood, PIJ minimized the role of social activity in favor of militant activity, while Hamas gave prominence to social welfare activity and proselytizing, even as it engaged in lethal terror campaigns.

142. PIJ's operatives soon began training at Hezbollah camps in Lebanon, under the supervision of the IRGC-QF, and carried out some joint operations with Hezbollah against Israeli forces in south Lebanon during the 1990s.

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<sup>43</sup> PIJ and Hamas were fierce rivals in the late 1980s and early 1990s, largely a result of ideological differences relating to PIJ's affinity for—and Hamas's rejection of—Iran's central ideology, the principle of *waliyat al faqih*, that is, rule by the (Shi'a) clerisy. PIJ and Hamas have since worked together with the shared goal of attacking (and destroying) Israel.

143. In 1993, Shiqaqi acknowledged that he received Iranian funding and channeled it to operatives in Gaza and the West Bank. “Iran gives us money and supports us,” he said in an interview with *Newsday*, “then we supply the money and arms to the occupied territories and support the families of our people. Just about all of it goes there because that’s where most of our organization is.”<sup>44</sup>

144. PIJ has long been known for executing terrorist attacks targeting Israeli civilians. For example, in 1995, PIJ claimed responsibility for a deadly string of terrorist attacks, including twin suicide bombings in January that killed twenty-two people in Beit-Lid, an attack in April that killed eight people in Kfar Darom, and a suicide bombing in August that killed five people in Jerusalem.

145. By 1996, Iran’s support for PIJ was at least several million dollars per year, if not more, and increased in the years since, despite the organization’s relatively small size.

146. Because of PIJ’s history of conducting terror attacks, as indicated above, the United States designated PIJ as an SDT in 1995 under E.O. 12947; an FTO in 1997 under 8 U.S.C. § 1189; and an SDGT in 2001 under E.O. 13224. In addition, the United States has designated numerous PIJ leaders and fundraisers as Specially Designated Nationals, thereby freezing their assets, as a result of their activities for PIJ.

147. In June 2002, PIJ leader Ramadan Abdullah Shallah met with Iran’s Supreme Leader Ayatollah Ali Khamenei, who reportedly pledged to increase funds by 70 percent to cover expenses for suicide bombings. “The Palestinian Islamic Jihad is another fruit of the Ayatollah Khomeini’s fructuous tree,” Shallah reportedly said during his visit to Tehran.

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<sup>44</sup> “Terrorism Inc.: Islamic Jihad Founder Admits Funding by Iran,” *NEWSDAY*, Apr. 11, 1993.

148. During one of the brief conflicts between Israel and Gaza-based terrorist organizations in 2012, Iran supplied PIJ with Fajr-5 rockets.

149. Ziad al Nakhala, PIJ's deputy chairman at the time, stated to the *Paltoday* website that: "We would like to thank our brothers in Iran for the great sacrifices they made to deliver this weapon to us for the sake of defending the Palestinian people." The weapons were delivered to the Gaza Strip via Egypt, he added, noting that Iran-pledged shipments would continue in the future. "The weapons used by the resistance [PIJ] – the whole world knows that they come mostly from Iran or were purchased with Iranian funding," Shallah said.<sup>45</sup>

150. That same year, PIJ relocated its headquarters from Damascus to Tehran due to the civil war in Syria.

151. In May 2013, PIJ spokesman Daoud Shihab told *al-Monitor*, "All of the weapons in Gaza are provided by Iran, be they weapons intended for the Hamas movement or for the PIJ ... everyone knows that Iran is financing us." Shihab insisted that, of the many Arab and Muslim factions that support Palestinian militancy, "the largest share of this financial and military support is coming from Iran."<sup>46</sup>

152. In February 2014, Iranian officials hosted a PIJ delegation. PIJ's delegation met with Iranian President Hassan Rouhani, Foreign Minister Javad Zarif, and parliament speaker Ali

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<sup>45</sup> Daniel Levin, Iran, *Hamas & Palestinian Islamic Jihad*, Wilson Center, Oct. 11, 2023, available at <https://www.wilsoncenter.org/article/iran-hamas-and-palestinian-islamic-jihad>; The Meir Amit Intelligence and Terrorism Information Center, *Operation Pillar of Defense – Update No. 6* (Nov. 22, 2012), available at <https://www.terrorism-info.org.il/en/20430/>.

<sup>46</sup> Asmaa al-Ghoul, *Palestinian Islamic Jihad: Iran Supplies All Weapons in Gaza*, AL-MONITOR, May 14, 2013, available at <http://www.al-monitor.com/pulse/originals/2013/05/gaza-islamic-jihad-and-iranian-arms.html>.



Larijani. PIJ member Ramadan Abdullah was quoted during the meeting as saying “Iran has always been the main supporter of the Palestinian nation’s cause and goals.”<sup>47</sup>

153. In the past 15 years, PIJ’s forces in Gaza have focused on developing capabilities for rocket attacks. By one estimate, between 2005 and 2015, Hamas, PIJ, and other Gaza-based militants fired more than 12,000 rockets into Israel, killing at least 10 Israelis, injuring more than 1,100, and causing more than \$50 million in property damage.

154. The U.S. State Department’s yearly *Country Reports on Terrorism* from 2016 to its most recently published 2022 report, all state that Iran provides support to PIJ, often specifying that the support included weapons, financing, and training.

155. From February 23-24, 2020, PIJ fired nearly 100 rockets toward Israel causing at least a dozen injuries. And from May 10-21, 2021, PIJ, together with Hamas, fired more than 4,000 rockets toward Israel, killing 11 civilians and one soldier.

156. Regarding these attacks, PIJ official Ramez al-Halabi told an Iraqi television station on May 7, 2021, “I am proud to say that the rockets that are used to pound Tel Aviv have an Iranian signature on them, the signature of Qassem Soleimani [then-head of the IRGC].” He stated that PIJ militants “were trained by the IRGC and that Iranian money was used to buy weapons for the armed factions in Gaza and Lebanon.” He also thanked Iran for providing “weapons, money, and food” to the Palestinian people.<sup>48</sup>

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<sup>47</sup> Adam Kredo, *Iran Hosts Palestinian Islamic Jihad Leaders*, FREE BEACON, Feb. 5, 2014, available at <http://freebeacon.com/national-security/iran-hosts-palestinian-islamic-jihad-leaders/>.

<sup>48</sup> Middle East Media Research Institute, *Hamas, Islamic Jihad Officials: Iran Provides Our Missiles, Weapons, Funds, And Food, Our Gunmen “Were Trained By Our Brothers In The IRGC”; Without Iran’s Assistance, We Wouldn’t Be Able To Fire Rockets At Tel Aviv; Qassem Soleimani Personally Oversaw Transfer Of Rockets To Gaza* (May 12, 2021), available at <https://www.memri.org/reports/hamas-islamic-jihad-officials-iran-provides-our-missiles-weapons-funds-and-food-our-gunmen>.

157. Also in 2021, senior PIJ official Ramez Al-Halabi said that rockets used to target Israel “bear the signature of Iran and Soleimani,” that the IRGC trained PIJ members, and that Iranian money was used to buy weapons in Gaza. He added that every home in Gaza has Soleimani’s portrait, and “it is they [Iran] who support us with weapons, money, and food.” Meanwhile Yahya Sinwar announced Hamas’s “complete gratitude ... to the Islamic Republic of Iran, which has spared us and the other Palestinian resistance factions nothing in recent years. They have provided us with money, weapons, and expertise.”<sup>49</sup>

158. On August 5-7, 2022, PIJ fired approximately 1,100 additional rockets at Israel.

159. Iranian leaders praised PIJ for participating in the Hamas-led October 7 Attack. In an October 8, 2023, telephone call, the late former Iranian president Ebrahim Raisi told the secretary general of PIJ, “What happened in the occupied territories and in the battle with the usurping Zionist regime was a huge, unique event in the past 70 years, and you really made the Islamic community happy with this innovative and victorious operation.”<sup>50</sup>

**E. Hezbollah – Iran’s Most Important Proxy.**

160. As noted above, Hezbollah is an Arabic word meaning “Party of God.”

161. It is the dominant political and military power in Lebanon, and one of the world’s deadliest terrorist organizations, as well as the world’s most heavily-armed non-state actor.

162. From Hezbollah’s inception, it has had an uninterrupted agency relationship with Iran. “‘Hezbollah has been Iran’s proxy ever since [Hezbollah’s founding], and it is estimated that,’ today, ‘Iran provides Hezbollah with as much as \$700 million–\$1 billion per year’, in the

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<sup>49</sup> *Id.*

<sup>50</sup> President’s phone call with SG of the Palestinian Islamic Jihad Movement, *Official Website of the President of the Islamic Republic of Iran* (Oct. 8, 2023), available at <https://president.ir/en/147044>.

form of cash, training, intelligence, and weapons.” *Fritz v. Islamic Republic of Iran*, 320 F. Supp. 3d 48, 60 (D.D.C. 2018) (quoting expert testimony of Dr. Matthew Levitt).

163. The U.S. State Department’s most recent *Country Reports on Terrorism* states that “Iran continues to provide Hizballah with most of its funding, training, weapons, and explosives, as well as political, diplomatic, monetary, and organizational aid. Iran’s annual financial backing to Hizballah—which has been estimated to be hundreds of millions of dollars annually—accounts for the overwhelming majority of the group’s annual budget.”<sup>51</sup>

164. Hezbollah first emerged during the Lebanese civil war in the early 1980s as a militia comprising Shi’a followers of Ayatollah Khomeini.

165. From its first moments, Hezbollah received Iranian funding, training, and direction. Its terror apparatus, the Islamic Jihad Organization (“IJO”), was created, nurtured, and deployed by the IRGC in order to serve Iran’s objectives.

166. And since at least 2006, Hezbollah fighters have trained in Iran in both offensive and defensive urban warfare.

167. Hezbollah has a deep connection to Iran’s ideology and goals. It is a Shi’a organization that considers the Supreme Leader of Iran to be the leader of all Shi’ite Muslims, and as a result, in effect, Hezbollah views itself as a tool of the Iranian revolution that Iran can deploy as it wishes.

168. Hezbollah’s aims and goals were published in February 1985 in a letter entitled “The Hezbollah Program.”

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<sup>51</sup> *Country Reports on Terrorism* at 276, U.S. DEP’T OF STATE, available at [https://www.state.gov/wp-content/uploads/2023/11/Country\\_Reports\\_on\\_Terrorism\\_2022-v3.pdf](https://www.state.gov/wp-content/uploads/2023/11/Country_Reports_on_Terrorism_2022-v3.pdf).

169. The Hezbollah Program states: “We are the sons of the *umma* – the party of God the vanguard of which was made victorious by God in Iran....We obey the orders of one leader, wise and just, that of our tutor and *faqih* who fulfills all the necessary conditions: Ruhollah Musawi Khomeini,” who was the Supreme Leader of Iran at the time. With respect to the United States, the Hezbollah Program states:

The US has tried, through its local agents, to persuade the people that those who crushed their arrogance in Lebanon and frustrated their conspiracy against the oppressed (mustad’afin) were nothing but a bunch of fanatic terrorists whose sole aim is to dynamite bars and destroy slot machines. Such suggestions cannot and will not mislead our umma, for the whole world knows that whoever wishes to oppose the US, that arrogant superpower, cannot indulge in marginal acts which may make it deviate from its major objective. ***We combat abomination and we shall tear out its very roots, its primary roots, which are the US. All attempts made to drive us into marginal actions will fail, especially as our determination to fight the US is solid.***<sup>52</sup>

170. Hezbollah pursues those objectives through violent terrorist activity including suicide bombings, assassinations, hostage takings, hijackings, and more recently, firing rockets, mortars, and missiles.

171. For example, Hezbollah committed infamous and deadly attacks on U.S. citizens in Beirut including the April 18, 1983, car bomb attack on the U.S. Embassy, which killed 63 Americans; the October 23, 1983, truck bomb attack on the U.S. Marine barracks, which killed 241 Americans, and the September 20, 1984, car bomb attack on the U.S. Embassy annex, which killed 24 Americans.

172. Hezbollah is also responsible for the 1996 bombing of the Khobar Towers in Saudi Arabia, which killed 19 U.S. servicemen, and wounded 498.

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<sup>52</sup> *Doctrine of Hezbollah*, Wilson Center, Oct. 20, 2023, available at <https://www.wilsoncenter.org/article/doctrine-hezbollah>.

173. Hezbollah's attacks have not been limited to the Middle East region. For example, on April 12, 1984, Hezbollah attacked a restaurant near a U.S. Air Force base in Spain, killing 18 U.S. servicemen and injuring 83 people. As another example, on July 18, 1994, Hezbollah bombed the Asociación Mutual Israelita Argentina, a Jewish community center, in Buenos Aires, killing 86 people and injuring more than 200.

174. Additionally, Hezbollah has an extremely well-funded military that is more powerful than the Lebanese armed forces.

175. Since the mid-1990s, Hezbollah has launched numerous bombardments of civilian sites in northern Israel, which continue through this day. For example, in November 1995, Hezbollah fired Katyusha rockets into northern Israel. In March 1996, Hezbollah again fired rockets into northern Israel, wounding 36 people. In August 1997, Hezbollah again fired rockets on northern Israel. In July and August 2006, Hezbollah launched rockets that killed Israelis and harmed U.S. citizens.

176. Hezbollah also engaged in border clashes with the Israeli military. On October 7, 2000, Hezbollah terrorists captured three Israeli soldiers patrolling the security fence between Israel and Lebanon. The purpose of the abduction was to ransom the soldiers in a prisoner exchange. The soldiers' bodies were returned to Israel in January 2004 in a prisoner exchange; the date and circumstances of their deaths remain unknown.

177. In another infamous example from July 2006, Hezbollah launched an anti-tank missile attack on two armored Humvees patrolling on the Israeli side of the border fence. The attack killed three Israeli soldiers, and Hezbollah abducted two more using them to barter them for the release of Lebanese prisoners held in Israel. This led to a 34-day war between Israel and

Hezbollah. Those two soldiers' bodies were returned to Israel in a June 2008 exchange; the circumstances of their deaths remain unknown.

178. Border skirmishes continued. For example, in August 2013, four Israeli soldiers were wounded when they stepped on a landmine placed by Hezbollah. In January 2015, Hezbollah fired missiles at an Israeli convoy—allegedly in retaliation for an airstrike in Syria that killed Hezbollah members—in the Golan Heights killing two soldiers. In September 2019, Hezbollah launched rockets into Israel targeting a military base and launched an anti-tank missile at an IDF vehicle.

179. Hezbollah also assists the IRGC and the IRGC-QF in their terror operations outside of Lebanon.

180. While the IRGC-QF is responsible for managing Iran's terror campaigns abroad, it lacked Hezbollah's operational and tactical experience in developing terrorist capabilities and performing terrorist attacks against a modern military force.

181. Moreover, as an ethnically Persian, Farsi-speaking entity, the IRGC-QF was at a disadvantage in recruiting and training Arabic-speaking recruits whether Shi'a Iraqis, Yemeni Houthis, or Palestinians.

182. For that purpose, the IRGC-QF has long turned to Hezbollah, Iran's most important terror proxy, which had hard-earned experience in running terror campaigns against the IDF in Lebanon, and which shared ethnic and cultural connections with Iraqis and to a lesser extent Palestinians.

183. At the IRGC's direction, Hezbollah and the IRGC-QF have worked symbiotically for decades to develop Iran's proxy capabilities throughout the region—with a special emphasis on creating and strengthening Iran's "Ring of Fire" enveloping Israel.

184. After the 2003 U.S. invasion and overthrow of Saddam Hussein's regime in Iraq, Iran directed Hezbollah to create "Unit 3800" and began devoting increasing financial resources to gain influence in Iraq and inflict casualties on American service members in Iraq.

185. Hezbollah's Unit 3800 was established by Hassan Nasrallah, Hezbollah's then-leader (he was assassinated by Israel in 2024), at Iran's direction to support Iraqi Shi'a terrorist groups targeting Multi National Forces in Iraq.

186. Unit 3800 trained and advised various Shi'a militias in Iraq, later termed "Special Groups."

187. Hezbollah training camps in southern Lebanon and Iran, and Hezbollah's expertise in the use of military-grade roadside IEDs, kidnapping, communications, and small-unit operations, were critical to the IRGC's operations in Iraq between 2004 and 2011.

188. According to U.S. intelligence estimates, following the 2007 arrest of Hezbollah's senior operative in Iraq, the IRGC-QF provided Hezbollah and one of its local trainers up to \$3 million in U.S. currency every *month*.

189. Hezbollah has also played a significant role in the Syrian civil war, which further transformed Hezbollah's fighters into a capable, disciplined, and deadly fighting force.

190. Hezbollah has long been an ally of the Ba'ath government of Syria, and the ruling Assad family, as constituent members of the Iranian-led Axis of Resistance.

191. Even before the uprisings in Syria turned violent, Nasrallah declared Hezbollah's support for the Assad regime.

192. In the early years of the war, Hezbollah's role was primarily to advise and support the Syrian Army and other pro-Assad forces fighting against Sunnis, including by helping to facilitate training by the IRGC-QF.

193. On August 10, 2012, the United States sanctioned Hezbollah under E.O. 13582—an Executive Order specifically related to the Syrian civil war—for “providing training, advice and extensive logistical support to the Government of Syria’s increasingly ruthless efforts to fight against the opposition.”<sup>53</sup> The press release also stated that Hezbollah “coordinated its support to the Government of Syria with the IRGC-QF ... which serves as a conduit for Iran’s material support to the Syrian General Intelligence Directorate.”

194. Despite the public funerals for Hezbollah fighters killed in Syria, Nasrallah denied that Hezbollah was fighting alongside the Assad regime in a speech in mid-October 2012. Instead, he stated that Hezbollah fighters were in Syria of their own accord to defend Lebanese Shi’a living in villages near the border.

195. In early 2013, Hezbollah’s participation in the Syrian Civil War intensified. In April 2013, Nasrallah made two trips to Tehran where he met with Soleimani (then head of the IRGC-QF), Khamanei, and other senior Iranian officials, where Nasrallah was pressed to deepen Hezbollah’s participation in Syria.

196. That same month, Hezbollah led a ground assault, in coordination with the Syrian Army, to recapture part of the Syrian city of Al-Qusayr.

197. Until Hezbollah withdrew from Syria in 2019, Hezbollah forces continued to fight directly on behalf of pro-Assad forces, including in Homs, Aleppo, and Damascus—in addition to continuing to provide training, advice, and logistical support and facilitating the IRGC-QF’s role.

198. These years of fighting in the Syrian civil war made Hezbollah a more experienced and effective fighting force, far more prepared to face Israel’s armed forces.

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<sup>53</sup> Press Release, *Treasury Targets Hizballah for Supporting the Assad Regime*, U.S. DEP’T OF THE TREASURY (Aug. 10, 2012), available at <https://home.treasury.gov/news/press-releases/tg1676>.



199. Fighting for the Assad regime, however, meant that Hezbollah was responsible for killing Sunni Arabs. This created a rift with Palestinian terror groups, and the Sunni world more broadly. That rift would need to be bridged before the October 7 Attack.

200. As with Hamas, Hezbollah has extensive political and social functions as well.

201. Hezbollah entered parliamentary politics in 1992 after the end of the Lebanese civil war and now has 62 seats in the 128-seat parliament. Practically speaking, Hezbollah is the dominant force in Lebanese politics as much of its power comes from outside the political process. Moreso, Hezbollah essentially governs and controls access into certain parts of Lebanon.

202. Socially, Hezbollah runs charities, hospitals, clinics, schools, agricultural centers, and other civil institutions. It also provides construction and urban maintenance, including providing water and sewer services, largely to reconstruct homes damaged through conflict with Israel. As with Hamas, Hezbollah's social services aid its efforts to spread propaganda, gain the allegiance of the Lebanese population, and recruit new members.

203. Hezbollah was designated by the United States Government as an SDT in 1995, as an FTO continuously since 1997, and as an SDGT continuously since 2001.

204. In addition, the United States has designated numerous Hezbollah leaders and fundraisers as Specially Designated Nationals, thereby freezing their assets, as a result of their activities for Hezbollah.

#### **F. Iran Provided Material Support to the Houthis.**

205. The Houthi movement emerged in northern Yemen in the 1990s under the leadership of Hussein al-Houthi, dedicated to fighting the corrupt regime of Ali Abdullah Saleh.

The Houthis are Zaydi Shi'a, or *Zaydiyyah*<sup>54</sup> and though motivated by local and sectarian grievances, they quickly found support from the IRGC-QF because the Saleh regime was backed by Saudi Arabia (and had a working relationship with the United States).

206. The Houthis adopted the slogan: “God is great, death to the U.S., death to Israel, curse the Jews, and victory for Islam,” and came to emulate Hezbollah, widely seen as a role model for a successful “resistance” (terrorist) organization in the Middle East.

207. The Houthis’ Ansarallah movement seeks to replicate Hezbollah’s perceived success—reflected in the fact that when the Houthi leader, Badr al-Din, died in 2010, he passed over five older sons to elevate the Houthis’ current leader, Abdul-Malik, who had joined him on multiple visits to Iran and shared his vision of a Hezbollah-inspired Islamic revolution.

208. In 2011, the Houthi movement was part of a national uprising that overthrew Saleh, but ultimately replaced him with Abdrabbuh Mansour Hadi, who had been Saleh’s vice president (and a Sunni Muslim backed by Saudi Arabia).

209. Much of Yemen’s army remained loyal to Saleh even after he was deposed, and he eventually joined forces with the Houthis and captured Yemen’s capital, Sanaa, in January 2015.

210. In March 2015, the Saudis attempted to prevent the Houthi-Saleh rebellion from consolidating control of the country and forged a coalition to back them that included the United Arab Emirates, Bahrain, and other traditional Saudi allies.

211. The war pushed the Houthis and Iran and Hezbollah closer together.

212. For more than a decade, the Houthis have evolved into an integral part of Iran’s Axis of Resistance. General Abdul Reza Shahlai, a deputy commander in the IRGC-QF

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<sup>54</sup> Shi’a Muslims are a minority within the Islamic world and Zaydis are a minority sect within Shi’a Islam, doctrinally different from the Ayatollahs who rule Iran. The *Zaydiyyah* take their name from Zayd bin Ali, the great-grandson of Ali, Muhammad’s son-in-law, who is revered by all Shi’a communities.

responsible for orchestrating the deaths of hundreds of U.S. service members in Iraq from 2004 to 2011, was dispatched to Yemen to work with the Houthis perhaps as far back as 2015, though the United States only confirmed his presence there in December 2019.

213. A Hezbollah military commander was similarly dispatched from Syria in 2015, and in October 2020, an IRGC-QF officer was appointed as Iran's ambassador to Yemen.

214. The Houthis rely on Iran and the Axis of Resistance to retain certain capabilities crucial to their continued success in Yemen, and they have long presented Iran with an opportunity to threaten Saudi Arabia's southern border and expand Iranian influence into the Red Sea.

215. The IRGC-QF smuggles key components for missiles and UAVs into Yemen, where the Houthis have been taught to assemble them locally.

216. On November 4, 2017, the Houthis fired a ballistic missile at the international airport in Riyadh. The Saudi Foreign Minister, Adel al Jubeir, called the attack an act of war by Iran. "It was an Iranian missile, launched by Hezbollah, from territory occupied by the Houthis in Yemen," he said.

217. In response to the attack, Saudi Arabia imposed a near-total blockade on Yemen.

218. After almost three years of brutal warfare, Saleh broke with the Houthis (again) and was killed shortly thereafter on December 4, 2017.

219. In 2018, Houthi missile attacks on Saudi Arabia became increasingly common.

220. The Houthis joined the Axis of Resistance's efforts against Israel on October 19, 2023, when they launched 19 cruise missiles and drones toward Israel. All but one was apparently intercepted by a U.S. navy destroyer.

221. On October 27 and 31, Israel intercepted several attack drones and an Iran-made Zolfagar Medium Range Ballistic Missile, which was intercepted by an Israeli Arrow 2 interceptor missile near Eilat.

222. The Houthis also launched at least eight salvos of cruise missiles and long-range explosive drones at Israel, focused on the southern port of Eilat.

223. In parallel to strikes on Israel, the Houthis attacked shipping and U.S. military vessels in the Red Sea.

224. On November 14, 2023, the Houthis escalated again by threatening to attack Israeli vessels in the Bab al-Mandab Strait and Red Sea.

225. On November 19, 2023, a helicopter-borne Houthi assault team and more than a dozen speedboats seized an Israeli-owned tanker called the Galaxy Leader.

226. On July 19, 2024, the Houthis launched a drone strike on Tel Aviv that killed one person and wounded more than a dozen other people.

227. The drone, named “Jaffa” by the Houthis, was an extended-range Iranian-made Sammad-3 drone that flew across Egypt, arriving from the west, over the Mediterranean coast to evade Israeli air defense systems.

**G. Iran Provided Material Support to the Popular Front for the Liberation of Palestine (PFLP)**

228. The Popular Front for the Liberation of Palestine (PFLP) is an FTO based in the Gaza Strip and the West Bank.

229. It combines Arab nationalism with Marxist-Leninist ideology, viewing the destruction of Israel as integral to the struggle to remove Western capitalism from the Middle East and ultimately establish a Communist Palestinian state in its place.

230. The PFLP is also part of the Palestine Liberation Organization and maintains a variety of front organizations for political and fundraising purposes, including Samidoun, a sham charity that serves as one of its most important international fundraisers.

231. The PFLP carried out attacks across the world during the 1970s and was actively involved in numerous terrorist attacks in Israel during the Second Intifada from 2000 to 2005, including suicide bombings.

232. On January 23, 1995, pursuant to Executive Order 12947, the PFLP was designated an SDT.

233. This designation made it illegal for any United States person or entity to engage in any unlicensed transactions or dealings involving the property or interests of the PFLP.

234. On October 8, 1997, pursuant to 8 U.S.C. § 1189 and by publication in the Federal Register, the United States Secretary of State designated the PFLP an FTO.

235. As a result of this designation, it became illegal for any person within the United States or subject to its jurisdiction to provide material support or resources to the PFLP.

236. The PFLP's designation as an FTO has remained in place since October 8, 1997.

237. On October 31, 2001, pursuant to Executive Order 13224, the PFLP was designated an SDGT.

238. The PFLP's designation as an SDGT has remained in place since October 31, 2001.

239. The U.S. State Department's yearly *Country Reports on Terrorism* from 2016 to its most recently published 2022 report, all state that Iran provides support to the PLFP, often specifying that the support included weapons and financing. Prior to October 7, the PFLP in Gaza placed itself under the overall command of Hamas as part of the so-called Joint Operations Room.

240. The PFLP's terror cells operating in PA-controlled territory (including Gaza), received funding and training from the IRGC and Hezbollah.<sup>55</sup>

241. In June 2021, a PFLP delegation, including its Deputy Secretary-General, Abu Ahmad Fouad (a/k/a Ahmad Muragha), attended the swearing in ceremony for the late Iranian president, Ebrahim Raisi.

242. Raisi stressed that "Iran stands with all its capabilities alongside the Palestinian resistance to achieve its goals."<sup>56</sup>

243. PFLP representatives also met with the Iranian ambassador to Syria in June 2023 to affirm its commitment to the "Axis of Resistance" and discuss continued Iranian support for the PFLP and their joint efforts against Israel and the United States.

244. On October 7, 2023, the PFLP posted several pictures on its official telegram channel, *Abu Ali Mustafa Brigades*. They showed PFLP operatives attacking Israeli targets.

245. The PFLP also issued the following statement:

Cells of the martyr Abu Ali Mustafa Brigades stormed several [military] points in the Gaza envelope and have inflicted verified losses in the Zionist ranks. The cells have returned safely to their bases, and other cells are operating in the field now to inflict more losses in the ranks of the occupation army troops and the herds of their settlers.

246. That same day the PFLP's terror apparatus, the so-called "Abu Ali Mustafa Brigades," also issued a statement:

"The Al-Aqsa flood" campaign is a campaign of the Palestinian people in all its resistance forces. In light of the heroic sights made possible by the heroes of the resistance inside the occupied lands...we in the Abu Ali Mustafa Brigades emphasize the following: We announce a state of

<sup>55</sup> See, e.g., <https://www.timesofisrael.com/shin-bet-pflp-terror-cells-with-ties-to-iran-hezbollah-busted-in-west-bank/>. Iran's financial support for the PFLP dates back more than a decade. See, e.g., Hazem Balousha, *Iran Increases Aid to PFLP Thanks to Syria Stance*, AL-MONITOR, Sept. 17, 2013.

<sup>56</sup> See <https://www.maannnews.net/news/2046837.html>. Around the same time, the PFLP held a military parade where its fighters displayed pictures of the late IRGC-QF commander Qassem Soleimani. See <https://www.alalam.ir/news/5630433/>. الجبهة الشعبية لتحرير فلسطين-تنظم-عرضا-عسكريا-في-غزة.

maximum mobilization within the ranks of our fighters, and we work on the field on the ground (sic) in several axes side by side the comrades of blood and arms. We stand with our brothers in the [Izz ad-Din] Al-Qassam Brigades and with all the resistance forces, and fight alongside them this campaign which will be noted in history. We call upon all resistance forces inside and outside of Palestine to take their positions in the trenches of confrontation which stretch now throughout all the area. Glory to the martyrs and victory to the resistance...<sup>57</sup>

247. On October 7, 2023, the PFLP's official website also posted the following statement:

On this day, the nature of the conflict and the dignity of the Arab nation are regained.... [the] PFLP calls the sons of our heroic people across Palestine to actively participate in the 'Al-Aqsa flood' campaign, each from his location and with whatever means he possesses, in order to bring an onslaught on the enemy's army and its settlers...and to hail attacks on them in every inch of the land of Palestine. The Front emphasized its call to all who carries arms, and especially the sons of the [PA] security forces to join in the campaign of the Palestinian people against its enemy and to position themselves in the natural place of every free Palestinian that fights to end the occupation....

248. The next day, the PFLP posted a video, "scenes from the storming of the martyr Abu Ali Mustafa Brigades' fighters into military installations of the enemy, east of Khan Younis [on the border with Israel]."

249. The U.S. government has confirmed that the PFLP was one of the terrorist organizations that "participat[ed] in the horrific attacks against Israeli civilians on October 7, 2023."<sup>58</sup>

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<sup>57</sup> Available at <https://tinyshorten.com/GovmW>.

<sup>58</sup> Press Release, *United States and Canada Target Key International Fundraiser for Foreign Terrorist Organization PFLP*, U.S. DEP'T OF THE TREASURY (Oct. 15, 2024), available at <https://home.treasury.gov/news/press-releases/jy2646>.

**H. The Iran Defendants Provided the Material Support Described Herein Through Their Officials, Employees, and Agents.**

250. The Iran Defendants provided the material support to the terrorist organizations, operatives and agents described herein through their officials, employees, and agents, as defined in § 1605A(a), who acted within the scope of his or her office, employment, or agency.

251. The IRGC is an agent of Iran, under its complete control.

**II. Iran Specifically Financed, Supported, And Approved the October 7 Attack.**

252. The massacres of October 7, 2023, and the ensuing conflict, were the culmination of a multigenerational terror campaign sponsored by Iran, implemented by the IRGC, and spearheaded by Hamas, intended as a first salvo in a final campaign to destroy the State of Israel.

**A. Hamas Begins to Emulate Hezbollah.**

253. Hamas seized full control of the Gaza Strip in 2007 from the Fatah-dominated Palestinian Authority (“PA”) using its Qassam Brigades and other paramilitaries to drive PA security services from the Strip.<sup>59</sup> It executed Fatah supporters after the 2007 takeover, raided the PA’s former offices, and suppressed all threat to its rule through murder, torture, and indefinite detention.

254. Hamas then began a transition from a terrorist organization whose operational capabilities were the product of Qassam Brigades terror cells operating under the overall command of the organization’s political leadership to an organization that controls territory and oversees a paramilitary organization capable of launching significant rocket attacks on Israel, and one ultimately able to perpetrate the October 7 Attack.

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<sup>59</sup> “Fatah” is a reverse acronym for the Arabic translation of the “Palestinian National Liberation Movement”—the largest Palestinian faction behind the PLO and the Palestinian Authority. Though virulently anti-Israel, its leadership initially supported the Oslo Peace Accords with Israel (which were opposed from the outset by Hamas and PIJ).



255. That transition was the product of: (1) Hamas's sole control of Gaza's territory following the Israeli government's withdrawal from Gaza in 2005, (2) lessons Hamas learned in successive smaller scale conflicts with Israel between 2009 and 2021, and (3) guidance and support from the IRGC-QF and Hezbollah, including significant financial support, tactical training, intelligence sharing, strategic planning, and the provision of new, advanced weapons to further threaten Israel.

256. Once Hamas gained full control of the Gaza Strip in 2007, it made concerted efforts to emulate Hezbollah's operational structures.

257. Like Hezbollah, Hamas had succeeded in subverting and ultimately taking over governmental functions, and like Hezbollah it had grown from a lethal terrorist organization operating with political and social infrastructure to a *de facto* governing authority with a near monopoly on force and concrete control of territory.

258. Hamas admiringly observed how Hezbollah had driven the IDF out of southern Lebanon in the late 1990s and established the nascent Radwan Force in the 2000s.<sup>60</sup> It also admired how, unlike Hezbollah's original Islamic Jihad Organization ("IJO") cells, the Radwan Force operated more like conventional army and special forces units, rather than terror cells.

259. Hamas's Qassam Brigades, then led by Ahmed Jabari (assassinated by Israel on November 14, 2012), Muhammad Deif, and Marwan Issa, watched these developments and began attempting to replicate the Radwan Force and build its own semi-conventional forces as a strategic offensive capability.

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<sup>60</sup> The Radwan Force is named in honor of the late Imad Mughniyeh, the long-time head of Hezbollah's IJO, who was assassinated in a joint U.S.-Israeli operation in 2008. Mughniyeh was known as "Hajj Radwan." The Radwan Force was likely responsible for kidnapping three Israeli soldiers in July 2006, which triggered the 2006 Lebanon War.

260. Emulating Hezbollah, Hamas began positioning military infrastructure in dense population centers and in (and under) schools and hospitals; using civilians as human shields for terrorist operatives (both to deter Israeli reprisals and to use the suffering of its own civilians to place diplomatic pressure on Israel); directing rocket and mortar fire against Israeli population centers; and conducting training exercises and public military displays both to improve the organization's operational readiness and as a propaganda tool to legitimize its rule.

261. In 2012, Israeli intelligence uncovered a Hezbollah plan (funded and supplied by the IRGC) whose objective was to seize and hold territory in northern Israel. The plan called for the Radwan Force to infiltrate from Lebanon into Israel (in part using undetected tunnels running beneath the Israeli-Lebanese border), enter Israeli communities, and establish defensive perimeters using Israeli civilians as human shields to withstand the IDF's counterattacks. The sheer ambition of the plan and the evidence that the IRGC-QF had approved its objectives, not only confirmed that Hezbollah was no longer content with using insurgent tactics to wage a low-intensity war with Israel along the Lebanese border, but also signaled Iran's willingness to escalate its "Ring of Fire" policy when opportunities presented themselves.

262. Yahya Sinwar took overall control of the leadership of the Qassam Brigades in 2012 in the Gaza Strip (Muhamad Deif and Marwan Issa remained its most senior operational commanders), and in late 2012, he paid a secret visit to Tehran.<sup>61</sup> Before then, Sinwar had been in Israeli prison from 1988 to 2011 until he was released<sup>62</sup> in the Gilad Shalit prisoner exchange.

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<sup>61</sup> In a speech delivered in Gaza on December 25, 2017, Sinwar described his 2012 visit and meeting with the late head of the IRGC-QF, Qassem Soleimani. See <https://www.youtube.com/watch?v=qiipX7h7Boo>.

<sup>62</sup> In January 1988, Sinwar was arrested and sentenced to four life sentences for murdering four Palestinians suspected of collaboration with Israel. In his statement before the military court, he said: "I ask that I be sentenced to death so that my blood will be the first to be spilled and I will be a torch for the mujahideen." See <https://web.archive.org/web/20171010104442/https://www.paldf.net/forum/showthread.php?t=602970>.

263. Sinwar and Hamas took note of Hezbollah's aspirations and growing capabilities, including Hezbollah's ambitious 2012 plan to infiltrate Israel.

264. Hamas's military continued to develop significant ground forces, an extensive tunnel network to conceal its rocket launchers, and command and control capabilities, all of which were in place well before 2014 fighting between Hamas and Israel in Gaza and Israel.<sup>63</sup>

265. In 2013, Hamas established a unit—the Nukhba (“elite”) Force built in the image of Hezbollah's Radwan Force—created to commit attacks in Israeli territory through the attack tunnels. The force, which originally numbered 5,000 operatives, would later lead the assault on Israel on October 7.

266. The Nukhba Force was trained intensively, and its recruits underwent religious indoctrination. Many of its commanders trained in Iran or in Hezbollah camps in Lebanon under the supervision of Qassem Soleimani and, after his death in 2020, under his replacement, Esmail Qaani (a/k/a Ismail Ghaani).

267. On February 13, 2017, Yahya Sinwar was elected head of Hamas's political bureau in Gaza (and re-elected in March 2021), effectively becoming Hamas's supreme leader in Gaza.

268. Shortly thereafter, in May 2017, Ismail Haniyeh was elected chairman of Hamas's Political Bureau and then relocated to Qatar, the site of Hamas's most important headquarters outside of Gaza. He replaced Khaled Mashal (longtime chairman of Hamas's Political Bureau), who was, in relative terms, on less friendly terms with the IRGC-QF.

269. With Sinwar leading Hamas in Gaza and Haniyeh leading Hamas's Political Bureau abroad, Hamas's coordination with and support from Iran, the IRGC, and Hezbollah intensified.

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<sup>63</sup> In July 2014, Israel launched Operation Protective Edge in response to Hamas's kidnapping and murder of three Israeli teenagers, including U.S. national Naftali Fraenkel.

270. Indeed, Hamas openly acknowledged the support it received from Iran. For example, in May 2019, in a speech delivered in Gaza, Yahya Sinwar admitted that “without the help from Iran with weaponry, we couldn’t have attained military capabilities... Iran supplied us with rockets and also supported us financially and technically in developing the rockets we used to bomb Tel Aviv. And this was during a time when the Islamic nation gave up on us. Therefore, we needn’t be condemned for our gratitude to Iran, it is our duty to thank whoever supports and helps us.”<sup>64</sup>

271. A few months later, the Qassam Brigades sent candidates for training, and academic and military education in Iran in fields including software, computer engineering and special forces training.

272. Members of a clandestine unit of the Qassam Brigades traveled from Gaza (through Egypt and Turkey) to Iran for special training supervised by the IRGC-QF in flying drones.

**B. Yahya Sinwar’s “Big Project” with Iran’s Axis of Resistance.**

273. Although the precise planning for October 7 was a tightly kept secret, the broader outlines of Hamas’s policy and its role within Iran’s “Axis of Resistance” was discussed openly years before the attack was launched.

274. It may be many years before a very clear picture of the precise unfolding of these events emerges, but it appears that Hamas, Hezbollah, and the IRGC pulled off a “double bluff” in planning the October 7 operation—deceiving Israel by openly stating their intentions in a way that convinced Israel that they were saber-rattling rather than carrying out a concrete plan of attack.

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<sup>64</sup> Ronni Shaked, *Hamas, the Road to 7th October 2023*, The Truman Research Institute for the Advancement of Peace, available at <https://israelbehindthenews.com/wp-content/uploads/2024/06/Chapter-4-Hamas-The-road-to-7th-October-2023-1.pdf>. See also <https://www.youtube.com/watch?v=GRZIPfKGf8>.

275. As noted above, in July 2018, Hamas established a Joint Operations Room in Gaza to coordinate with eleven resistance factions active in Gaza, including PIJ, PFLP, AAMB and the PRC. The Joint Operations Room united the disparate terrorist organizations operating in the Gaza Strip under one command and worked to coordinate their activities.

276. Since at least 2021, the IRGC-QF also oversaw the creation of a “Joint Operations Room” in Lebanon, where senior Hezbollah, Hamas, PIJ, and IRGC officials met and coordinated their efforts against Israel, often under the auspices of Muhammad Izadi, the now deceased IRGC-QF official who served as the head of the Palestinian Office of the IRGC-QF in Lebanon.

277. Hamas, Hezbollah, and the IRGC all knew that Israeli intelligence had extensive surveillance capabilities and had likely compromised their communications over the course of several years.

278. Therefore, total concealment of the October 7 operation from Israeli intelligence was effectively impossible.

279. The best way to disguise the October 7 operation as part of the “double bluff” was to publicly disclose meetings among Hamas, the IRGC-QF, and Hezbollah, to publicly mention the Joint Operations Room in Lebanon and to speak openly of a future decisive attack by the “Axis of Resistance” against Israel while at the same time, providing signals that the Axis of Resistance did not actually intend to engage in the very attack for which it was really preparing.

280. Starting in 2018, Hamas adopted a strategy of limiting its attacks against Israel, mixing seemingly civilian tactics (like rioting at the security fence line on the Gaza border) with low-intensity military tactics.

281. Hamas’s objective was to maintain low-level pressure on Israel without provoking a substantial Israeli response—a stance that gradually lulled Israeli intelligence and military

analysts into believing that Hamas wished to avoid a major conflict and was more interested in improving economic conditions in Gaza and maintaining its rule.

282. Israel therefore made a deliberate effort to target primarily PIJ when retaliating against rocket fire from the Gaza Strip and it used the Egyptian government as an intermediary to both warn and assure Hamas that it did not intend to escalate its operations against Hamas as long as Hamas did not take actions that would provoke a major response.

283. For example, at a press conference held on May 26, 2021, following a relatively contained confrontation with Israel in May 2021 (Operation Guardian of the Wall), Sinwar expressly and directly disclosed collaboration among the Axis of Resistance:

During the war we were in continuous contact with our brothers in the field, and in some of the special areas with the brothers in Lebanon [Hezbollah], and there was a high level of coordination, and we made it clear to our brothers in Lebanon, in Hezbollah and in the Guards [of Iran's Revolution] and other factors, that this [the round of confrontation in May 2021] only a message we are sending to the enemy, and this is not a real campaign, and we are sure that if this campaign develops, it will grow and strengthen, we are sure that there will be a real and active intervention of the resistance on all fronts.

We emphasize, I attended the meeting last night [May 25, 2021] and I was completely satisfied with this decision of Sheikh Hassan Nasrallah, may our Lord protect him by the will of Allah, the Sovereign of the Worlds, and we are fully certain that any attack on the holy places will be a real regional war against it [against Israel], and I have already described it [this scenario], by the will of Allah, the Sovereign of the Worlds, and we are sure that all of us, our entire [Palestinian] nation, our entire [Arab and Islamic] nation, all the active forces of our [Arab and Islamic] nation, all our resistance forces, and all the struggle and resistance forces will be [active] in the next campaign [against Israel] if Al-Aqsa Mosque will call us [for help] ... and if the enemy behaves stupidly, then he will find that things will get significantly worse... the barrages [rockets] launched [from Lebanon] and the [unmanned] aircraft that was launched [from Lebanon] were ***in full coordination between the resistance in Lebanon [Hezbollah] and between the resistance in the Gaza Strip [Hamas] and in joint action.***

There was also a high level of intelligence coordination, and we passed on to our brothers in Lebanon, in the Lebanese resistance and others [information that was] very useful in the intelligence effort and which also

served the resistance [ Hamas ] in its tactical moves in the Gaza Strip. The activity was a very good activity, and we have a very good horizon for the development of this activity. We clearly warned, we said that this was only a short promo, and if [ a significant event ] happens, by the will of Allah, the Sovereign of the Worlds, and Al-Sayed Nasrallah was honored and declared, ***there will be a regional war*** if our holy places are harmed, and this will lead to an open conflict, by the will of Allah.<sup>65</sup>

284. This kind of public statement served two purposes: to rally support for Hamas among the Palestinian public with a show of defiance to Israeli military action and to lull Israeli intelligence into believing that Sinwar was merely saber-rattling and exaggerating Hamas’s intentions.

285. In fact, Hamas was preparing for Sinwar’s “Big Project”—a multi-prong attack, coordinated with Hezbollah and the IRGC-QF, to annihilate the State of Israel.

286. To this end, Hamas held a conference in Gaza on September 30, 2021, under the banner “Ensuring the End of Days—Palestine After Liberation.” Its participants included senior Hamas leaders such as Yahya Sinwar, whose opening remarks to the conference explained:

The conference’s activities are in accord with our assessment that victory is near. ***The liberation of Palestine from the sea to the river is at the heart of our strategic vision, it is now closer than ever before.*** Towards that goal, we are hard at work and are making great efforts both above and below the ground, out at sea and in the skies.... we can see our independence flourishing and are therefore preparing for what will follow....”<sup>66</sup>

287. Again, the regularity of this type of apocalyptic rhetoric was likely intended to lull Israeli intelligence into the view that Hamas’s military buildup (*e.g.*, tunnels, rocketry, and training) was unremarkable—what mattered, instead, was that Hamas’s observable *conduct* reflected an aversion to major confrontation with Israel.

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<sup>65</sup> For more details see Halevi, Jonathan D., *From Hamas’s Point of View*, Jerusalem Center for Security and Foreign Affairs, <https://jcfa.org.il/article/from-the-point-of-view-of-hamas-october/> (last accessed October 20, 2024). [Arabic text translated into Hebrew, then English.]

<sup>66</sup> See text reported by THE PALESTINIAN PRESS AGENCY, Sept. 30, 2021, available at <https://safa.ps/post/313372>.

288. Sinwar’s “Big Project” to bring about the “End of Days” required both a steady stream of weapons and money from Qatar and Iran and other sources, as well as a special budget to plan and execute the attack outside of channels carefully monitored by Israeli intelligence. For this, he needed clandestine financial and logistical support from the IRGC-QF to supplement the substantial financial and logistical support already provided by Iran and Qatar to Hamas.

289. Hamas documents recovered in recent months illuminate the IRGC’s separate transfers of funds to Yahya Sinwar and Ismail Haniyeh for their personal use and discretionary allocation to the Qassam Brigades’ “projects.” Attached as **Exhibit 2** to the Complaint is a short report from Deputy Commander of the Qassam Brigades, Marwan Issa, to Yahya Sinwar itemizing dates and transfers of millions of dollars paid to Sinwar and Haniyeh from 2014 to 2020. As evidenced by the fact that Issa was providing the accounting, these payments to Sinwar reflect “off-budget” transfers made by the IRGC to his discretionary fund, largely for the benefit of the Qassam Brigades, but separate and apart of the regular funding streams provided to Hamas by the IRGC.

290. While the Iranian regime cherishes its own apocalyptic visions,<sup>67</sup> the financial support (and later, coordination and approval of the October 7 Attack) that the IRGC provided to Hamas was likely offered for more prosaic geopolitical reasons—namely, the expansion of Iran’s sphere of influence in the region, the coalescing of its Axis of Resistance alliance system, and Iran’s recognition that the destruction of the State of Israel (or at least its crippling) was a necessary prerequisite to Iran’s dreams of hegemony in the Middle East.

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<sup>67</sup> That vision involves the Hidden—or Twelfth—Imam, which plays a dominant role in Iran’s ruling Shi’a theology. In simplistic terms, this is a messianic belief that, when injustice and evil capture the world, the Hidden Imam (the Shi’a messiah or “Mahdi”) will appear to fight a violent apocalyptic battle between his forces against the infidels to unite the world under Islam. Rather than wait for the Mahdi’s return, Iran’s clerics view their role as preparing for his return by creating an Islamic civilization.



291. As Hamas regrouped after its latest round of fighting with Israel in May 2021, the broad outlines of its “Big Project” came into sharper focus, and Hamas’s relationship with Iran took on even greater importance.

292. According to a report by *The New York Times*, on October 12, 2024, Hamas documents recovered by the IDF first hint at the October 7 Attack in January 2022, “when the minutes [of the meeting] show that Hamas leaders discussed the need to avoid getting dragged into minor skirmishes to focus on ‘the big project.’ Israeli intelligence officers found that Hamas leaders repeatedly used the same phrase in similar contexts ....”<sup>68</sup>

293. But if the “Big Project” was truly to succeed—and receive not only backing from the IRGC-QF but also genuine coordination on multiple fronts—Hamas needed to repair its relationship with the Assad regime in Syria which was fully backed by Iran and Hezbollah.

294. As noted above, Hamas (a branch of the Sunni Muslim Brotherhood movement) had backed Muslim Brotherhood affiliates (armed Sunni terrorist groups) fighting against Hezbollah and the Assad regime during the Syrian civil war.

295. This created not only a rift between Hamas and the Syrian regime, but also fostered lingering distrust between Hezbollah’s leadership and Hamas, particularly distrust of Khaled Mashal’s faction within Hamas, which was perceived to be less enthusiastic about reliance on Iranian support for the organization.

296. Hamas, now led outside of Gaza by Haniyeh instead of Mashal, urgently wanted to improve ties with Damascus, to increase trust and coordination with Hezbollah, and to solidify its plan for the “Big Project.”

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<sup>68</sup> Bergman, R., Rasgon, A., Kingsley, P., *Secret Documents Show Hamas Tried to Persuade Iran to Join Its Oct. 7 Attack*, NEW YORK TIMES, Oct. 12, 2024, available at <https://www.nytimes.com/2024/10/12/world/middleeast/hamas-israel-war.html>.

297. In the meantime, Hamas continued its “double bluff” strategy. In an April 30, 2022, speech, Yahya Sinwar addressed Palestinian terrorists held in Israeli prisons, foreshadowing a conflict with Israel to release them:

And we say clearly, we made a firm and clear decision and according to which we, by the permission of Allah, may He be glorified and exalted, clean the prisons of all our Palestinian and Arab prisoners, and it will not last. The time for this, with the permission of Allah may he be praised and exalted. It won't take long for that, by Allah's permission he will be praised and exalted, and *all arenas are open [for a military confrontation with Israel], and there will be no red lines that prevent us from fulfilling our duty towards the prisoners*, at the will of Allah is the Lord of the world. We will not abandon you. We will not show weakness in regard to your rights, and we see ourselves, despite all that we have invested, as having failed [in the matter of the prisoners], but by Allah's will, the Lord of the World, our Lord will help us and enable us to fulfill our duty to you.<sup>69</sup>

298. Hamas documents recovered in Gaza also include a letter written a few weeks later by Ismail Haniyeh to key IRGC-QF commander Muhammad Said Izadi<sup>70</sup> (a/k/a Hajj Ramadan) on June 10, 2022. (**Exhibit 3** to the Complaint.) In that letter Haniyeh discusses a letter from Izadi describing Izadi's meeting with Hassan Nasrallah, Hamas leader Khalil al-Hayya, and another individual identified as “Abu Hamdan.” The subject of that meeting was resumption of Hamas's relationship with the Assad regime in Syria, referred to in the correspondence as “the decision.” Haniyeh states:

As soon as he returned from Lebanon, Brother Abu Usama [Khalil al-Hayya] updated me on the meeting and what occurred during the meeting, including a lengthy conversation and ideas that help build this connection,

<sup>69</sup> See Halevi, Jonathan D., *From Hamas's Point of View*, Jerusalem Center for Security and Foreign Affairs, available at <https://jcfa.org.il/article/from-the-point-of-view-of-hamas-october/>.

<sup>70</sup> In 2018, Israel's U.N. Ambassador stated that Izadi was spearheading the strengthening of ties between Hamas and Hezbollah and cited high-level meetings between Izadi and Saleh al-Arouri, the deputy head of Hamas's Political Bureau. The following year, the ambassador told the U.N. Security Council “with the help of Saleh al-Arouri, Hamas' deputy political chief, and Saeed Izadi, the head of the Palestinian branch of the Iranian Quds Force, Iran is trying to turn Judea and Samaria into a fourth military front against Israel.” Izadi was designated as an SDGT in 2019 because he “materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to, HAMAS.” Press Release, *Treasury Targets Wide Range of Terrorists and Their Supporters Using Enhanced Counterterrorism Sanctions Authorities*, U.S. DEP'T OF TREASURY (Sept. 10, 2019), available at <https://home.treasury.gov/news/press-releases/sm772>.

in a way that optimizes the situation we are all in, as we are all in the same boat. We are in the process of studying and deliberating what had been accomplished between you, at the level of the team that monitors the decision's implementation.

299. Haniyeh goes on to thank the IRGC-QF commander “for allocating a sum of five million dollars, which is to be sent to me, and I request that you inform me what I should send to the Brothers in Gaza, based on what you had mentioned to Brother Abu Usama [Khalil al-Hayya].”

300. Hamas documents recovered in Gaza also include a letter written by Ismail Haniyeh to Yahya Sinwar on September 24, 2022. (**Exhibit 4** to the Complaint.) In the letter, Haniyeh emphasizes Hamas's internal efforts to achieve a consensus to reconcile with the Assad regime in Syria—primarily to further cement relations with Hassan Nasrallah and Hezbollah, who backed Assad throughout the Syrian civil war.

301. Furthermore, the document describes Hamas's continuing efforts to normalize its relationship with the Assad regime in Syria, but notes that while the “the majority of the movement supports the decision,” there remained significant “noise” from some quarters within the organization that opposed the initiative. The letter emphasizes the need to “leave no room for excuses from brother Abu al-Walid [Khaled Mashal] and his group,” suggesting that Mashal and his faction within Hamas were obstructing Haniyeh and the Gaza leadership of Hamas. It goes on to criticize Mashal's motives:

We understand that Abu al-Walid's [Khaled Mashal] opposition [to normalization with the Assad regime] is based on personal issues and not substantive ones. If the Syrians would open the door for him, he will be running towards them. However, our current priority is to proceed with the decision and take the step of meeting with the Syrian president, in line with the proposal put forth by his Eminence, A-Sayyid [Hasan Nasrallah].

302. Haniyeh goes on to assert that Hamas was strengthening its ties with Russia and forming strong relationships with Algeria, while simultaneously maintaining its existing ties with Turkey, Qatar, and Egypt. He believed “restoring relations with Syria, *along with our strategic*

*partnerships with Iran and Hezbollah*, will significantly enhance the [Hammas] movement's position and balance of power. This approach leverages the [Hammas] movement's formidable military capabilities in Gaza and its growing presence in the West Bank."

303. Lastly, Haniyeh complains that his own funding streams from Turkey and Qatar have not been flowing reliably over the past four months and that the Qassam Brigades needs to work through the IRGC-QF commander, Muhammad Said Izadi, to facilitate more regular payment streams.

304. Shortly after this correspondence, in late October 2022, Khalil al-Hayya and senior Hamas spokesman in Lebanon Osama Hamdan formally met with Bashar al-Assad in Damascus. Al-Hayya said Assad was "keen on Syria's support to the Palestinian resistance" and called his visit a "glorious day."<sup>71</sup>

305. Another Hamas document recovered in Gaza includes a memorandum written by Marwan Issa to Yahya Sinwar and Khalil al-Hayya on December 18, 2022, after Hamas's relationship with the Syrian regime had been officially restored. (**Exhibit 5** to the Complaint.) Among other subjects, the memo lists various bullet points concerning Iran and Hezbollah:

- An agreement has been reached with Brother Abu Usama [Khalil al-Hayya] that it is *vital to visit the Brothers in the Hezb [Hezbollah] and the Iranian state*, in order to convey a clear message on the *future of the joint activities against the Zionist occupation*. We will, of course, update Abu al-Abd [Ismail Haniyeh] on this position, and the visit will need to be secret and urgent. Due to the sensitivity of this message, no one other than Abu al-Abd [Ismail Haniyeh] should be acquainted with the content of these meetings.
- It has been concluded that a clear message must be conveyed to A-Sayyid Hasan Nasrallah that if Iran or the resistance in Lebanon [Hezbollah] would face a war in the future, we, the Hamas Movement and the Al-Qassam, are fully prepared to participate, in full force, in those battles, as we hope that in such confrontations (the war), as a basic principle, *we'll turn that*

<sup>71</sup> Albert Aji and Bassem Mroue, *Militant Hamas group back in Damascus after years of tension*, ASSOCIATED PRESS, Oct. 19, 2022, available at <https://apnews.com/article/iran-bashar-assad-middle-east-hamas-hezbollah-ab2ffa-fa0bd5700425cc4781f4b35c26>.

*opportunity into a fateful confrontation with the occupation, with the intention of that confrontation spelling the end of the occupation, if Allah wills it.*

- Moreover, in that same message, if a confrontation erupts between us and the occupation on the future of Jerusalem and Al-Aqsa, and if an open confrontation results, in principle, *what is needed is for the Axis of Resistance to intervene, headed by the Hezb [Hezbollah] and the other factions (Iraq, Yemen, and Syria)*. It is up to the [Syrian Arab] Republic to decide whether to participate, and we haven't set this as a condition for it, but it is of paramount importance that the Hezb [Hezbollah] take an active role.
- Obviously, these messages should first be conveyed to A-Sayyid Hasan [Nasrallah], as well as to Hajj Esmail Qaani [head of the IRGC-QF] and to the head of the Guard [IRGC]. If possible, contact should be made with the Guide<sup>72</sup> so that he can be updated on this important position.
- Naturally, what we intend to achieve with this position is to create a true ally for the resistance and its axis, especially in the strategic matters tied to resisting the occupation. We don't mean the potential tactical confrontations, because not everyone needs to participate in such confrontations, which could occur vis-a-vis Iran or the resistance in Gaza [Hamas] (of the usual type).
- It was confirmed that in the context of this strategic overview and direction, the basic principle is that *we agree with our Brothers in Iran that financial support of at least 7 million per month will be approved*, over the course of the year, in order *to mobilize and prepare for these types of confrontations comfortably*. It would be good if Brother Abu Usama [Khalil al-Hayya] were to request that a 3-4 month advance payment be made, as an advance payment made with the first payment, in order to expedite the pace of preparations and our side's readiness.

306. The memorandum goes on to discuss various topics concerning coordination among the Qassam Brigades, Hezbollah, the IRGC, and other players within the "Axis of Resistance" on Hamas's "strike force" in southern Lebanon. It makes clear that Hamas's preparations and ultimate attack plans are deeply coordinated with (and substantially financed by) the IRGC and that the IRGC also mediated between disparate elements within its network of proxy groups.

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The Guide (*Murshid*) is a title given to the Iranian Supreme Leader.

307. While the plans for the “Big Project” and closer coordination with Hezbollah were proceeding, Hamas’s “double bluff” strategy continued as well. On January 5, 2023, an article published in *Palestine*, the official Hamas newspaper, *explicitly mentions the Joint Operations Rooms in Lebanon*, stating that “the people believe in the need to go to war in defense of the Al-Aqsa Mosque and its sanctity” and “have full and complete trust in the wisdom of the resistance leadership and its spearhead, the Al-Qassam Brigades and the joint [operations] room, in determining the nature of the response, its timing and place.... There is no doubt that the response will be on the scale of the crime... The campaign may be close, very close.”

308. On March 19, 2023, two months after publication of the article, Hassan Nasrallah met with Saleh al-Arouri, the deputy leader of Hamas in Lebanon, further drawing attention to the close ties between Hamas and Hezbollah.

309. A month later, on April 23, 2023, Azat Jamal (Ezzat Jamal), published an article on the official website of the Qassam Brigades stating that not only does the Israeli deterrence (against Hamas) no longer exist, but it will not be able to be restored in the foreseeable future in view of the strengthening of the “Axis of Resistance,” which consists of Iran, Hezbollah, the military coalition in the Gaza Strip led by Hamas, the Houthi regime in Yemen, and the military militias in Iraq and Syria.

310. From April to June 2023, Iranian leaders—including Ayatollah Khamenei and President Raisi—met publicly with Hamas and PIJ leaders in Iran and Syria to encourage further acts of terrorism against Israel.

311. While these public meetings were taking place, in May 2023, *secret* discussions also took place in Sidon, Lebanon, among a delegation of Hamas leaders, Hezbollah leaders, and the IRGC.

312. The Hamas delegation was headed by Saleh al-Arouri, and the IRGC delegation was headed by an IRGC operative based in Sidon, who was in charge of the armament file for the Palestinian factions inside Lebanon.

313. After al-Arouri reviewed the project, he had several follow up meetings with leaders of Hezbollah in the presence of Nasrallah.

314. According to documents seized by the IDF and disclosed by *The New York Times*, at a meeting in May 2023, Hamas leaders said that they wanted to commit the October 7 Attack by the end of 2023 because Israel had announced that it is developing a new type of laser that can destroy Hamas rockets more effectively than its current air defense system [Iron Dome and David Slingshot].<sup>73</sup>

315. This was followed up in June 2023, with a less clandestine meeting between IRGC-QF commander Esmail Qaani and Hamas leader Ismail Haniyeh and PIJ leader Ziyad Al-Nakhala in Tehran.

316. On June 19, 2023, Haniyeh also met with a delegation of high-level Iranian security and military officials.<sup>74</sup> Haniyeh, accompanied by Saleh al-Arouri and other Hamas figures, also met with the IRGC chief, Hossein Salami, and a number of his aides over a period of three days.

317. On June 21, 2023, Haniyeh publicly met with Iranian Supreme Leader Ayatollah Ali Khamenei.<sup>75</sup>

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<sup>73</sup> See Bergman, R., *et al.*, *Secret Documents Show Hamas Tried to Persuade Iran to Join Its Oct. 7 Attack*, NEW YORK TIMES, Oct. 12, 2024, available at <https://www.nytimes.com/2024/10/12/world/middleeast/hamas-israel-war.html>.

<sup>74</sup> See *Haniyeh meets with the Secretary General of the Supreme National Security Council in Iran*, AL QUDS, June 19, 2023, available at <https://www.alquds.com/en/posts/76699>.

<sup>75</sup> See *Iranian state media confirm meeting between Khamenei, Hamas' Haniyeh in Tehran*, REUTERS, Nov. 5, 2023, available at <https://www.reuters.com/world/middle-east/iranian-state-media-confirms-meeting-between-khamenei-hamas-haniyeh-tehran-2023-11-05>.



318. Hamas's "double bluff" strategy continued following this meeting with a June 22, 2023, article in the official Hamas newspaper *Palestine* specifically stating that the Axis of Resistance members were coordinating and training in southern Lebanon and Gaza:

The Axis forces [the resistance] continue to gain strength and are ready for the zero-hour confrontation with Zionist terrorism, and it is possible that the military training conducted by the Axis forces of the resistance in southern Lebanon and Gaza proves that the desire for victory rooted in the thinking and way of the resistance organizations, which work in high coordination among its components. This is what the leadership of the occupation state fears, [as reflected] in the recent military trainings [of the IDF] from the invasion of Hezbollah's al-Radwan brigade into occupied northern Palestine, and from dealing with this danger, and the continued strengthening of joint coordination between the Palestinian resistance organizations through the joint operations room and its performance at a high level on the ground, we can say that the formation of the resistance axis is a strong confirmation that the resistance cannot be eliminated by force, since it has become an ingrained phenomenon in Islamic reality, and it cannot be ignored or eliminated by force of arms, since the future belongs to it. And she will fight until victory."<sup>76</sup>

319. Starting no later than August 2023, IRGC-QF commanders used the Joint Operations Room in Beirut to conduct biweekly planning meetings with Hamas, PIJ, Hezbollah, and other Iranian-backed terror groups. Iran's foreign minister Hossein Amir-Abdollahian attended at least two of these meetings.<sup>77</sup>

320. On August 13, 2023, Hassan Nasrallah met publicly with Hamas and PIJ officials.

321. While these meeting were genuine, it is unlikely that they directly involved planning the "Big Project" because the discussions included Abdollahian (who was unlikely to be

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<sup>76</sup> See Halevi, Jonathan D., *From Hamas's Point of View*, Jerusalem Center for Security and Foreign Affairs, available at <https://jcpa.org.il/article/from-the-point-of-view-of-hamas-october/>.

<sup>77</sup> See Summer Said, *Iran Helped Plot Attack on Israel Over Several Weeks*, WALL STREET JOURNAL, Oct. 8, 2023, available at <https://www.wsj.com/world/middle-east/iran-israel-hamas-strike-planning-bbe07b25>; see also *500 Hamas, PIJ terrorists trained for October 7 attack in Iran last month – report*, TIMES OF ISRAEL, Oct. 25, 2023, available at <https://www.timesofisrael.com/500-hamas-pij-terrorists-trained-for-october-7-attack-in-iran-last-month-report>; Emanuel Fabian, *IDF says Iran directly aided Hamas before assault*, TIMES OF ISRAEL, Oct. 25, 2023, available at [https://www.timesofisrael.com/liveblog\\_entry/idf-says-iran-directly-aided-hamas-before-assault](https://www.timesofisrael.com/liveblog_entry/idf-says-iran-directly-aided-hamas-before-assault).



included within the small, trusted group involved in operational planning) and PIJ operatives who, while trusted to participate in the execution of the plan, were also not within the Qassam Brigades' inner circle of trust.

322. By this time, having bankrolled the "Big Project" and solidified the coordination between the Gaza leadership of Hamas and Hezbollah, the IRGC was prepared to approve the operation and final preparations for it, but proposed some tactical modifications, including the introduction of gliders into the attack plan.

323. After obtaining the green light from the IRGC-QF, al-Aroui was appointed as an intermediary to deliver messages between the parties face-to-face in Lebanon to avoid using electronic communication about the operation and its planning, and he also began making periodic visits to Iran to hold further face-to-face discussions to implement the operation.

324. Under the auspices of the IRGC-QF, 50 Hamas operatives began an intensive 40-day training program in Lebanon on August 5, 2023, to learn how to use gliders in combat operations. The training operations took place in the village of Hawsh al-Qanaba, located in the Bekaa Valley. The training exercises were supervised by Hezbollah, and Hamas was represented by Muhammad Sinwar, Yahya Sinwar's brother and one of the current surviving leaders of Hamas.

325. To cover for its increased tempo of activity and maintain the illusion that its detectable training exercises were all part of Hamas's inflammatory rhetoric (intended for domestic consumption), Hamas published an article in *Palestine* on August 19, 2023, warning:

The total war and the concerns of the occupation. With the passage of time, the dangers and threats in the environment of the Israeli occupation entity have intensified and the concerns become visible about the outbreak of a conflict or a total war... against the background the rapid changes in this arena, and the unprecedented developments in the various arenas in Palestine, Lebanon, Syria, Iraq, Yemen, and Iran, which became more capable of creating a deterrence equation in a confrontation with the enemy, after these fronts succeeded in developing capabilities in the field of

training, arming, and intelligence effort... the timing and circumstances of this campaign depends on the leadership of the resistance, which is prepared to choose the timing and the circumstances that serve the great goals that the resistance seeks to achieve, first of all the inflicting the greatest defeat on the Israeli enemy, which will push him to stop his occupation of Palestine in the Arab lands once and for all.<sup>78</sup>

326. On August 25, 2023, Hezbollah's *Al-Mayadeen* television channel broadcast an extensive interview with Saleh al-Arouri, the deputy leader of Hamas, where he presented his assessment of Hamas's relations with Israel, the preparations for an all-out confrontation against it in coordination with the Axis of Resistance, and the expected nature of the campaign.

***The all-out war has become an unavoidable issue, and we believe it is necessary, we want it.*** We, the resistance, the axis of the resistance, [Arab and Islamic] peoples, the Palestinian people, the [Islamic] nation want this all-out campaign. We do not talk about it [about the war] in public. We discuss it in closed rooms.

***We meet with everyone. The components [partners to] the overall campaign, and we all discuss it.*** We discuss its scenarios and its potential, and we are convinced that we can ... for sure, defeat them... We are convinced that this [Israeli] entity, honestly, if it starts an all-out conflict, its airspace will be closed, and IT will not be able to live without electricity, the sea will be closed to it, without communication, [and in a state of] curfew, the wheels of the economy will stop in an open campaign whose end is unknown. We can do all this [mentioned above]. All resistance forces can do this to change this situation, a real change.<sup>79</sup>

327. Hassan Nasrallah met with Saleh al-Arouri again on September 2, 2023. Four days later, al-Arouri gave an interview to *Al Jazeera* again expressing the view that a decisive confrontation with the enemy was imminent.

328. On September 2, 2023, Hamas also published an article on the official website of the Qassam Brigades warning of "the possibility that the enemy will launch a new aggression, one

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<sup>78</sup> See Halevi, Jonathan D., *From Hamas's Point of View*, Jerusalem Center for Security and Foreign Affairs, available at <https://jcfa.org.il/article/from-the-point-of-view-of-hamas-october/>.

<sup>79</sup> *Id.*

of the manifestations of which will be the assassination of the leaders of the resistance [ Hamas ] inside [ Palestine ] or outside [ Palestine ]” and warning that this would lead to “a severe reaction on the part of the Palestinian resistance, and may develop into the entry of other fronts into the front line, such as ( Syria, Lebanon ), and it is possible that other fronts will join in their wake.”

329. That same day, Nasrallah also met publicly with one of the leaders of the PFLP.

330. Two weeks later, on September 15, 2023, leaders of Hamas, PIJ and the PFLP met publicly in Beirut.

331. While these public threats were being issued, between September 10 and 20, 2023, senior leaders of Hezbollah and Hamas met with the IRGC in Nabatiyeh, at a villa used as a Hezbollah safe house. Those in attendance included:

- Talal Hamiyah, a senior member of Hezbollah’s Islamic Jihad Organization;
- Marwan Issa, the deputy commander of the Qassam Brigades in Gaza; and
- Mohammed Pakpour, Commander in Chief of the IRGC Ground Forces.

332. The meeting was held to finalize the operational details of, and develop the necessary plans to ensure proper coordination during, the October 7 Attack.

333. On September 23, 2023, leaders of the PFLP, Hamas and PIJ met again publicly in Beirut.

334. *The Wall Street Journal* has reported that meetings in the Joint Operations Room in Beirut culminated with an October 2 meeting in which Iran provided the green light for Hamas, PIJ, and the other Iran-backed groups to launch the pre-planned attack against Israel, using Iranian intelligence, training, and military supplies.<sup>80</sup>

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<sup>80</sup> See Summer Said, *Iran Helped Plot Attack on Israel Over Several Weeks*, WALL STREET JOURNAL, Oct. 8, 2023, available at <https://www.wsj.com/world/middle-east/iran-israel-hamas-strike-planning-bbe07b25>; see also Jonathan Schanzer, *Iran-Hezbollah Intelligence Center May Help Hamas Target Israel*, FOREIGN POLICY, Sept. 13,

335. While it is conceivable that the “green light” was given at this meeting, it is more likely that the discussions leading to the finalization of the plan were not discussed in consultation with PIJ operatives—who would have been attending the meeting, but (again) were not within the Qassam Brigades’ inner circle—and that the “green light” was given by the IRGC a few weeks earlier.

336. Also on October 2, 2023, PIJ publicly mounted a training exercise on the occasion of “Martyrs are the Harbingers of Victory” day, followed two days later by a military parade in commemoration of its 36<sup>th</sup> anniversary as a terrorist organization in the Gaza Strip. Whether intentionally or not, the flurry of PIJ activity in the days before the October 7 Attack, likely served as a smokescreen concealing Hamas’s final preparations for the assault.

337. When, in the early morning of October 7, 2023, Hamas led the Iranian-financed-and-approved attack against Israel, killing, kidnapping, and injuring Plaintiffs, among hundreds of others, Hamas apparently did not fully follow the agreed upon coordinated plan approved by the IRGC because neither Hezbollah nor the IRGC-armed and -trained Qassam Brigades operatives in Lebanon attacked northern Israel in force on October 7 as “the Big Project” envisioned.

338. Whether Hamas’s action was motivated by a desire to “get a jump” on its allies and claim more of the glory or was necessitated by pressing operational considerations—such as fear of imminent discovery—the October 7 Attack was unquestionably financed and coordinated by Iran.

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2022, available at <https://foreignpolicy.com/2022/09/13/iran-hezbollah-hamas-israel-beirut-lebanon-intelligence-sharing-center>; Paul Kirby, Israel faces ‘long, difficult war’ after Hamas attack from Gaza, BBC, Oct. 8, 2023, available at <https://www.bbc.com/news/world-middle-east-67044182>; Shay Khatiri, *Why It’s Obvious Iran Approved Hamas Attack*, WALL STREET JOURNAL, Oct. 17, 2023, available at <https://www.wsj.com/articles/why-its-obvious-iran-approved-hamas-attack-khamenei-nuclear-deal-f394c477>.

### III. The October 7 Attack.

339. On Saturday, October 7, 2023, Hamas launched Operation al-Aqsa Flood.

340. For the largely Jewish population of Israel, October 7, 2023, was the Sabbath and the Jewish holiday of Simchat Torah, a festive day that celebrates the conclusion of the yearly readings of the Torah. It was also the 50th anniversary of the Yom Kippur War.

341. At approximately 6:30 a.m., Hamas and PIJ terrorists fired thousands of rockets and unleashed mortar fire from Gaza into Israel. According to the IDF, approximately 5,000 rockets were fired at Israel during the October 7 Attack, with approximately 4,000 fired within the first four hours.

342. The rockets and mortars largely targeted the civilian population in a variety of locations throughout southern Israel. Within the first few minutes of the October 7 Attack, alert sirens sounded in approximately 30 Israeli communities near the Gaza border. These southern communities, including the cities of Ashkelon, Ashdod, and Sderot, were the primary targets. But explosions were recorded as far away as Herzliyya and Tel Aviv to the north of Gaza and the Bedouin village of al-Bat to Gaza's east, where rockets killed five people.

343. In accordance with the plan agreed to with the IRGC-QF, Hamas also launched unmanned drones carrying incendiary weapons and fired additional projectiles at military posts located along the Gaza-Israel border.<sup>81</sup> The goal was to disable the IDF's surveillance equipment and capabilities—its first line of defense along the border with Gaza.

344. Shortly after 6:30 a.m., under the cover of rocket fire, Hamas-led terrorists breached the fence between the Gaza Strip and Israel in approximately 30 locations using explosives,

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<sup>81</sup> Several "Shahab" explosive-laden drone models, likely based on the Iranian military design of its "Ababil-2" drones were deployed by Hamas on October 7.

bulldozers, tractors, wire cutters, and other means. All told, there were more than one hundred breaches of the border fence during the October 7 Attack.

345. Heavily armed terrorists entered Israel on foot or using pickup trucks, motorbikes, and other vehicles.

346. Other Hamas operatives, utilizing their prior training with the IRGC-QF in Lebanon, breached the defensive perimeters of nearby kibbutzim using paragliders, following the operational plans developed in coordination with the IRGC-QF.<sup>82</sup>

347. Other Hamas commandos landed by sea at Zikim beach in southern Israel.

348. The Hamas-led terrorists were armed with automatic rifles, extensive ammunition, and rocket-propelled grenades (RPGs), anti-tank weapons, and more.

349. Some terrorists wore fatigues to resemble Israeli army uniforms or were dressed like Israeli police to confuse Israeli security forces and civilians.

350. Some carried radios for communication and zip ties to restrain hostages.

351. Some wore “Go-Pro” or other body cameras that allowed them to capture video footage of the horrific acts they committed that day.

352. Over the course of October 7, approximately 3,800 Hamas-led terrorists—including from Hamas’s Qassam Brigades, PIJ’s Quds Brigades, and the PFLP’s Abu Ali Mustafa Brigades, the PRC, and AAMB—crossed through the border fence. An additional 2,200 Gazans also crossed over, some of them to participate in looting and acts of sadism or simply to witness and celebrate the horror.

353. Large groups of attackers targeted specific towns and villages (listed from south to north): Holit, Sufa, Nir Itzhak, Pri Gan, Talmei Yosef, Mivtachim, Yesha, Amioz, Magen, Nir Oz,

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<sup>82</sup> These appear to have been single/double crewed paramotor gliders.

Nirim, Ein Hashlosha, Kissufim, Re'im, Be'eri, Alumim, Nahal Oz, Kfar Aza, Mefalsim, Yachini, Nir Am, Sderot, Netiv Ha'asara, Karmia, Zikim beach, and Ofakim, as well as public spaces and outdoor festivals, such as the Supernova music festival near kibbutz Re'im and the Psyduck music festival located between Nirim and Nir Oz.

354. Ofakim was the easternmost town attacked on the ground that day.

355. Other terrorists focused their attacks on Israeli military installations. Terrorists attacked the Re'im army base, which is the headquarters of the IDF's Gaza Division, taking control of the base before the IDF repelled them later on October 7.

356. They also attacked the army base at Nahal Oz, killing more than 60 Israeli soldiers and taking six as hostages.

357. Hamas also attacked military posts at key crossing sites, including at the Erez checkpoint, in the north of Gaza, and the Kerem Shalom crossing, located near Israel's border with Egypt.

358. They also attempted to take over the base in Zikim, the site of the amphibious landing.

359. Terrorists also laid ambushes on key roads leading from areas of Israel near the Gaza border and targeted arriving Israeli Security Forces, including positions at junctions along Road 232 where they ambushed civilians trying to escape and shot at medical transport and security forces.

360. The horror of the October 7 Attack has been widely reported. Hamas-led terrorists tried to murder as many people as they could. They infiltrated communities shooting at anything that moved, killing and wounding men, women, children, and babies. Some people were killed in sprays of machine gun fire; others were executed at close range. The terrorists used grenades to

kill en masse and burned victims alive. They lit homes on fire, where people suffocated and burned in their safe rooms. They tortured and committed sexual violence against women and girls including rape, assault, and mutilation. They beheaded the living and the dead, sometimes laughing while doing so. They looted and burned homes, destroying entire communities. On the roads, terrorists killed people in their cars and in the street. Cars riddled with bullets and burned from RPGs and anti-tank weapons littered the roads.

361. Some survivors witnessed their loved ones being killed, wounded, or tortured, as they too were fearful for their own lives. People hid in their saferooms, in public shelters, under dead bodies, and wherever else they could. For the duration of the October 7 Attack, they were gripped with horror that they would also be killed, tortured and/or kidnapped. The extreme mental anguish of their experience will be with them forever. Even those who were not present were filled with the horror of what was happening to their family members, sometimes communicating by cell phone with those under siege. More than one year later, the horror of the October 7 Attack still haunts the survivors.

362. According to the U.S. Secretary of State, after reviewing some of the footage and pictures from the day: “It’s hard to find the right words. It’s beyond what anyone would ever want to imagine, much less, God forbid, experience ... A baby, an infant, riddled with bullets. Soldiers beheaded. Young people burned alive. I could go on, but it’s simply depravity in the worst imaginable way.”<sup>83</sup>

363. The Hamas-led terrorists also took hostages to use as a bargaining chip for the release of prisoners in Israeli jails. In all, 251 people from Israel were captured during the October

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<sup>83</sup> Shannon C. Crawford, *Blinken describes images of Hamas attack victims, pledges, US support on trip to Israel*, ABC News, Oct. 12, 2023, available at <https://abcnews.go.com/International/blinken-meets-hamas-attack-survivors-pledges-us-support/story?id=103925374>.



7 Attack and brought to Gaza, including women, very young children, the elderly, and the bodies of victims murdered on October 7.

364. As of the filing of this Complaint, 97 hostages from October 7 remain unaccounted for, including four Americans believed to be alive, and the bodies of four Americans who were murdered, including Itay Chen, whose estate and family members are Plaintiffs.

#### **IV. Iran’s “Ring of Fire” and the Multiple Conflicts That Resulted from the October 7 Attack.**

365. Fighting continued inside Israeli territory on October 8 as the IDF fought the remaining Nukhba Force operatives even after the main assault had stalled.

366. At the same time, Hezbollah joined the fray by firing anti-tank guided munitions (ATGMs), rockets, drones, missiles, and other standoff weapons at Israeli military and civilian targets, killing and wounded many, including Omer Balva, whose estate and family are Plaintiffs, and forcing more than 50,000 Israelis to flee their homes.

367. Between October 7, 2023, and August 18, 2024, the average Hezbollah strike occurred about 3 km into Israel. Between August 18 and the beginning of September, the average depth of a Hezbollah strike was approximately 4 km. During the week of September 22, the average depth of a Hezbollah strike was 28 km.

368. However, neither the Radwan Forces, nor the Qassam Brigades stationed in Southern Lebanon, crossed the border in force as originally agreed upon.

369. The IRGC-QF likely did not initiate that contemplated ground assault into northern Israel because they were caught off guard by Hamas’s unilateral decision to initiate the “Big Project” on its own timetable.

370. Instead, for 10 months, Hezbollah (and to a lesser extent Hamas’s forces in Lebanon) struck northern Israel on a daily basis “in solidarity” with Hamas in Gaza, and the

Houthis in Yemen have launched missiles and drones at Israel periodically, but without risking a full-scale war with Israel.

371. In response to the October 7 Attack and the taking of over 200 hostages by Hamas, Israeli ground operations in the northern Gaza Strip began on October 27, 2023, with advances along three axes: a southward drive along the western coast toward al Shati camp, a southwestward drive into Beit Hanoun, and a westward drive from Juhor ad Dik to the western coast, thereby cutting the Gaza Strip in half and isolating the northern Strip from the southern Strip.

372. Hamas began a delaying operation in which it sought gradually to trade space for the time in which it expected that international pressure and domestic pressure to liberate the hostages would force Israel to suspend operations.

373. For the past year, the IDF has engaged in violent confrontations with Hamas, PIJ, PFLP, AAMB, and PRC operatives seeking to inflict casualties on Israeli forces in the Gaza Strip.

374. To date, over 700 IDF soldiers, including several dual American-Israeli citizens, have been killed and many more injured (often severely injured) and many of the hundred or more hostages held by Hamas and its co-conspirators, some of them U.S. citizens, have been murdered by their captors.

## **V. The Plaintiffs Were Harmed by Defendants' Conduct.**

### **A. The Weiser Family**

375. Roey Weiser was a citizen of the United States and a resident of the State of Israel when he was murdered by Hamas on October 7, 2023. He was 21 years old.

376. Roey was on his base guarding the Erez Crossing into Gaza. The Erez Crossing is a border crossing between the Gaza Strip and Israel, located at the northern end of the Gaza Strip

between the Israeli kibbutz<sup>84</sup> of Erez and the Palestinian town of Beit Hanoun. That crossing is a place where food and goods are regularly transported into Gaza, and where thousands of Gazans come and go to work in Israel or for medical care.

377. Early in the morning of October 7, 2023, Hamas terrorists breached the Erez Crossing.

378. Although Roey was not on guard at the time, he leapt into action. One of two commanders at the outpost, he assigned soldiers to positions, provided updates on the situation, and ensured that as many non-combatant soldiers as possible reached the security room.

379. Seeing that his comrades were not reaching the security room because they were pinned down by attacking Hamas terrorists, he conceived of a daring maneuver to outflank the terrorists.

380. He led three soldiers out of cover and traveled under fire to join additional soldiers to draw fire away from their other comrades.

381. For more than one hour, Roey and his comrades fought a fierce battle against Hamas terrorists, killing dozens of them.

382. Running low on ammunition, Roey and his comrades decided to retreat to the safe room area, but Hamas terrorists ambushed them along the way, killing Roey.

383. Thanks to Roey's tactical thinking and his heroism, at least 12 of his fellow soldiers were saved.

384. Roey's parents, Naomi Feifer-Weiser and Yisrael Weiser, bring this action on behalf of the Estate of Roey Weiser.

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<sup>84</sup> A kibbutz refers to a community in Israel where historically, all wealth was held in common and profits were reinvested in the community. Many kibbutzim have moved toward a more privatized approach, but continue to maintain a shared and family-oriented lifestyle.

385. Plaintiff Naomi Feifer-Weiser also brings this action individually. She is a citizen of the United States and is a resident of the State of Israel. She is the mother of Roey Weiser.

386. Plaintiff Yisrael Weiser also brings this action individually. He is a citizen of the United States and a resident of the State of Israel. He is the father of Roey Weiser.

387. Plaintiff Shani Weiser is a citizen of the United States and is a resident of the State of Israel. She is the sister of Roey Weiser.

388. Plaintiff Nadav Weiser is a citizen of the United States and is a resident of the State of Israel. He is the brother of Roey Weiser.

389. As a direct and foreseeable result of the October 7, 2023, attack, the Plaintiff Estate of Roey Weiser suffered conscious pain and suffering and economic loss.

390. Plaintiffs Naomi Feifer-Weiser, Yisrael Weiser, Shani Weiser, and Nadav Weiser have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the death of Roey Weiser.

**B. The Morell Family**

391. Maoz Morell was a citizen of the United States and a resident of the State of Israel when he was murdered by Hamas. He was 21 years old.

392. In April 2022, Maoz was drafted into the IDF's elite Paratroopers Brigade's reconnaissance unit.

393. On October 7, 2023, Maoz was on holiday from the IDF. As soon as he learned of Hamas's attack on Israel, he collected his army equipment and rushed to the fighting underway in Re'im—the site of the Supernova music festival and a kibbutz of the same name, both of which were under heavy attack from Hamas terrorists.

394. Maoz was relocated to Gaza, where he fought for seven weeks. During that time, he was only able to call home once. The voicemail he left for his mother spanned 11 seconds, and

said: “Hi Mommy, it’s Maoz. Everything is *sababa* [Hebrew slang for great]. That’s it. I’ve updated you.”

395. Maoz was injured on February 15, 2024, while fighting in the southern Gaza Strip. He and his unit were positioned in an evacuated house when Hamas terrorists threw a grenade inside one of the rooms, injuring many of the soldiers situated there. Maoz, who was in a different room, immediately entered the room under attack and started administering medical support to the wounded.

396. Once Maoz provided whatever support he could, he went up to the roof to assist those engaged in active combat with the Hamas terrorists on the ground who were continuing to attack.

397. An IDF tank providing cover fired at one of the buildings where the Hamas terrorists were located. The blast dispersed fragmentation, a large piece of which struck Maoz in his head, critically injuring him.

398. While Maoz was in the hospital, hundreds of his friends came to visit him. His parents were told there was no hope for his recovery, but Maoz lived until February 19, 2024, when he succumbed to his wounds.

399. Maoz’s parents, Varda and Eitan Morell, bring this action on behalf of the Estate of Maoz Morell.

400. Plaintiff Varda Morell also brings this action individually. She is a citizen of the United States and is a resident of the State of Israel. She is the mother of Maoz Morell.

401. Plaintiff Eitan Morell also brings this action individually. He is a citizen of the United States and is a resident of the State of Israel. He is the father of Maoz Morell.

402. Varda and Eitan Morell also bring this action on behalf of their minor child, E.E.M. E.E.M. is a citizen of the United States and is a resident of the State of Israel. He is the brother of Maoz Morell.

403. Varda and Eitan Morell also bring this action on behalf of their minor child, C.M. C.M. is a citizen of the United States and is a resident of the State of Israel. She is the sister of Maoz Morell.

404. Plaintiff Shachar Yehuda Morell is a citizen of the United States and is a resident of the State of Israel. He is the brother of Maoz Morell.

405. Plaintiff Mordechai Eliezer Menachem Morell is a citizen of the United States and is a resident of the State of Israel. He is the brother of Maoz Morell.

406. Plaintiff Dov Yerachmiel Morell is a citizen of the United States and is a resident of the State of Israel. He is the brother of Maoz Morell.

407. As a direct and foreseeable result of the February 15, 2024, attack, the Plaintiff Estate of Maoz Morell suffered conscious pain and suffering and economic loss.

408. Plaintiffs Varda and Eitan Morell, E.E.M., C.M., Shachar Yehuda Morell, Mordechai Eliezer Menachem Morell, and Dov Yerachmiel Morell have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the death of Maoz Morell.

**C. The Leiter Family**

409. Moshe Yedidyah Leiter was a citizen of the United States and a resident of the State of Israel when he was killed by Hamas on November 10, 2023. He was 39 years old.

410. Moshe Leiter was a father of six children. He served in the IDF until he was 33, when he retired from active duty as a Major. He then entered medical school and completed his studies in August 2023, and was scheduled to begin hospital residency on October 8, 2023, the day

after the October 7 Attack. At the time of his death, he was serving as a company commander in the reserves.

411. Moshe Leiter and three other IDF reservists were murdered by a Hamas booby trap in the Beit Hanoun area of Gaza while inspecting a tunnel entrance.

412. Plaintiff Jay Michael (Yechiel) Leiter is a citizen of the United States and is a resident of the State of Israel. He is the father of Moshe Leiter.

413. Plaintiff Chana Leiter is a citizen of the United States and is a resident of the State of Israel. She is the mother of Moshe Leiter.

414. Plaintiff Neriya Dov Leiter is a citizen of the United States and is a resident of the State of Israel. He is the brother of Moshe Leiter.

415. Plaintiff Sara Bracha (Leiter) Attias is a citizen of the United States and is a resident of the State of Israel. She is the sister of Moshe Leiter.

416. Plaintiff David Elimelech Leiter is a citizen of the United States and is a resident of the State of Israel. He is the brother of Moshe Leiter.

417. Plaintiff Sophia (Leiter) Redler is a citizen of the United States and is a resident of the State of Israel. She is the sister of Moshe Leiter.

418. Plaintiff Samuel Yair Leiter is a citizen of the United States and is a resident of the State of Israel. He is the brother of Moshe Leiter.

419. Plaintiff Noam Elisha Leiter is a citizen of the United States and is a resident of the State of Israel. He is the brother of Moshe Leiter.

420. Plaintiff Amikam Tzion Leiter is a citizen of the United States and is a resident of the State of Israel. He is the brother of Moshe Leiter.

421. Plaintiffs Jay Michael (Yechiel) Leiter, Chana Leiter, Neriya Dov Leiter, Sara Bracha (Leiter) Attias, David Elimelech Leiter, Sophia (Leiter) Redler, Samuel Yair Leiter, Noam Elisha Leiter, and Amikam Tzion Leiter have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the death of Moshe Leiter.

**D. The Balva Family**

422. Omer Balva was a citizen of the United States and a resident of Montgomery County, Maryland, when he was murdered by Hezbollah on October 20, 2023. He was 22 years old.

423. Omer was recalled to Israel from his home in Maryland, shortly after Hamas's attack on October 7, 2023. Before his flight, he bought supplies he knew the soldiers in his unit might need, including knee pads, elbow pads, and earmuffs. Omer and his childhood friend spent Omer's last night in Maryland packing a duffel bag full of gear.

424. On Friday, October 20, 2023, Omer was killed at Netu'a, a moshav<sup>85</sup> in northern Israel near the Lebanese border, after being struck by an antitank missile fired by Hezbollah from Lebanon. Omer's unit was located approximately two miles from the Lebanon border at the time.

425. Omer's parents, Eyal Balva and Sigalit Balva, bring this action on behalf of the Estate of Omer Balva.

426. Plaintiff Eyal Balva also brings this action individually. He is a citizen of the United States and is a resident of the State of Maryland. He is the father of Omer Balva.

427. Plaintiff Sigalit Balva also brings this action individually. She is a citizen of the United States and is a resident of the State of Maryland. She is the mother of Omer Balva.

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<sup>85</sup> A moshav refers to an Israeli cooperative farming village.



428. Plaintiff Shahar Balva is an Israeli citizen and a resident of the State of Maryland. She is the sister of Omer Balva.

429. Plaintiff Itai Haim Balva is a citizen of the United States and is a resident of the State of Maryland. He is the brother of Omer Balva.

430. Plaintiff Barak Balva is a citizen of the United States and is a resident of the State of Maryland. He is the brother of Omer Balva.

431. As a direct and foreseeable result of the October 20, 2023, attack, the Plaintiff Estate of Omer Balva suffered conscious pain and suffering and economic loss.

432. Plaintiffs Eyal Balva, Sigalit Balva, Shahar Balva, Itai Haim Balva, and Barak Balva have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and death of Omer Balva.

**E. The Rousso Family**

433. Ofek Rousso was a citizen of the United States and a resident of the State of Israel when he was murdered by Hamas. He was 21 years old.

434. Just months before, Ofek had completed the grueling training course of Shayetet 13, an elite IDF combat unit that is often analogized to the U.S. Navy SEALs. Within his unit, he was selected to serve as a combat medic, and trained to provide first aid to his fellow soldiers.

435. On October 7, 2023, Ofek was on routine standby duty at his base. Early in the morning, when reports of the ongoing terror attacks started to surface, Ofek and several other soldiers from his unit were called to respond.

436. They first set out for Ofakim, one of the towns that had been infiltrated by Hamas terrorists. By the time Ofek and his fellow soldiers arrived there, no terrorists remained, and Ofek provided medical treatment to several civilians.

437. At 4:15 p.m., Ofek arrived at Kibbutz Be'eri, along with several dozen soldiers from Shayetet 13. They rushed into the kibbutz. For many hours, under the harshest of conditions, Ofek and his comrades went from house to house, fighting Hamas terrorists and rescuing civilians. Ofek provided medical attention to both civilians and soldiers, including a family with four children that his team had saved.

438. Ofek and his fellow soldiers took their first break around 1:45 a.m. in the early hours of October 8, 2023. His unit had been fighting all day without food or water, wearing heavy combat gear, and bearing witness to horrific atrocities against the residents of Kibbutz Be'eri. But the shooting soon resumed, and Ofek immediately responded.

439. At 2:15 a.m., Ofek heard the shout of a fellow soldier who had been hit with fire and needed a medic. Ofek was lying in a cover position about ten meters away. Ofek was the only medic in the group. He signaled to his commander that he was going to the wounded soldier, got approval, and immediately rushed toward him. Just as Ofek began treating his wounded comrade, he was attacked by a burst of gunfire from Hamas terrorists. One of the bullets struck Ofek's right temple, killing him.

440. Ofek died on Sunday, October 8, 2023, at 2:15 a.m. His final messages to his father, Yaniv, read "Go to sleep, everything's fine, we'll talk tomorrow. Goodnight."

441. On the afternoon of October 8, Yaniv first learned from a father of one of the soldiers in Ofek's unit that Ofek had been hurt. Yaniv began contacting anyone he could who might provide him with more information about Ofek. No one gave him any answers. Yaniv did not know if his difficulty in gathering information was a product of the chaos unfolding in southern Israel or if something had happened to Ofek and the army was withholding information.

442. Days went by without any contact from Ofek. The Rousso family experienced tremendous stress as they awaited any word about their son's fate. It was not until 3:40 a.m. on October 11, 2023, that the doorbell rang. Two IDF officers had arrived to deliver the worst possible news to Ofek's parents, Yaniv and Fanny, and his sister, Inbar.

443. Ofek's parents, Yaniv and Fanny Rousso, bring this action on behalf of the Estate of Ofek Rousso.

444. Plaintiff Yaniv Rousso also brings this action individually. He is a citizen and resident of the State of Israel. He is the father of Ofek Rousso.

445. Plaintiff Fanny Rousso also brings this action individually. She is a citizen of the United States and is a resident of the State of Israel. She is the mother of Ofek Rousso.

446. Plaintiff Inbar Rousso is a citizen of the United States and is a resident of the State of Israel. She is the sister of Ofek Rousso.

447. As a direct and foreseeable result of the October 8, 2023, attack, the Plaintiff Estate of Ofek Rousso suffered conscious pain and suffering and economic loss.

448. Plaintiffs Yaniv Rousso, Fanny Rousso, and Inbar Rousso have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the death of Ofek Rousso.

#### **F. The Chen Family**

449. Itay Chen was a citizen of the United States and a resident of the State of Israel when he was murdered by Hamas. He was 19 years old.

450. On October 7, 2023, Itay was serving on the Israel-Gaza border with his tank unit, the Seventh Armored Brigade's 75th Battalion. Itay was killed during an intense battle with Hamas terrorists following their breach of Israel's borders, and he was taken to Gaza.

451. Itay's family last heard from him early that morning. Two days later, the Chen family learned that the IDF considered Itay to be missing in action, and that he was likely being held in captivity by Hamas.

452. For months, Itay's family believed that Itay was being held alive as a hostage in Gaza. The Chen family became, and has remained, outspoken advocates for the families of hostages being held by Hamas.

453. In March 2024, five months after the attacks, Itay's family received word that Itay had in fact been killed on October 7, 2023. The IDF was able to confirm his death based on intelligence and findings it had obtained from troops operating in Gaza.

454. United States President Joe Biden released a statement on March 12, 2024, recalling when "Itay's father and brother joined me at the White House, to share the agony and uncertainty they've faced as they prayed for the safe return of their loved one. No one should have to endure even one day of what they have gone through."

455. Itay's parents, Ruby and Hagit Chen, bring this action on behalf of the Estate of Itay Chen.

456. Plaintiff Ruby Chen also brings this action individually. He is a citizen of the United States and is a resident of the State of Israel. He is the father of Itay Chen.

457. Plaintiff Hagit Chen also brings this action individually. She is a citizen and resident of the State of Israel. She is the mother of Itay Chen.

458. Plaintiff Roy Chen is a citizen of the United States and is a resident of the State of Israel. He is the brother of Itay Chen.

459. Ruby and Hagit Chen also bring this action on behalf of their minor child A.C. A.C. is a citizen of the United States and is a resident of the State of Israel. He is the brother of Itay Chen.

460. As a direct and foreseeable result of the October 7 Attack, the Plaintiff Estate of Itay Chen suffered conscious pain and suffering and economic loss.

461. Plaintiffs Ruby Chen, Hagit Chen, Roy Chen, and A.C. have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the death of Itay Chen.

**G. The Shay Family**

462. Yaron Oree Shay was a citizen of the United States and a resident of the State of Israel when he was murdered by Hamas on October 7, 2023. He was 21 years old.

463. Yaron was the youngest child of Plaintiffs Izhar and Hilla Shay and the younger brother of Plaintiffs Shir, Lior, and Ophir Shay.

464. He was born in New Jersey on December 13, 2001, and moved to Israel with his family when he turned four. He attended the American School in Israel for four years and was a proud dual American-Israeli citizen.

465. For several weeks prior to October 7, Yaron was serving on active duty within a special unit of the Nahal Brigade of the IDF that was stationed at the Gaza border at the Kerem Shalom military base, guarding the southern end of the Gaza Strip around the Kerem Shalom border crossing between Israel and Gaza.

466. His parents had planned to travel to Yaron's base on the Gaza border as part of a pre-planned visit with their son on October 7.

467. Yaron messaged his parents by WhatsApp at 6:29 a.m. on October 7 to tell them that Israel had been attacked, they should not come to visit, and he would update them later in the day.

468. He subsequently sent a message via WhatsApp to his uncle who lived in another kibbutz within the Gaza envelope warning him of the attack. It was the only warning that kibbutz received that morning.

469. Yaron and two other soldiers from his unit drove to the entrance of the nearby kibbutz at Kerem Shalom and held off dozens of Hamas Nukhba terrorists for more than an hour. Their heroic battle saved the lives of hundreds of civilians at the kibbutz and the adjacent military base. Sometime between 8 and 9 a.m., Yaron was severely wounded and eventually airlifted to a hospital in Jerusalem where he was pronounced dead. His two comrades were both wounded in the same firefight but survived.

470. Yaron's parents lost contact with him after his initial message to them at 6:29 a.m., and they called various military personnel during the following 24 hours trying to obtain information about him, to no avail.

471. The October 7 Attack caused confusion and chaos inside Israel, and reliable information was difficult to obtain. On Sunday morning of October 8, Plaintiffs Izhar and Hilla Shay received news that a number of Yaron's fellow soldiers had been wounded, and that one of them had been airlifted to Hadassah Ein Kerem Hospital in Jerusalem. Later that afternoon, they decided to make their way to the hospital.

472. They arrived there on Sunday afternoon and encountered masses of other families who were also looking for their loved ones.

473. Amid the chaos, Yaron's mother stopped a female military officer tasked with updating the families about the conditions and whereabouts of their relatives, asking if she had any news about their son. The officer assured her that if something had happened to Yaron, the family would have been notified by that point. Hilla pressed the officer and gave her Yaron's full name – Yaron Oree Shay.

474. The officer immediately recognized the unusual middle name and decided to inform them that Yaron had been pronounced dead at the hospital the day before rather than force them to wait for an official notification.

475. Plaintiff Izhar Shay immediately called his three surviving children to break the news to them that their brother had died so they would hear it first from him before the media announced it. Izhar had been a minister in the Israeli government, and as a public figure, the media would have been keen to report this tragic news about his family. Indeed, moments after Izhar finished relaying the terrible news to his children, Yaron's death was made public and reported on widely.

476. Izhar called his oldest son Lior first. Lior had been on his honeymoon in the south of Argentina, and was on the second leg of his flight back to Israel after being called back to emergency duty by his unit. Izhar then called Ophir, his middle son, who was also boarding a plane back to Israel after cutting short a vacation in the Philippines. Lastly, Izhar called his daughter Shir, who was at home with her husband and their then-two-month-old child.

477. There are special procedures for the delivery of tragic news about the death of a soldier in the IDF which have been developed over many years and many thousands of cases. Dedicated professionals are trained for a number of years before they are allowed to deliver news of death to a victim's family members, and there is a strict protocol which has to be followed. The

delivery of the tragic news about Yaron's death to his parents by non-professionals at the hospital and to his siblings by phone broke with this protocol, and added significant mental anguish and extreme emotional distress to them.

478. All five surviving relatives of Yaron (Hilla, Izhar, Shir, Lior, and Ophir) required emotional support counseling, and some continue to receive treatment.

479. Yaron's parents, Hilla Shay and Izhar Shay, bring this action on behalf of the Plaintiff Estate of Yaron Oree Shay.

480. Plaintiff Hilla Shay also brings this action individually. She is a citizen of the United States and is a resident of the State of Israel. She is the mother of Yaron Oree Shay.

481. Plaintiff Izhar Shay also brings this action individually. He is a citizen and resident of the State of Israel. He is the father of Yaron Oree Shay.

482. Plaintiff Shir Shay is a citizen of the United States and is a resident of the State of Israel. She is the sister of Yaron Oree Shay.

483. Plaintiff Lior Shay is a citizen of the United States and is a resident of the State of Israel. He is the brother of Yaron Oree Shay.

484. Plaintiff Ophir Shay is a citizen of the United States and is a resident of the State of Israel. He is the brother of Yaron Oree Shay.

485. As a direct and foreseeable result of the October 7 Attack, the Plaintiff Estate of Yaron Oree Shay suffered conscious pain and suffering and economic loss.

486. Plaintiffs Hilla Shay, Izhar Shay, Shir Shay, Lior Shay, and Ophir Shay have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack and the death of Yaron Oree Shay. Hilla Shay quit her job as an interior designer



as a result of her son's murder. Ophir Shay was only able to resume his professional career three months after October 7, 2023, and worked part-time until June 2024.

#### **H. The Ziering Family**

487. Aryeh Ziering was a citizen of the United States and a resident of the State of Israel when he was murdered by Hamas on October 7, 2023.

488. Aryeh was 27 years old, and a member of the IDF's Oketz (canine) unit. He was at his parents' home for the Jewish holiday when he was called to duty in southern Israel to respond to the October 7 Attack.

489. He went to his base to meet other members of his unit and get his combat gear and headed to defend an installation near Zikim, which had been attacked by Hamas.

490. Aryeh was killed sometime around midday on October 7 during a firefight with Hamas terrorists.

491. Aryeh's parents, Mark and Deborah Ziering, bring this action on behalf of the Estate of Aryeh Ziering.

492. Plaintiff Mark Ziering also brings this action individually. He is a citizen of the United States and is a resident of the State of Israel. He is the father of Aryeh Ziering.

493. Plaintiff Deborah Ziering also brings this action individually. She is a citizen of the United States and is a resident of the State of Israel. She is the mother of Aryeh Ziering.

494. After Aryeh left home that Saturday morning, Mark and Deborah did not hear from him and assumed he and his unit were engaging the terrorists. Because Aryeh was an experienced soldier and a strong, confident and seemingly indestructible young man, even though they worried about him, his parents assumed he would be okay. Around 11:30 p.m. on Saturday night, after some confusion in the notification, Mark and Deborah received a knock on the door from IDF representatives notifying them of Aryeh's death.

495. Plaintiff Eliana Ziering is a citizen of the United States and is a resident of the State of Israel. She is the sister of Aryeh Ziering.

496. On October 7, Eliana was in her apartment in Jerusalem which she shared with her roommates. Like most people in Israel that day, Eliana learned of the attack that morning, but unlike her siblings, she had completed her army service so when IDF representatives knocked on her apartment door in the middle of the night (during the early hours of October 8), she assumed they had come to summon her roommate (who was still doing her military service) to report for emergency duty. Unfortunately, the knock on the door was for her and she was notified of her brother's death.

497. Plaintiff Yonatan Ziering is a citizen of the United States and is a resident of the State of Israel. He is the brother of Aryeh Ziering.

498. Like his brothers, Yonatan was called back to active duty in the IDF on the morning of October 7 to respond to the attack. At some point during the day, he learned from a fellow soldier that Aryeh had been shot, but he did not assume the worst because he could not imagine his older brother would fall in the battle. He was later informed by his commanding officer that Aryeh had been killed and was sent home to join his family.

499. Plaintiff Tal Ziering is a citizen of the United States and is a resident of the State of Israel. She is the sister of Aryeh Ziering.

500. Tal was also at home with her parents on October 7 but left to go back to the army that morning once she was notified that she was needed. She was later informed by her commanding officer that Aryeh had been killed and was sent home to join her family.

501. As a direct and foreseeable result of the October 7, 2023, attack, the Plaintiff Estate of Aryeh Ziering suffered conscious pain and suffering and economic loss.

502. Plaintiffs Mark Ziering, Deborah Ziering, Eliana Ziering, Yonatan Ziering, and Tal Ziering have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the death of Aryeh Ziering.

**I. The Glisko Family**

503. Itai Glisko was a citizen of the United States and a resident of the State of Israel when he was murdered by Hamas on October 7, 2023. He was 20 years old.

504. Itai was born in New Jersey and moved with his family to Israel as a baby. On October 7, 2023, he had served in the IDF for just twenty months.

505. Itai was not scheduled to be on base on October 7; he had plans to spend the Jewish holiday with his parents and brothers. A friend went on leave that day, and Itai offered to take his place.

506. Itai was positioned 500 meters from the Gaza border when 3,000 terrorists invaded.

507. He sent his family a WhatsApp message at 6:30 a.m. telling them not to worry, and that he was in a bomb shelter. His family turned on the news and continued to message him.

508. The severity of the attack became apparent quickly, and at 11:00 a.m., Itai messaged his family saying he was not sure if his messages would be his last. Throughout the attack on Itai's base, Itai, along with the battalion's medic, evacuated the wounded into the base's dining room to receive first aid.

509. At 2:30 p.m., Hamas terrorists burned the entrance to the dining room to try and suffocate the soldiers who were sheltering inside. Itai and three more troops went out to fight and try to save the others. At 5:00 p.m., the army arrived to rescue those who had survived. Twenty-four soldiers were saved.

510. For four days, Itai's family did not know what had happened to him. They tracked his phone, whose GPS location was 20 kilometers away from Itai's base. They checked every list

of kidnapped and missing Israelis, but his name was not on them. They held out hope that Itai was still alive until October 11, 2023, when the IDF knocked on the Gliskos' door to inform them that Itai had been killed.

511. The State of New Jersey honored Itai by issuing a proclamation that was delivered to the Glisko family's home. In part, it reads:

*Be It Resolved by the Senate and General Assembly of the State of New Jersey:*

That this Legislature hereby salutes the memory of Itay Ofek Glisko, pays tribute to his valiant service, and extends sincere sympathy and profound condolences to all who mourn his passing.

512. Itai's parents, Oren and Liat Glisko, bring this action on behalf of the Estate of Itai Glisko.

513. Plaintiff Oren Glisko also brings this action individually. He is a citizen and resident of the State of Israel and the father of Itai Glisko.

514. Plaintiff Liat Glisko also brings this action individually. She is a citizen and resident of the State of Israel and the mother of Itai Glisko.

515. Plaintiff Ori Glisko is a citizen and resident of the State of Israel and the brother of Itai Glisko.

516. Oren and Liat Glisko also bring this action on behalf of their minor child, Y.G. Y.G. is a citizen and resident of the State of Israel and the brother of Itai Glisko.

517. As a direct and foreseeable result of the October 7, 2023, attack, the Plaintiff Estate of Itai Glisko suffered conscious pain and suffering and economic loss.

518. Plaintiffs Oren Glisko, Liat Glisko, Ori Glisko, and Y.G. have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the death of Itai Glisko.

**J. The Schenkolewski Family**

519. Yakir Schenkolewski was the second youngest child of Plaintiff Tova Schenkolewski and her husband Ariel Schenkolewski, and the brother of Yehuda, Aviraz, Ofer, and Renana. He was 21 years old when he was killed by Hamas terrorists in the Gaza Strip.

520. Yakir was born in Israel and lived with his parents and siblings in Kibbutz Migdal Oz. He enlisted in the Israel Defense Forces and was proud of his service with the 188<sup>th</sup> Armored Brigade's 53<sup>rd</sup> Battalion. Just before he enlisted, Yakir learned that he had a medical issue with his foot that would prevent him from becoming a combat soldier candidate. He delayed his enlistment by four months in order to complete physical therapy and thus be eligible to become a combat soldier.

521. Prior to October 7, 2023, Yakir was serving on active duty with his tank unit.

522. On the morning of October 7, Yakir's parents and eldest brother, Yehuda, with his wife and children, were at the family home. They were woken up by Ariel's phone, which was receiving calls and messages alerting the family that Israel had been attacked.

523. The family went to their synagogue, where they saw many people outside, including the rabbi and security forces. The family learned that war had broken out, and everyone in the kibbutz was instructed to shelter in place because the fighting could reach them.

524. Later in the evening of October 7, Yakir called his parents to tell them that his unit had been called up to go south and assist with efforts to repel the attack. Within twenty-four hours, Yakir's three older brothers had been drafted into service as well: Yehuda as a tank commander, Aviraz as part of a special army ranger unit, and Ofer as security for Kibbutz Migdal Oz.

525. For the next two months, Yakir was on the front lines of Israel's war against Hamas in the south of Israel and Gaza. He had intermittent access to his cell phone, and his family waited anxiously to hear from him during periods when he could not be in contact. During one

conversation, Yakir asked his mother if she would tell him to stop serving. His mother responded that as much as she did not want him to be in danger, she knew Yakir would be angry if she tried to stop him. Yakir agreed and said “yes, I am supposed to go.”

526. On two occasions during this time, Yakir was allowed to visit his family for short periods of leave.

527. On Wednesday, November 29, 2023, Yakir’s parents and younger sister Renana came to visit him in the south. On the morning of December 1, 2023, he called to tell his family that his unit was preparing to go back into Gaza. Yakir’s parents lost contact with him before he entered Gaza and waited anxiously for his next call.

528. The following Monday, on December 4, 2023, Yakir’s tank came under fire by Hamas terrorists from a short range. Yakir and two other soldiers in his tank were killed in the blast. The tank driver was badly wounded but survived.

529. That day, three officers knocked on the door of the Schenkolewski family home. Tova was home alone and opened the door. As soon as she saw the officers, she knew her son had been killed.

530. Her husband Ariel and son Ofer returned home from synagogue a few minutes later. Tova and Ariel immediately broke the news that Yakir had died to their other children so that they would hear of their brother’s death from their family before the media announced it. Shortly thereafter, Yakir’s death was made public.

531. Plaintiff Tova Schenkolewski is a citizen of the United States and is a resident of the State of Israel. She is the mother of Yakir Schenkolewski.

532. Plaintiff Tova Schenkolewski experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the death of Yakir Schenkolewski.

**K. The Haggai Family**

533. Judy Weinstein Haggai and Gad Haggai were U.S. citizens and residents of the State of Israel when they were murdered by Hamas on October 7, 2023.

534. They lived in Kibbutz Nir Oz and shared four children, Iris Weinstein Haggai, Ahl Haggai, Rahm Haggai, and Zohar Haggai, and seven grandchildren. Judy is also survived by her 95-year-old mother.

535. Judy was an English teacher who worked with children with special needs, and also used meditation and mindfulness techniques to treat children suffering from anxiety caused by years of rocket fire over the kibbutz from Gaza.

536. On Saturday, October 7, Judy and Gad took a walk around their kibbutz and its surrounding nature, as they did every Saturday morning.

537. The couple was in the field when the first sirens sounded at 6:30 am. They heard the rockets and took shelter by lying flat on the ground.

538. Their daughter texted Judy upon hearing of the attacks, and Judy responded, “We’re outside. Face down in the field. We see tons of rockets.”

539. Around 6:50 a.m., Hamas terrorists passed Judy and Gad, who were lying down on the ground, on motorcycles. They shot Gad in the head, and Judy once in the face and once in the arm.

540. At 7:15 a.m., an Israeli ambulance service called Judy, who described her husband’s fatal injury and her own injury. Terrorists, however, had taken over the roads, and the ambulance never arrived.

541. Judy's phone was shut off by 7:26 a.m., and she was not heard from again.

542. Terrorists picked up the couple's bodies and brought them into Gaza.

543. For weeks, Judy and Gad's family did not know what had happened to their loved ones. They did not know whether the couple was dead.

544. Then, when Judy was not released during the November 2023 hostage release, their family members came to believe she was the last American woman still held hostage in Gaza.

545. On December 22, 2023, it was reported that Gad had been murdered and his body was being held in Gaza. One week later, the news came that Hamas had also killed Judy and her lifeless body was being held in Gaza.

546. In response to the tragic news, President Biden first released a statement that said he was "heartbroken by the news" and praying "for the well-being and safe return" of Judy.

547. Then, upon the announcement that Judy had also been murdered, President Biden issued another statement, which said that he and First Lady Jill Biden "are devastated to learn" of her death. He added that he "will never forget what their daughter, and the family members of other Americans held hostage in Gaza, have shared with [him]. They have been living through hell for weeks. No family should have to endure such an ordeal."

548. Judy and Gad's children and siblings have suffered immeasurably. Initially, they believed that Judy and Gad had been badly injured but were being held alive in Gaza. Then, when they learned that Judy and Gad had been murdered, they still could not find peace, as their bodies are still being held in Gaza. Knowing that the terrorists continue to hold Judy and Gad's bodies is torture for their family members. Their grief is unbearable.

549. Judy Weinstein Haggai and Gad Haggai's daughter, Iris Weinstein Haggai, brings this action on behalf of the Estates of Judy Weinstein Haggai and Gad Haggai.



550. Plaintiff Iris Weinstein Haggai also brings this action individually. She is a citizen of the United States and is a resident of the State of Israel.

551. Plaintiff Ahl Haggai is a citizen of the United States and is a resident of the State of Israel. He is the son of Judy Weinstein Haggai and Gad Haggai.

552. Plaintiff Rahm Haggai is a citizen of the United States and is a resident of the State of Israel. He is the son of Judy Weinstein Haggai and Gad Haggai.

553. Plaintiff Zohar Haggai is a citizen of the United States and is a resident of the State of Israel. She is the daughter of Judy Weinstein Haggai and Gad Haggai.

554. As a direct and foreseeable result of the October 7, 2023, attack, the Plaintiff Estates of Judy Weinstein Haggai and Gad Haggai suffered conscious pain and suffering and economic loss. Plaintiffs Iris Weinstein Haggai, Ahl Haggai, Rahm Haggai, and Zohar Haggai have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the deaths of Judy Weinstein Haggai and Gad Haggai.

**L. Rosenfeld Family**

555. Maya Treger Rosenfeld was a citizen of the United States and a resident of the State of Israel when she was injured by Hamas on October 7, 2023.

556. Maya and her husband, Dvir Rosenfeld, lived in Kfar Aza with their then-11 months old son, Z.R. On the morning of October 7, Z.R. woke his parents up early. Soon after, at about 6:00 a.m., they heard loud explosions, so the family headed into their safe room, which was their baby's room.

557. Dvir left the house briefly to bring the family's dogs inside. He returned without the dogs, but left the door open for them. The Rosenfelds were later told by a neighbor that five terrorists passed by their house right after Dvir went back inside, and likely did not enter because the door was open. The terrorists assumed that the house was already under attack.

558. The Rosenfeld family hid in their safe room for the next 24 hours, hearing terrorists roaming outside and explosions periodically throughout the ordeal. They had lost electricity and were without air conditioning, water or food throughout the extremely hot day and night. Dvir held the door closed the entire time, and Maya held the baby and kept him quiet, which sometimes meant covering his mouth with her hand.

559. Maya and Dvir received constant WhatsApp messages about neighbors and other people they knew who had been murdered as well as people who were injured and needed help. They felt helpless; they knew if they went out to try to assist others, they would likely be killed.

560. For example, Dvir's sister messaged Maya at about 6:55 a.m. to tell her that she and her twin babies were safe.

561. Hours later, at about noon, Maya and Dvir received a message that the twins needed to be rescued. Dvir wanted to go, but Maya begged him not to. She continues to feel guilty for not letting him go.

562. That night, while still barricaded in their safe room, Maya and Dvir were told that Dvir's sister and brother-in-law were killed. They found out later that Dvir's sister was shot through a window and then shot a second time when the terrorists entered the house. After the terrorists shot Dvir's brother-in-law, they left the twin babies in the house as bait, and shot at anyone who tried to rescue them. The babies were left in the safe room with their dead father for 14 hours.

563. Maya and Dvir received messages during the ordeal that they needed to stay in their safe room and could not be rescued yet. They heard that terrorists were burning down houses, and so they kept feeling the walls of their room to see if their own house was on fire. At some point that night, their mobile phones died.

564. At about 5:30 a.m. on October 8, Maya and Dvir woke up to guns in their faces. The IDF had come to evacuate them, and warned them that terrorists were still outside, and they had just minutes to pack and leave.

565. The soldiers took them to another building within the kibbutz, where they joined 19 other civilians who had also been evacuated from their homes. The building had no electricity, water, or food. The group stayed there for almost five more hours while the IDF fought off the terrorists that continued to attack the kibbutz. Maya, Dvir and their son were released at about 10:00 a.m., and learned more about the devastation that had taken place. Over 60 residents of their kibbutz had been murdered, among them Dvir's sister, brother-in-law, and cousin. The family's babysitter was kidnapped into Gaza along with 17 others. Two of the hostages have died in Gaza.

566. Maya, Dvir and their son have not been back in their home since the attack.

567. Maya and Dvir attend therapy together and individually; they've lost weight from not eating, and suffer from nightmares. It took each of them months to return to work; Maya currently works on a part-time schedule. She misses her sister-in-law immensely; the two had babies at the same time and were in the maternity ward together. Maya suffered a miscarriage recently, and attributes her loss to the stress and grief the attack caused her.

568. As a direct and foreseeable result of the October 7, 2023, attack, Plaintiff Maya Treger Rosenfeld suffered severe mental anguish and extreme emotional distress.

569. Plaintiff Dvir Rosenfeld is a citizen and resident of the State of Israel.

570. Maya Treger Rosenfeld and Dvir Rosenfeld also bring this action on behalf of their minor son Z.R., a citizen and resident of the State of Israel.

571. Plaintiffs Dvir Rosenfeld and Z.R. have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on Maya Treger Rosenfeld.

**M. The Levy Family**

572. Roy Joseph Levy was a citizen of the United States and a resident of the State of Israel when he was murdered by Hamas on October 7, 2023.

573. Roy moved from Massachusetts to Israel as a child with his family, and spent his career in the IDF and had achieved the rank of colonel at the time of his death.

574. On the morning of October 7, Roy received a call informing him of the unfolding attacks in southern Israel. He left his house by 7:45 a.m. after warning his wife that it would be a long day.

575. Roy then drove south and headed straight into the battle – ordinarily a highly unusual move for a colonel. Around this time, Roy spoke to his brother Iddo, instructing Iddo to shelter in place and telling him that he was on a mission to save lives. These were the last words that Roy’s family ever heard from him.

576. At approximately 10:30 a.m., Roy arrived in the vicinity of Re’im (near the Gaza border), where he encountered heavy gunfire from Hamas terrorists who had infiltrated the area. Roy engaged the terrorists. Advancing from home to home, under heavy gunfire and massively outnumbered by terrorists, Roy liberated captives and saved families. Many lived to tell how Roy personally saved them from captivity, torture, and death.

577. In the course of the battle, Roy was shot in his wrist. He paused to bandage the wound and kept fighting. He then took another more serious wound to his torso. Nonetheless, Roy pushed through the pain to pick up his rifle and continue fighting.

578. At about 1:30 p.m., as Roy was attempting to stop further murders and kidnappings of civilians in Re'im, a Hamas terrorist shot Roy in the heart.

579. At about 5 p.m., Roy's brother Iddo received a call from a friend, asking about Roy because the friend had heard a rumor about Roy having been shot, possibly killed. Roy had not answered any calls or messages from his family, who were anxiously checking on his well-being. Nor did he return home that night.

580. At about 1:30 a.m. on October 8, two officers appeared on Yael Levy Oppenheimer's doorstep to deliver the tragic news of Roy's death.

581. Plaintiff Eliyahu Levy is a citizen and resident of the State of Israel. He is Roy's oldest brother.

582. Plaintiff Iddo Moshe Levy is a citizen of the United States and a resident of the State of Israel. He is Roy's brother.

583. Plaintiff Nir Yehezkel Levy is a citizen and resident of the State of Israel. He is Roy's youngest brother.

584. Plaintiffs Eliyahu Levy, Iddo Moshe Levy, and Nir Yehezkel Levy have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the death of Roy Joseph Levy.

**N. The Shalom Family**

585. On October 7, 2023, Ram Shalom, age 24, was attending the Supernova music festival near Kibbutz Re'im in Israel. He was there with ten friends when the festival was overrun by Hamas terrorists, who proceeded to massacre more than 350 civilians.

586. At 6:30 a.m. on October 7, Ram and his friends fled the festival at the sight and sounds of rockets.

587. By around 8:00 a.m. on October 7, Ram had escaped the Nova festival by car. An hour or two later, he and his friend left the car to hide and shelter by the side of the road. As shooting erupted around them, they remained quiet. In a surviving video from where Ram was sheltering among vehicles to the side of the road, automatic gunfire can be heard, followed by Ram observing: “these are not soldiers, they are terrorists.”

588. Shortly thereafter, the terrorists approached Ram’s hiding spot. Ram was determined not to allow himself and those around him to be executed. He attacked one of the terrorists but other terrorists fired a rocket propelled grenade at Ram’s position, murdering Ram and most of those hiding with him.

589. For the next few hours, Ram’s mother, Nurit, and his brother, Plaintiff Tom Shalom, made every call and inquiry they could to locate Ram. For hours and then days, they heard nothing.

590. On Monday, October 9, 2023, Tom flew to Israel. No news arrived of Ram for two more days.

591. On Thursday, October 12, 2023, two army officers knocked on Nurit Shalom’s door. They informed Nurit and Tom that Ram had been murdered on October 7.

592. Thousands attended Ram’s funeral and visited during the shiva period. Tom stayed in Israel for weeks trying to piece together Ram’s final moments.

593. Plaintiff Tom Shalom is a U.S. citizen and the brother of Ram Shalom.

594. Plaintiff Tom Shalom has experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the death of Ram Shalom.

**O. The Beniashvili / Ben Zvi Family**

595. Sagiv Baylin Ben Zvi, is the son of Plaintiff Guram Beniashvili, a U.S. citizen.

596. Sagiv was 24 years old when he was murdered by Hamas terrorists while fleeing the Supernova music festival.

597. At around 2:00 am on October 7, Sagiv returned home from work and then drove with a friend to attend the Nova music festival. The last thing he said to his mother was that she should not worry and that he would be back home in a few hours.

598. At around 6:30 am, as alarms blared around the music festival, Sagiv had just left the festival, driving home in his friend's car. Between 6:55 and 7:00 a.m., Sagiv reached the road into the town of Mefalsim in search of a place to shelter.

599. As Sagiv drove to the entrance of Mefalsim, he encountered a contingent of Hamas-led terrorists ambushing cars and murdering civilians. One terrorist launched a rocket propelled grenade at Sagiv's car. Sagiv swerved, avoided the grenade, and took a hard right turn.

600. The Mefalsim town gates were closed, as Mefalsim's residents were fighting off the attack.

601. A group of terrorists executed an assault on Sagiv's car and a terrorist approached the car and shot Sagiv in the head and then murdered his friend, Roni Petrovski, who died next to Sagiv in the passenger seat.

602. At 9:18 a.m. on October 7, Sagiv's mother filed a missing person report with the Israeli police.

603. Sagiv's relatives in Israel began scouring hospitals, going room to room and then car to car, looking for him among the wounded victims and hoping that he had been brought in for medical treatment. They posted to Facebook, Instagram, and Twitter seeking any news of Sagiv.

604. At 9:41 a.m., Sagiv's phone tracked to the Indonesian Hospital in Gaza.

605. For three days after October 7, there was no news of Sagiv. His parents spent those days in agony, calling hospitals for any sign of Sagiv and not getting any sleep. Then, on October 11, 2023, security personnel from Mefalsim informed Sagiv's parents that the car he was driving had been found outside Mefalsim, bullet-ridden, blood-soaked, but with no sign of Sagiv. The seatbelts had been cut.

606. On October 15, 2023, Israeli authorities informed Sagiv's parents that he had been kidnapped by Hamas and taken to Gaza.

607. His family joined a group advocating for hostages; they printed posters. New York newspapers covered Guram's search for his missing son.

608. The *New York Daily News* quoted Guram Beniashvili: "I am trying everything, with everyone, to try to find my son.... I called everyone.... You sit down and wait and wait and wait and you don't know what you are waiting for."

609. For 19 days, Sagiv's parents experienced extreme emotional agony, believing that their son was not only missing and injured, but also being held captive under the Hamas-controlled Indonesian Hospital in Gaza, where his phone was last located online.

610. On October 25, 2023, Israeli authorities recovered Sagiv's body and informed his parents. The next day, Sagiv's funeral was held in Israel.

611. Plaintiff Guram Beniasvhili has experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the murder of Sagiv Baylin Ben Zvi.

**P. The Airley Family**

612. Benjamin Airley was a citizen of the United States and a resident of the State of Israel when he was murdered by Hamas. He was 21 years old.



613. Benjamin Airley was a member of the Paratroopers Brigade's 101st Battalion in the IDF.

614. On November 18, 2023, Benjamin was fighting Hamas terrorists in the northern Gaza Strip when he was murdered. Benjamin was in the Gaza Strip as a direct result of the October 7, 2023, terrorist attacks.

615. Benjamin and fellow soldiers were staying in a beach house in Gaza. They were eating breakfast, when at 7:30 a.m., they were called to the scene of a house that had been invaded by Hamas terrorists.

616. Benjamin insisted on joining his fellow soldiers on this mission, believing his Negev gun would keep him safe. He and two other soldiers entered the house and began scouting rooms. They saw a terrorist on the floor and assumed he was alone, but there was another hiding behind a couch. That terrorist shot and killed all three of the soldiers.

617. Benjamin's parents, Robert and Jennifer Airley, bring this action on behalf of the Estate of Benjamin Airley.

618. Plaintiff Robert Airley also brings this action individually. He is a citizen of the United States and is a resident of the State of Israel. He is the father of Benjamin Airley.

619. Plaintiff Jennifer Airley also brings this action individually. She is a citizen of the United States and is a resident of the State of Israel. She is the mother of Benjamin Airley.

620. As a direct and foreseeable result of the November 18, 2023, attack, the Plaintiff Estate of Benjamin Airley suffered conscious pain and suffering and economic loss.

621. Plaintiffs Robert Airley and Jennifer Airley have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the death of Benjamin Airley.

**Q. The Bours Family**

622. Aaron Bours was a citizen of the United States and a resident of the State of Israel when he was injured by Hamas. He was 33 years old at the time.

623. Aaron was in the United States, en route to a conference in Las Vegas on October 7, 2023. When he landed in Las Vegas, he had 20 messages from his wife trying to reach him to inform him of the invasion of Israel by Hamas.

624. Aaron was called up to his IDF reserve unit, the Givati Brigade serving under the Southern Command, almost immediately following the events of October 7, 2023.

625. Aaron was part of the ground invasion into Gaza. He was going house-to-house looking for Hamas terrorists and Hamas tunnels for the combat engineers to destroy.

626. He was in Gaza for two weeks before he was injured.

627. On November 14, 2023, Aaron was with his unit heading toward a home in Beit Hanoun in the Gaza Strip. His unit was the last to cross the street in open view of a school that was affiliated with UNRWA. As is protocol, Aaron's commander stopped to ask permission to enter the house, and Aaron felt like someone was watching him. When he arrived at the house, he turned back to see if his officer was behind him, but at that same time, Aaron heard two gunshots and saw his officer and a communications person fall to the ground. Aaron saw at least two, and as many as four, Hamas terrorists with AK-47s and a sniper shooting at them.

628. Aaron began to shoot back at the school. He stopped to look at his officer, who according to Aaron, "looked terrible." Aaron decided to attempt to rescue his officer to try to save his life. Aaron ran to grab his officer, but was only able to travel a few feet before he was shot in the right leg, shattering his bone. He was crawling back to the safety of the house when he was shot in the left leg. He continued to crawl to the house and was rescued by the Unit 669 rescue team.

629. He was brought to Sheba Medical Center, where he underwent three surgeries to his right leg, including a bone graft. Aaron spent five months in recovery and underwent months of intensive rehabilitation afterward. In addition to the injuries to his legs, Aaron currently suffers from difficulty concentrating and sleeping.

630. As a direct and foreseeable result of the November 14, 2023, attack, Plaintiff Aaron Bours has suffered severe mental anguish and extreme emotional distress, and economic loss.

**R. The Davidovich Family**

631. Rivka Davidovich was a citizen of the United States and a resident of the State of Israel when she was injured by Hamas. She was 33 years old at the time of the attack.

632. Rivka was at home in Ofakim, Israel, with her children on October 7, 2023. Her husband and oldest son were at the synagogue from 6:00 a.m. until approximately 12:00 p.m. because it was the Jewish holiday of Simchat Torah.

633. Rivka reports hearing many alarms and feeling a great deal of fear on October 7, 2023.

634. In the first week following October 7, 2023, neither Rivka, nor her family, left their home, even to buy bread and milk, due to the intense fear and trauma. Remaining shut in her home was extremely difficult because two of her children were diagnosed with ADHD and were intensely affected by the atmosphere both inside and outside of the house.

635. Once the family was able to leave their home, the entire family, including Rivka, received emotional and art therapy to process their trauma.

636. As a direct and foreseeable result of the October 7, 2023, attack, Plaintiff Rivka Davidovich has suffered severe mental anguish and extreme emotional distress.

**S. The Ben Zaken Family**

637. Chana Sarah Ben Zaken was a citizen of the United States and a resident of the State of Israel when she was injured by Hamas. She was 31 years old at the time.

638. Chana Sarah Ben Zaken was at home with her family in Ofakim, Israel, on October 7, 2023.

639. When the terrorists invaded Ofakim, Chana and her children hid in the safe room in their home. Her husband, who was outside, saw the terrorists shooting in the vicinity of their home.

640. Following the October 7 Attack, Chana and her family were displaced until December 2023 from their home in Ofakim to Hever, a villa donated to refugees from the South.

641. Chana Sarah Ben Zaken suffers from anxiety, panic attacks, insomnia, and paranoia as a result of the October 7, 2023, attack.

642. As a direct and foreseeable result of the October 7, 2023, attack, Plaintiff Chana Sarah Ben Zaken has suffered severe mental anguish and extreme emotional distress, and economic loss in the form of loss of the use of her property for an extended period of time.

**T. The Goodman Family**

643. Donald R. Goodman was a citizen of the United States and a resident of the State of Israel when he was injured by Hamas. He was 70 years old at the time.

644. On October 7, 2023, Donald R. Goodman was at home in Kibbutz Nir Yitzhak, with his wife and granddaughter. They were asleep at 6:30 a.m., when Mr. Goodman and his family heard the alarm in their community instructing them to take cover within 15 seconds. They heard booming sounds and 50-60 rocket attacks.

645. Mr. Goodman and his family got into their safe room with water and crackers and attempted to get information on their cell phones.

646. Hamas terrorists invaded Mr. Goodman's home, smashed windows, destroyed his computer, and stole money and kitchen appliances from his home.

647. Mr. Goodman and his family were also displaced from their home. When the IDF released the alarm, the Goodmans were told to relocate into four shelters, each housing 120 people. Mr. Goodman and his family slept on the floor and had no accessible bathroom.

648. As a direct and foreseeable result of the October 7, 2023, attack, Plaintiff Donald Goodman has suffered severe mental anguish and extreme emotional distress, and economic loss from damage inflicted upon his home and his loss of use of his property for a period of time after the attacks.

**U. The Hamo Family**

649. Hadas Pnina Saffer Ben Hamo was a citizen of the United States and a resident of the State of Israel when she was injured by Hamas. She was 31 years old at the time.

650. On October 7, 2023, Hadas was at home in Ofakim with her three young children, ranging in age from five years old to less than a year old, when the terrorists invaded. Her husband was in synagogue for the Jewish holiday of Simchat Torah, unaware of what was happening in town.

651. Hadas's next-door neighbors were shot by the terrorists, causing Hadas intense fear.

652. Hadas and her children were stuck in their home for two days.

653. Hadas suffers from psychological trauma, insomnia, and inability to rehabilitate to normal life.

654. As a direct and foreseeable result of the October 7, 2023, attack, Plaintiff Hadas Pnina Saffer Ben Hamo has suffered severe mental anguish and extreme emotional distress.

**V. The Klughaupt Family**

655. Amichay Klughaupt was a citizen of the United States and a resident of the State of Israel when he was injured by Hamas. He was 19 years old at the time.

656. Amichay was a member of the IDF when he was injured by Hamas terrorists on December 8, 2023. Amichay's commander was standing outside the door of their tank when terrorists ambushed them. The commander was shot and fell into the tank, where Amichay attempted, unsuccessfully, to resuscitate him by administering CPR. The tank was bombarded with so many RPGs that it flipped over, landing upside down in a ditch on the side of the road. For the next six hours before Amichay and his team were evacuated, Amichay believed he would die.

657. The attack resulted in two fingers detaching from Amichay's hands, and shrapnel to his thigh, back and hands.

658. Amichay has had two surgeries thus far, and a third will be necessary in the near future to attempt to restore feeling and function to the re-attached fingers. The likelihood of success is very low.

659. As a direct and foreseeable result of the December 8, 2023, attack, Plaintiff Amichay Klughaupt has suffered severe mental anguish and extreme emotional distress, and economic loss.

**W. The Moses Family**

660. Elitzur Moses was a citizen of the United States and a resident of the State of Israel when he was injured by Hamas. He was 42 years old at the time.

661. On December 2, 2023, Elitzur was serving as a member of the IDF in Gaza when he was wounded by a rocket-propelled grenade that was shot at him by a terrorist, injuring his left hand.

662. Elitzur wrapped his injured hand and tried to continue fighting, but he was told he had to leave battle and was sent to Barzillai Hospital. He had a 90% tear to the tendon in his hand, which had to be surgically repaired at Sheba Hospital.

663. Plaintiff Dafna Moses is a citizen and resident of the State of Israel. She is the wife of Elitzur Moses.

664. Elitzur Moses also brings this action on behalf of his minor child, T.Z., who is a citizen and resident of the State of Israel.

665. As a direct and foreseeable result of the December 2, 2023, attack, Plaintiff Elitzur Moses has suffered severe mental anguish and extreme emotional distress, and economic loss.

666. Plaintiffs Dafna Moses and T.Z. have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the injuries of Elitzur Moses.

#### **X. The Newman Family**

667. David Newman was a citizen and resident of the State of Israel when he was murdered by Hamas. He was 21 years old.

668. On October 7, 2023, David was attending the Nova Music Festival in Kibbutz Re'im when terrorists invaded Israel and began attacking the people at the festival.

669. David was with his girlfriend at a party within the festival when they heard what they thought were fireworks, but what turned out to be missiles. David remained calm and started to leave the festival with his girlfriend. David and his girlfriend realized the attackers were inside the festival, wearing Israeli military uniforms, so David told his girlfriend to lie down with her hands covering her head. They would remain like that until the shooting subsided before trying to flee. David and his girlfriend got to a large metal dumpster and climbed inside of it, with anywhere between ten to fifteen other people. They hid in the dumpster, underneath garbage bags, for

approximately four hours. During their time hiding in the dumpster, David remained calm and tried to keep the others calm as well.

670. David texted a friend who was a high-level official within the IDF asking to be rescued. Unfortunately, his phone died before his location could be shared with the friend.

671. At some point, the group heard people outside the dumpster speaking in Arabic.

672. The terrorists came right up to the dumpster, and with David on top, began shooting. Only four of the people hiding in the dumpster came out alive. David was shot dead.

673. Plaintiff Mitchel Newman is a citizen of the United States and is a resident of the State of Israel. He is the father of David Newman.

674. Plaintiff Noach Newman is a citizen of the United States and is a resident of the State of Israel. He is the brother of David Newman.

675. Plaintiff Gavriel Newman is a citizen of the United States and is a resident of the State of Israel. He is the brother of David Newman.

676. Plaintiff Dvir Tuvia Newman is a citizen of the United States and is a resident of the State of Israel. He is the brother of David Newman.

677. Plaintiff Batya Leah Sprei is a citizen of the United States and is a resident of the State of Israel. She is the sister of David Newman.

678. Plaintiffs Mitchel Newman, Noach Newman, Gavriel Newman, Dvir Tuvia Newman, and Batya Leah Sprei have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the death of David Newman.

**Y. The Rothner Family**

679. Avraham Rothner was a citizen of the United States and a resident of the State of Israel when he was injured by Hamas. He was 22 years old at the time of the attack.



680. On October 7, 2023, Avraham was in Kfar Aza kibbutz. He saw the brutality of the Hamas terrorists firsthand and witnessed the murders of countless innocent Israeli civilians.

681. During the attack, he made great efforts to help the wounded, but many of those died before Avraham's eyes.

682. Avraham is suffering from severe PTSD and mental and emotional trauma as a result of the events of October 7, 2023.

683. As a direct and foreseeable result of the October 7, 2023, attack, Plaintiff Avraham Rothner has suffered severe mental anguish and extreme emotional distress, and economic loss.

**Z. The Shindman Family**

684. Nadav Benjamin Shindman was a citizen of the United States and a resident of the State of Israel when he was injured by Hamas. He was 21 years old at the time.

685. Nadav was a member of the IDF on March 31, 2024.

686. On March 31, 2024, Nadav and his unit were in an armored IDF vehicle evacuating the wounded when they were shot by an RPG. Nadav was injured by shrapnel and the shockwave of the RPG.

687. Nadav still has three pieces of shrapnel in his throat, four in his arm, and one in his knee. Nadav lives in constant pain, making daily tasks a challenge.

688. As a direct and foreseeable result of the March 31, 2024, attack, Plaintiff Nadav Benjamin Shindman has suffered severe mental anguish and extreme emotional distress, and economic loss.

**AA. The Spitz Family**

689. Aaron Moshe Spitz was a citizen of the United States and a resident of the State of Israel when he was injured by Hamas. He was 21 years old at the time.

690. Aaron was a combat soldier in the Givati Brigade.

691. Aaron was severely injured on February 27, 2024, while serving as an IDF soldier in the neighborhood of Zeitoun in the Northern Gaza Strip. Aaron lost both of his legs and his right hand due to an explosion and was thought to be dead by fellow soldiers who viewed the attack. Aaron had a weak pulse and was quickly evacuated and then air-lifted to Soroka Medical Center.

692. He underwent a complex and prolonged surgery while there. In total, Aaron received over 30 blood transfusions to save his life and was unconscious for 41 days before waking up.

693. Plaintiff Leah Spitz is a citizen of the United States and is a resident of the State of Israel. She is the mother of Aaron Moshe Spitz.

694. Plaintiff Gavriel Binyamin Spitz is a citizen of the United States and is a resident of the State of Israel. He is the father of Aaron Moshe Spitz.

695. Plaintiff Avital Miriam Spitz is a citizen of the United States and is a resident of the State of Israel. She is the sister of Aaron Moshe Spitz.

696. As a direct and foreseeable result of the February 27, 2024, attack, Plaintiff Aaron Moshe Spitz has suffered severe mental anguish and extreme emotional distress, and economic loss.

697. Plaintiffs Leah Spitz, Gavriel Binyamin Spitz, and Avital Miriam Spitz have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the injuries of Aaron Moshe Spitz.

**BB. The Thaler Family**

698. Aryeh Thaler was a citizen of the United States and a resident of the State of Israel when he was injured in an attack committed by Hamas. He was 23 years old at the time of the attack.

699. Aryeh was a graduate of the ultra-Orthodox Netzah Yehuda Battalion and an officer in the IDF.

700. On December 8, 2023, Aryeh was fighting in Gaza when an IED exploded and a large piece of shrapnel entered his lower abdomen, causing severe damage to his lower internal organs and intense bleeding. He survived by being airlifted to Ashdod Hospital, while receiving blood transfusions. He was on the operating table within an hour of being attacked. He spent 2.5 weeks in the hospital and is currently still in rehab.

701. Plaintiff Jeffrey Thaler is a citizen of the United States and is a resident of the State of Israel. He is the father of Aryeh Thaler.

702. Plaintiff Karen Thaler is a citizen of the United States and is a resident of the State of Israel. She is the mother of Aryeh Thaler.

703. Plaintiff Zev Thaler is a citizen of the United States and is a resident of the State of Israel. He is the brother of Aryeh Thaler.

704. Plaintiff Eliyahu Thaler is a citizen of the United States and is a resident of the State of Israel. He is the brother of Aryeh Thaler.

705. Plaintiff Yosef Thaler is a citizen of the United States and is a resident of the State of Israel. He is the brother of Aryeh Thaler.

706. Plaintiff Pesha Thaler is a citizen of the United States and is a resident of the State of Israel. She is the sister of Aryeh Thaler.

707. Plaintiffs Jeffrey Thaler and Karen Thaler bring this action on behalf of Plaintiff A.T., a minor child, as his legal guardians. A.T. is a citizen of the United States and is a resident of the State of Israel. He is the brother of Aryeh Thaler.

708. Plaintiffs Jeffrey Thaler and Karen Thaler bring this action on behalf of Plaintiff L.T., a minor child, as her legal guardians. L.T. is a citizen of the United States and is a resident of the State of Israel. She is the sister of Aryeh Thaler.

709. Plaintiffs Jeffrey Thaler and Karen Thaler bring this action on behalf of Plaintiff R.T., a minor child, as her legal guardians. R.T. is a citizen of the United States and is a resident of the State of Israel. She is the sister of Aryeh Thaler.

710. Plaintiffs Jeffrey Thaler and Karen Thaler bring this action on behalf of Plaintiff H.T., a minor child, as her legal guardians. H.T. is a citizen of the United States and is a resident of the State of Israel. She is the sister of Aryeh Thaler.

711. As a direct and foreseeable result of the December 8, 2023, attack, Plaintiff Aryeh Thaler has suffered severe mental anguish and extreme emotional distress, and economic loss.

712. Plaintiffs Jeffrey Thaler, Karen Thaler, Zev Thaler, Eliyahu Thaler, Yosef Thaler, Pesha Thaler, A.T., L.T., R.T., and H.T. have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the injuries of Aryeh Thaler.

**CC. The Vardi Family**

713. Laurie Vardi was a citizen and resident of the State of Israel when she was murdered by Hamas. She was 24 years old.

714. Laurie Vardi was at the Nova Music Festival on October 7, 2023, when rockets began to fall in the vicinity of the festival. She and her boyfriend got into their car and attempted to leave, but then took shelter in a concrete bomb shelter near Kibbutz Alumim. Terrorists threw a grenade at the bomb shelter, and Laurie went outside for air because of the smoke and was shot and killed immediately outside the bomb shelter.

715. Plaintiff Ariel Vardi is a citizen of the United States and a resident of the State of Massachusetts. He is the brother of Laurie Vardi.

716. Plaintiff Ariel Vardi has experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the death of Laurie Vardi.

**DD. The Zer-Chen Family**

717. Leor Zer-Chen was a citizen of the United States and a resident of the State of Israel when he was injured by Hamas. He was 25 years old at the time.

718. On October 7, 2023, Leor was in synagogue services in Ashkelon, Israel, when the attacks began. Though Israeli security forces set up protection in the vicinity of the synagogue, Leor was compelled to reach his family. It took him thirty minutes to reach his family by foot. There were rockets landing in the streets near him, and armed people were all over. Leor feared for his safety because he did not know if the armed people he saw were Israeli security forces or terrorists, and he worried that his family would never see him again.

719. He was finally able to obtain a ride in an ambulance to his wife and son.

720. Leor has been diagnosed with depression as a result of the October 7 Attack.

721. Plaintiff Yaakov Zer-Chen is a citizen of the United States and is a resident of the State of Israel. He is the son of Leor Zer-Chen.

722. As a direct and foreseeable result of the October 7 Attack, Plaintiff Leor Zer-Chen has suffered severe mental anguish and extreme emotional distress.

723. Plaintiff Yaakov Zer-Chen has experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the injuries of Leor Zer-Chen.

**EE. The Edan Family**

724. Smadar Mor Edan was a citizen of the United States and a resident of the State of Israel when she was murdered by Hamas. She was 38 years old.

725. Roe Edan was a citizen and resident of the State of Israel when he was murdered by Hamas. He was 43 years old. He was Smadar's husband.

726. A.E. was a dual U.S.-Israeli citizen when she was kidnapped by Hamas on October 7, 2023. She was three years old when she was kidnapped. She was the youngest American hostage to be taken on October 7, 2023.

727. M.E. was a dual U.S.-Israeli citizen when he saw his parents murdered and his sister kidnapped by Hamas on October 7, 2023. He was nine years old.

728. Am.E. was a dual U.S.-Israeli citizen when she saw her parents murdered and her sister kidnapped by Hamas on October 7, 2023. She was six years old.

729. On October 7, 2023, the family was at home in Kibbutz Kfar Aza, just a few miles from the Gaza border.

730. After infiltrating the kibbutz, Hamas terrorists came into the home and shot and killed Smadar in front of A.E., M.E., and Am.E. The three children ran outside and saw their father, a newspaper photographer, running toward the house. Roe took A.E. into his arms with his other children beside him.

731. Roe was shot from behind and fell with A.E. in his arms. M.E. and Am.E. thought both their father and youngest sister were dead. They immediately ran back into their house and hid on shelves in a closet next to where their mother's body lay.

732. Roe collapsed on top of A.E., but his body had shielded her from the bullets. She managed to free herself and ran, covered in her father's blood, to a neighbor's house where she took shelter with Avihai and Hagar Brodetz and their children.

733. Avihai went outside to defend the kibbutz while A.E. stayed with Hagar and her children. A.E., Hagar Brodetz, and the Brodetz children were taken hostage into Gaza.

734. A.E. was held in Gaza for 50 days before being released as part of 4-day ceasefire between Israel and Hamas on November 26, 2023. She celebrated her fourth birthday in captivity in Gaza.

735. M.E. and Am.E. hid in the closet next to where their mother's body lay for nearly 14 hours. They had a phone and spoke with a social worker for a long part of this time, but it was not clear if it was safe for them to come out of hiding until soldiers with the IDF came to rescue them.

736. Smadar's parents, Eitan Mor and Shlomit Miriam Mor, bring this action on behalf of the Estate of Smadar Mor Edan.

737. Plaintiff Eitan Mor also brings this action individually. He is a citizen and resident of the State of Israel and the father of Smadar Mor Edan.

738. Plaintiff Shlomit Miriam Mor also brings this action individually. She is a citizen of the United States and is a resident of the State of Israel. She is the mother of Smadar Mor Edan.

739. Leron Mor and Zoltan Ivan Gyongyosi bring this action on behalf of minor Plaintiffs, A.E., M.E., and Am.E., as their legal guardians.

740. Leron Mor also brings this action individually. She is a citizen and resident of the State of Israel and the sister of Smadar Mor Edan.

741. As a direct and foreseeable result of the October 7, 2023, attack, the Plaintiff Estate of Smadar Edan suffered conscious pain and suffering and economic loss.

742. As a direct and foreseeable result of the October 7, 2023, attack, Plaintiff A.E. suffered severe mental anguish and extreme emotional distress from being in the line of fire when

her father was shot and killed, witnessing her mother being murdered in front of her, and being taken hostage into deplorable and life-threatening conditions in Gaza for 50 days when she was only three years old.

743. As a direct and foreseeable result of the October 7, 2023 attack, Plaintiffs M.E. and Am.E. suffered severe mental anguish and extreme emotional distress from witnessing both of their parents being murdered, believing that they had witnessed their youngest sister being murdered, and fearing for their life as they hid from terrorists for nearly 14 hours in a closet in their home with their mother's dead body immediately outside the closet door.

744. Plaintiffs Eitan Mor, Shlomit Miriam Mor, Leron Mor, A.E., M.E., and Am.E. have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the October 7, 2023, attack, the murder of Smadar Mor Edan, and A.E. being taken hostage.

745. Plaintiffs A.E., M.E., and Am.E. have also experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the October 7, 2023, attack and the murder of their father Roe Edan.

**FF. The Zafrani Family**

746. Itay Zafrani was a citizen of the United States and a resident of the State of Israel when he was murdered by Hamas. He was 35 years old.

747. Itay was attending the Nova Music Festival in Re'im Negev, Israel, on October 7, 2023. Itay left the festival immediately by car when the rockets started at approximately 6:35 a.m. and drove toward the Mefalsim junction where he first encountered terrorists. He tried to make a U-turn but was shot and killed there at 6:52 a.m. The terrorists then pulled Itay out of the car to see what they could steal from him, taking his iPhone and Apple Watch.



748. Plaintiff Michal Zipporah Zafrani is a citizen of the United States and is a resident of the State of Israel. She is the mother of Itay Zafrani. She brings this action individually, and on behalf of the Estate of Itay Zafrani.

749. Plaintiff Inbal Chen is a citizen and resident of the State of Israel. She brings this action individually, as the surviving spouse of Itay Zafrani, and as the legal guardian of A.Z., the surviving child of Itay Zafrani.

750. Plaintiff David Zafrani is a citizen and resident of the State of Israel. He is the father of Itay Zafrani.

751. Plaintiff Ori Zafrani is a citizen of the United States and a resident of the State of Israel. He is the brother of Itay Zafrani.

752. Plaintiff Osnat Tal Zafrani is a citizen and resident of the State of Israel. She is the sister of Itay Zafrani.

753. Plaintiff Roni Zafrani is a citizen of the United States and a resident of the State of Israel. She is the sister of Itay Zafrani.

754. As a direct and foreseeable result of the October 7, 2023, attack, the Plaintiff Estate of Itay Zafrani suffered conscious pain and suffering and economic loss.

755. Plaintiffs Inbal Chen, A.Z., David Zafrani, Michal Zipporah Zafrani, Ori Zafrani, Osnat Tal Zafrani, and Roni Zafrani have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the death of Itay Zafrani.

**GG. The Natan Family**

756. Odeya Chen Natan, a/k/a Odeya Chen Teicher, was a citizen of the United States and a resident of the State of Israel when she was injured by Hamas. She was 30 years old at the time.

757. Odeya was at home in Sderot on October 7, 2023. She heard the events of October 7, 2023, unfolding outside her home and took her children, father-in-law, and brother-in-law to their safe room to hide. They barricaded themselves in the safe room for 48 hours until the IDF was able to rescue them. They heard non-stop rockets as well as the gunfire all around them from the terrorist who were lurking on the streets of Sderot.

758. Plaintiff Eitan David Natan, Odeya's husband, was a citizen and a resident of the State of Israel on October 7, 2023.

759. While Odeya, her father-in-law, brother-in-law, and her children were hiding in the safe room in her home, Eitan had heard the rocket sirens going off in Sderot and proceeded in his vehicle to the entrance to Sderot where he was attacked by a pickup truck filled with terrorists who were infiltrating Sderot. Eitan was shot in the arm, but he continued to drive until his vehicle could no longer move after continuing to be hit with gunfire. He got into another resident's vehicle who had also been shot. Eitan plugged the other individual's gunshot wound with his finger, and the two were able to get north of Sderot where they found an ambulance to receive care.

760. Odeya did not know what happened to her husband as she was holed up in the safe room for 48 hours. She believed him to be among the dead or captured and, aside from the emotional distress she endured as a result of her own personal ordeal within the safe room, she also suffered emotional distress from the belief that her husband had been killed. While Eitan survived, he has undergone multiple surgeries, physical therapy, and emotional trauma that has caused additional emotional distress for Odeya.

761. Plaintiff Naomi Teicher is a citizen of the United States and a resident of the State of Israel. She is the mother of Odeya Chen Natan, a/k/a Odeya Chen Teicher.

762. Plaintiff Michael Jay Teicher is a citizen of the United States and a resident of the State of Israel. He is the father of Odeya Chen Natan, a/k/a Odeya Chen Teicher.

763. As a direct and foreseeable result of the October 7, 2023, attack, Plaintiff Odeya Chen Natan, a/k/a Odeya Chen Teicher, suffered severe mental anguish and extreme emotional distress.

764. Plaintiffs Naomi Teicher, Michael Jay Teicher, and Eitan David Natan have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on Odeya Chen Natan, a/k/a Odeya Chen Teicher.

#### **HH. The Amar Family**

765. Naama Saffer Amar was a citizen of the United States and a resident of the State of Israel when she was injured by Hamas. She was 34 years old at the time.

766. Naama Saffer Amar was at home in Ofakim on October 7, 2023, when Hamas terrorists invaded. Terrorists surrounded Naama's house shooting, prohibiting her and her family from leaving their building for two days. There were 50 deaths in the neighborhood, with many, if not all, of her neighbors dying, leaving her to fear for her safety.

767. Naama was displaced from her home for two weeks.

768. As a direct and foreseeable result of the October 7, 2023, attack, Plaintiff Naama Saffer Amar suffered severe mental anguish and extreme emotional distress while also being forced to relocate from her home.

#### **II. The Goodman Family**

769. Yehoshua Goodman was a citizen of the United States and a resident of the State of Israel when he was injured by Hamas. He was 43 years old at the time.

770. On October 7, 2023, Yehoshua was in Tifrach, Israel, unable to get back to his home in Ofakim. Rockets fell two houses away from where he and his family were staying and shattered windows in the house where he was staying, causing him to fear for his safety.

771. When Yehoshua was able to return home to Ofakim, he was afraid to leave his house.

772. As a direct and foreseeable result of the October 7, 2023, attack, Plaintiff Yehoshua Goodman suffered severe mental anguish and extreme emotional distress.

**JJ. The Gutstein Family**

773. Avraham Gutstein was a citizen of the United States and a resident of the State of Israel when he was injured by Hamas. He was 43 years old at the time.

774. On October 7, 2023, Avraham Gutstein was in Ashkelon when rockets began falling in the area where he had been attending synagogue. A rocket fell in a nearby parking lot, shattering windows and causing him to fear for his safety.

775. Avraham owns two kindergarten centers in Ashkelon, and these locations were damaged by rockets, resulting in collapsed walls and damage to the buildings.

776. Avraham is also a volunteer with an organization known as “Zaka,” which provides first-responder and search-and-rescue operations, among other activities, in the aftermath of mass-casualty events. In this capacity, Avraham was stationed at the hospital where he saw the casualties, including dead bodies, coming from various locations as a result of the October 7, 2023, attack.

777. Avraham suffers from emotional trauma, sleep disturbances, endless thoughts of mortality, and PTSD.

778. Plaintiff Miriam Gutstein is a citizen of the United States and is a resident of the State of Israel. She is the spouse of Avraham Gutstein.

779. Plaintiff Z.C.G. is a citizen of the United States and is a resident of the State of Israel. Plaintiff Miriam Gutstein, as next-of-kin of Z.C.G., brings this claim for Z.C.G. as the minor child of Avraham Gutstein.

780. Plaintiff Yitshak Yisachar Gutstein is a citizen of the United States and is a resident of the State of Israel. He is the son of Avraham Gutstein.

781. Plaintiff Tamar Gutstein is a citizen of the United States and a resident of the State of Israel. She is the daughter of Avraham Gutstein.

782. Plaintiff S.G. is a citizen of the United States and is a resident of the State of Israel. Plaintiff Miriam Gutstein, as next-of-kin of S.G., brings this claim for S.G. as the minor child of Avraham Gutstein.

783. As a direct and foreseeable result of the October 7, 2023, attack by Hamas, Plaintiff Avraham Gutstein suffered severe mental anguish and extreme emotional distress, and economic loss in the form of injury to his property.

784. Plaintiffs Miriam Gutstein, Tamar Gutstein, Z.C.G., Yitshak Yisachar Gutstein, and S.G. have experienced severe mental anguish and extreme emotional distress as a direct and foreseeable result of the attack on and the injuries to Avraham Gutstein.

**KK. The Tawil Family**

785. Shelomo Tawil was a citizen of the United States and a resident of the State of Israel when he was injured by Hamas. He was 27 years old at the time.

786. On October 7, 2023, Shelomo Tawil was an IDF reservist. Following Hamas's invasion into Israel, Shelomo was called up to serve in the 646<sup>th</sup> Brigade.

787. Shelomo served in Gaza and Lebanon for over 170 days, from October 7, 2023, through March 29, 2024. He was part of the 646<sup>th</sup> Brigade's evacuation squad, clearing out damaged homes and bodies, including finding the bodies of dead friends.

788. As a direct and foreseeable result of the October 7, 2023, attack, Plaintiff Shelomo Tawil has suffered severe mental anguish and extreme emotional distress, and economic loss due to leaving his educational program to serve in the military.

### **FIRST CLAIM FOR RELIEF**

**Against the Iran Defendants on Behalf of U.S. Citizen Plaintiffs Except for the ATA-Only Plaintiffs<sup>86</sup> Identified Herein Who Suffered Personal Injury as a Result of the Iran Defendants' Material Support for Acts of Extrajudicial Killing, Torture, and Hostage Taking Pursuant to 28 U.S.C. § 1605A(c), Constituting Assault and Battery**

789. Plaintiffs incorporate the allegations of the preceding paragraphs as though fully set forth below.

790. The Iran Defendants provided material support for acts of torture, extrajudicial killing, and hostage taking (within the definitions of 28 U.S.C. § 1605A(h)) to terror organizations and operatives who engaged in acts of torture, extrajudicial killing, and hostage taking, and who injured Plaintiffs.

791. The Iran Defendants armed, funded, trained, and provided other types of material support (as defined in 18 U.S.C. § 2339A) for and to terror organizations and operatives who engaged in acts of torture, extrajudicial killing, and hostage taking, injuring Plaintiffs.

792. The Iran Defendants provided this material support through the Iran Defendants' officials, employees, and agents while they were acting within the scope of their offices, employments, or agencies. This material support was provided pursuant to the policies of the Iran Defendants.

793. The material support provided by the Iran Defendants caused Plaintiffs' injuries by resulting in the October 7 Attack and the Subsequent Related Attacks.

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<sup>86</sup> The "ATA-Only Plaintiffs" are not bringing FSIA claims under this complaint. They are: the Estates of Judy Weinstein Haggai, the Estate of Gad Haggai, Iris Weinstein Haggai, Ahl Haggai, Rahm Haggai, and Zohar Haggai; Iddo Moshe Levy; Nir Yehezkel Levy, Eliyahu Levy, Tom Shalom and Guram Beniashvili.

794. The October 7 Attack and the Subsequent Related Attacks identified in the foregoing paragraphs and caused by the actions of the Iran Defendants were intended to cause a harmful or offensive contact, and an imminent apprehension of such a contact, with Plaintiffs.

795. They therefore constituted a battery on Plaintiffs' persons, causing them severe physical injuries, and an assault on Plaintiffs by placing them in fear and apprehension of harm and death.

796. As a direct and proximate result of the willful, wrongful, and intentional acts of the Iran Defendants, Plaintiffs identified in the foregoing paragraphs were injured and endured severe physical injuries, extreme mental anguish, pain and suffering, and economic losses.

797. Plaintiffs' compensatory damages include, but are not limited to, their severe physical injuries, extreme mental anguish, pain and suffering, solatium, and any economic losses determined by the trier of fact.

798. The Iran Defendants' conduct was criminal, outrageous and extreme, wanton and willful, malicious, and constitutes a threat to the public warranting an award of punitive damages under 28 U.S.C. § 1605A(c).

## **SECOND CLAIM FOR RELIEF**

**Against the Iran Defendants on Behalf of U.S. Citizen Plaintiffs Identified Herein, Except for the ATA-Only Plaintiffs, Who Suffered Personal Injury as a Result of the Iran Defendants' Material Support for Acts of Extrajudicial Killing, Torture, and Hostage Taking Pursuant to 28 U.S.C. § 1605A(c), Constituting Intentional Infliction of Emotional Distress**

799. Plaintiffs incorporate the allegations of the preceding paragraphs as though fully set forth below.

800. The Iran Defendants provided material support for acts of torture, extrajudicial killing, and hostage taking (within the definitions of 28 U.S.C. § 1605A(h)) to terror organizations

and operatives who engaged in acts of torture, extrajudicial killing, and hostage taking, and who injured Plaintiffs.

801. The Iran Defendants armed, funded, trained, and provided other types of material support (as defined in 18 U.S.C. § 2339A) for and to terror organizations and operatives who engaged in acts of torture, extrajudicial killing, and hostage taking, injuring Plaintiffs.

802. The Iran Defendants provided this material support through the Iran Defendants' officials, employees, and agents while they were acting within the scope of their offices, employments, or agencies. This material support was provided pursuant to the policies of the Iran Defendants.

803. The material support provided by the Iran Defendants caused Plaintiffs' injuries by resulting in the October 7 Attack and the Subsequent Related Attacks.

804. The Iran Defendants intentionally inflicted emotional distress on the Plaintiffs by intending to terrorize, and in fact terrorizing, the Plaintiffs, causing them severe emotional distress.

805. This included terrorizing Plaintiffs who were present at the scene of the October 7 Attack and the Subsequent Related Attacks and the Plaintiffs whose family members were injured or killed at the October 7 Attack and the Subsequent Related Attacks.

806. As a direct and proximate result of the willful, wrongful, and intentional acts of the Iran Defendants, Plaintiffs identified in the foregoing paragraphs were injured and endured extreme mental anguish, pain and suffering, and economic losses.

807. Plaintiffs' compensatory damages include, but are not limited to, extreme mental anguish, pain and suffering, solatium, and any economic losses determined by the trier of fact.



808. The Iran Defendants' conduct was criminal, outrageous, extreme, wanton, willful, malicious, and a threat to the public, warranting an award of punitive damages against the Iran Defendants pursuant to 28 U.S.C. § 1605A(c).

### **THIRD CLAIM FOR RELIEF**

#### **Against the Iran Defendants on Behalf of U.S. Citizen Plaintiffs Identified Herein, Except for the ATA-Only Plaintiffs, Who Suffered Personal Injury as a Result of the Iran Defendants' Material Support for Acts of Extrajudicial Killing, Torture, and Hostage Taking Pursuant to 28 U.S.C. § 1605A(c), Constituting False Imprisonment**

809. Plaintiffs incorporate the allegations of the preceding paragraphs as though fully set forth below.

810. The Iran Defendants provided material support for acts of torture, extrajudicial killing, and hostage taking (within the definitions of 28 U.S.C. § 1605A(h)) to terror organizations and operatives who engaged in acts of torture, extrajudicial killing, and hostage taking, and who injured Plaintiffs.

811. The Iran Defendants armed, funded, trained, and provided other types of material support (as defined in 18 U.S.C. § 2339A) for and to terror organizations and operatives who engaged in acts of torture, extrajudicial killing, and hostage taking, injuring Plaintiffs.

812. The Iran Defendants provided this material support through the Iran Defendants' officials, employees, and agents while they were acting within the scope of their offices, employments, or agencies. This material support was provided pursuant to the policies of the Iran Defendants.

813. The material support provided by the Iran Defendants caused Plaintiffs' injuries by resulting in the October 7 Attack and the Subsequent Related Attacks.

814. The Iran Defendants acted intending to unlawfully confine certain Plaintiffs within fixed boundaries, namely their safe rooms or other shelters, during these attacks (as detailed in Section V above).

815. The Iran Defendants' conduct directly or indirectly resulted in Plaintiffs confinement.

816. Plaintiffs were aware of that confinement and were harmed by it.

817. As a direct and proximate result of the willful, wrongful, and intentional acts of the Iran Defendants, Plaintiffs identified in the foregoing paragraphs suffered extreme mental anguish, pain and suffering, and economic harm.

818. Plaintiffs' compensatory damages include, but are not limited to, extreme mental anguish, pain and suffering, solatium, and any economic losses determined by the trier of fact.

819. The Iran Defendants' conduct was criminal, outrageous, extreme, wanton, willful, malicious, and a threat to the public, warranting an award of punitive damages against the Iran Defendants pursuant to 28 U.S.C. § 1605A(c).

#### **FOURTH CLAIM FOR RELIEF**

**Against the Iran Defendants on Behalf of U.S. Citizen Plaintiff Estates Identified Herein, Except for the ATA-Only Plaintiffs, Who Suffered Personal Injury as a Result of the Iran Defendants' Material Support for Acts of Extrajudicial Killing, Torture, and Hostage Taking Pursuant to 28 U.S.C. § 1605A(c), Constituting Wrongful Death**

820. Plaintiffs incorporate the allegations of the preceding paragraphs as though fully set forth below.

821. The estate Plaintiffs listed in the foregoing paragraphs assert claims on behalf of the estate decedents who were grievously injured and killed by the Iran Defendants' provision of material support (within the definitions of 28 U.S.C. § 1605A(h)) to terror organizations and

operatives who engaged in acts of torture, extrajudicial killing, and hostage taking, that caused the decedents' deaths.

822. The Iran Defendants armed, funded, trained, and provided other types of material support (as defined in 18 U.S.C. § 2339A) for and to terror organizations and operatives who engaged in acts of torture, extrajudicial killing, and hostage taking, injuring and killing the estates' decedents.

823. The Iran Defendants provided this material support through the Iran Defendants' officials, employees, and agents while they were acting within the scope of their offices, employments, or agencies. This material support was provided pursuant to the policies of the Iran Defendants.

824. As a direct and proximate result of the willful, wrongful, and intentional acts of the Iran Defendants, the estate Plaintiffs listed in the foregoing paragraphs endured economic losses resulting from the estates' decedents' premature deaths. These economic losses include loss of income and unreimbursed funeral expenses.

825. The Iran Defendants' conduct was criminal, outrageous, extreme, wanton, willful, malicious, and constitutes a threat to the public, warranting an award of punitive damages against the Iran Defendants pursuant to 28 U.S.C. § 1605A(c).

#### **FIFTH CLAIM FOR RELIEF**

**Against the Iran Defendants on Behalf of U.S. Citizen Plaintiff Estates Identified Herein,  
Except for the ATA-Only Plaintiffs, Who Suffered Personal Injury as a Result of the Iran  
Defendants' Material Support for Acts of Extrajudicial Killing, Torture, and Hostage  
Taking Pursuant to 28 U.S.C. § 1605A(c), Constituting Survival**

826. Plaintiffs incorporate the allegations of the preceding paragraphs as though fully set forth below.

827. The estates of Plaintiffs listed in the foregoing paragraphs assert claims for the pain and suffering of the estates' decedents who were grievously injured by the Iran Defendants' provision of material (within the definitions of 28 U.S.C. § 1605A(h)) to terror organizations and operatives who engaged in acts of torture, extrajudicial killing, and hostage taking that caused the decedents' deaths.

828. The Iran Defendants armed, funded, trained, and provided other types of material support (as defined in 18 U.S.C. § 2339A) for and to terror organizations and operatives who engaged in acts of torture, extrajudicial killing, and hostage taking, injuring and killing the estate decedents.

829. The Iran Defendants provided this material support through the Iran Defendants' officials, employees, and agents while they were acting within the scope of their offices, employments, or agencies. This material support was provided pursuant to the policies of the Iran Defendants.

830. The material support provided by the Iran Defendants caused the estate decedents' injuries and deaths by resulting in the October 7 Attack and the Subsequent Related Attacks.

831. As a direct and proximate result of the willful, wrongful, and intentional acts of the Iran Defendants, the decedents listed in the foregoing paragraphs endured physical injury, extreme mental anguish, and pain and suffering prior to their deaths.

832. The Iran Defendants are therefore liable for the full measure of estate Plaintiffs' compensatory damages, including physical injuries, extreme mental anguish, and pain and suffering prior to their deaths.

833. The Iran Defendants' conduct was criminal, outrageous, extreme, wanton, willful, malicious, and constitutes a threat to the public, warranting an award of punitive damages against the Iran Defendants pursuant to 28 U.S.C. § 1605A(c).

#### **SIXTH CLAIM FOR RELIEF**

**Against the Iran Defendants on Behalf of Non-U.S. Nationals Identified Herein, Except for the ATA-Only Plaintiffs, Who Suffered Personal Injury as a Result of the Iran Defendants' Material Support for Acts of Extrajudicial Killing, Torture, and Hostage Taking Pursuant to District of Columbia Law or Israeli Law (or other U.S. State or Foreign Law), Constituting Intentional Infliction of Emotional Distress**

834. The allegations set forth in the preceding paragraphs are incorporated by reference as though fully set forth herein.

835. The family member Plaintiffs of individuals identified in the foregoing paragraphs as injured or killed as a result of the Iran Defendants' provision of material support for acts of extrajudicial killing, torture, and hostage taking have suffered severe emotional distress, extreme mental anguish, and severe physical manifestations, as well as loss of solatium and other harms to be set forth to the trier of fact.

836. The Iran Defendants' material support for extrajudicial killing, torture, and hostage taking were intended to inflict severe emotional distress on Plaintiffs.

837. Family member Plaintiffs who are U.S. citizens bring claims pursuant to 28 U.S.C. § 1605A's federal cause of action, § 1605A(c), as set forth in the Second Claim for Relief.

838. District of Columbia District Courts are split over whether to apply D.C. law, the law of non-U.S. national plaintiffs' domiciles, or the law of the place of the attack to intentional infliction of emotional distress claims brought by plaintiffs who are not nationals of the United States. The issue is currently on appeal to the Court of Appeals for the District of Columbia in *Roberts v. Islamic Republic of Iran*, No. 23-cv-7106.

839. Accordingly, family member Plaintiffs who are not U.S. nationals bring claims pursuant to District of Columbia law, Israeli law, and/or other U.S. state or foreign law, depending on their residence.

840. The family member Plaintiffs who are not U.S. nationals bring claims for all possible damages, including for pain and suffering, emotional distress, economic losses, and punitive damages, as set forth below.

#### **District of Columbia Law**

841. District of Columbia law provides for intentional infliction of emotional distress claims, including punitive damages. The family member Plaintiffs who are not U.S. nationals accordingly bring claims for intentional infliction of emotional distress, including punitive damages, under District of Columbia law.

842. As set forth in detail above, the Iran Defendants' conduct was intentional and reckless, necessarily causing the family member Plaintiffs severe emotional distress.

#### **Israeli Law**

843. Family member Plaintiffs who are citizens of the State of Israel but not the United States also bring claims under Israeli law, including Articles 35-36 of the Civil Wrongs Ordinance ("CWO") providing causes of action for both negligent conduct and intentional harms.

844. Plaintiffs bring these claims against the Iran Defendants under three theories of liability espoused by Israeli law: primary liability, secondary liability, and vicarious liability.

845. The Iran Defendants knowingly, willfully, recklessly (and certainly negligently) caused and assisted the above-described attacks, which are acts of terrorism that a reasonably prudent person would not have committed or abetted.

846. The Iran Defendants had a duty not to knowingly, willfully, recklessly (and certainly negligently) cause, assist, and provide material support for the above-described attacks.

847. As a direct and proximate result of the willful, knowing, reckless, and negligent acts of the Iran Defendants, Plaintiffs identified in the foregoing paragraphs suffered extreme mental anguish, pain and suffering, loss of solatium, and economic harm.

848. Israeli law provides for damages for economic loss, pain and suffering, mental anguish, bereavement damages (*i.e.*, solatium), and punitive damages.

849. Plaintiffs' compensatory damages include, but are not limited to, economic losses, pain and suffering, extreme mental anguish, and solatium.

850. Punitive damages under Israeli law stems from the American rule of punitive damages. The Iran Defendants' conduct was criminal, outrageous, extreme, wanton, willful, malicious, and a threat to the public, warranting an award of punitive damages against the Iran Defendants pursuant to Israeli law.

#### **Other foreign or U.S. States' laws**

851. To the extent necessary, the non-U.S. national Plaintiffs bring claims for relief under the laws of other countries or U.S. States, for the same injuries and damages described above.

### **SEVENTH CLAIM FOR RELIEF**

#### **Liability for Conspiring to Commit Homicide (18 U.S.C. § 2332(b)) and Other Crimes Listed in 18 U.S.C. § 2339A(a) Under § 2333(a) Against the FTO Defendants on Behalf of All Plaintiffs**

852. The allegations set forth in the preceding paragraphs are incorporated by reference as though fully set forth herein.

853. Plaintiffs have been injured in their person, and the estate Plaintiffs suffered economic loss and pain and suffering prior to their decedents' deaths, by reason of acts of international terrorism committed by the FTO Defendants that involved violence, were dangerous

to human life, and violated the criminal law of the United States, including the prohibition on killing, or attempting or conspiring to kill, U.S. citizens as set forth in 18 U.S.C. § 2332 and the other crimes listed in 18 U.S.C. § 2339A(a).

854. The FTO Defendants' acts of international terrorism were appeared intended and were in fact intended to: (a) intimidate or coerce the civilian populations of the State of Israel and the United States; (b) influence the policy of the governments of the State of Israel and the United States by intimidation or coercion; and (c) affect the conduct of the governments of the State of Israel and the United States by mass destruction, assassination, or kidnapping within the meaning of 18 U.S.C. § 2331.

855. The FTO Defendants' acts either occurred primarily outside the territorial jurisdiction of the United States or transcended national boundaries in terms of the means by which they were accomplished.

856. The acts of terrorism set forth herein were extreme and outrageous and were committed with the knowledge they would and intention to cause extreme physical pain and suffering to the victims, and extreme emotional distress to the family members of those murdered by reason of these acts of international terrorism.

857. The FTO Defendants conspired to commit acts of homicide and other crimes listed in 18 U.S.C. § 2339A(a), or activities that would be crimes if committed within the jurisdiction of the United States or of any State, including against U.S. nationals, in the manner set forth herein, and committed overt acts in furtherance of the conspiracy. At all relevant times, the FTO Defendants agreed to the aims of the conspiracy and acted in furtherance of the conspiracy.



858. Plaintiffs were wounded, incurring emotional and physical injuries (including solatium), and some were also killed, as a result of overt acts taken in furtherance of the conspiracy, such as shootings, bombings, and hostage-taking.

859. By conspiring to commit acts of homicide and other crimes listed in 18 U.S.C. § 2339A(a) that resulted in the injury of Plaintiffs and the deaths of Plaintiffs' decedents, who were U.S. nationals, the FTO Defendants are jointly and severally liable pursuant to 18 U.S.C. § 2333(a) for any and all damages Plaintiffs have sustained as a result of such injuries.

### **EIGHTH CLAIM FOR RELIEF**

#### **Civil Liability under 18 U.S.C. § 2333(a) Against FTO Defendants Hamas, PIJ, and PFLP, on Behalf of the Plaintiffs Injured by FTO Defendants Hamas, PIJ, and PFLP**

860. The allegations set forth in the preceding paragraphs are incorporated by reference as though fully set forth herein.

861. Plaintiffs have been injured in their person, including extreme mental anguish, solatium and economic losses, and the estate Plaintiffs suffered economic loss, extreme mental anguish, and pain and suffering, by reason of acts of international terrorism committed by the FTO Defendants Hamas, PIJ, and PFLP, that involved violence, were dangerous to human life, and violated the criminal law of the United States or the States (or would be if committed in the United States), including the prohibition on killing or attempting to kill U.S. citizens as set forth in 18 U.S.C. § 2332(a), (b), and (c).

862. These FTO Defendants' acts in kidnapping Plaintiffs, injuring Plaintiffs, killing Plaintiffs' decedents or attempting to kill the injured Plaintiffs, or inflict emotional distress on the family member Plaintiffs, were intended to: (a) intimidate or coerce the civilian populations of the State of Israel and the United States; (b) influence the policy of the governments of the State of Israel and the United States by intimidation or coercion; and (c) affect the conduct of the

governments of the State of Israel and the United States by mass destruction, assassination, or kidnapping within the meaning of 18 U.S.C. § 2331.

863. These FTO Defendants' acts both occurred primarily outside the territorial jurisdiction of the United States and transcended national boundaries in terms of the means by which they were accomplished.

864. These FTO Defendants' acts were extreme and outrageous and were committed with the knowledge of and intention to cause extreme physical pain and suffering to any and all persons within close proximity of the attack and extreme emotional distress to the family members of those who were killed or injured by reason of those acts.

865. By violating 18 U.S.C. §§ 2332(a), (b), and (c)'s prohibitions against killing or attempting to kill a U.S. citizen, as well as the other crimes listed in 18 U.S.C. § 2339A(a) (or activities that would constitute such crimes if committed in the United States) and causing them serious bodily injury, economic losses, and emotional distress, these FTO Defendants are liable pursuant to 18 U.S.C. § 2333(a) for any and all damages the Plaintiffs have sustained as a result of such murders, attempted murders, and other illegal and tortious activities.

#### **NINTH CLAIM FOR RELIEF**

##### **Civil Liability under 18 U.S.C. § 2333(a) Against FTO Defendant Hezbollah, on Behalf of the Balva Family Plaintiffs**

866. The allegations set forth in the preceding paragraphs are incorporated by reference as though fully set forth herein.

867. The estate of Omer Balva suffered wrongful death (i.e., economic losses) and pain and suffering before death, and the Balva family member Plaintiffs suffered extreme emotional distress, by reason of acts of international terrorism committed by the FTO Defendant Hezbollah that involved violence, were dangerous to human life, and violated the criminal law of the United

States or the States (or would be if committed in the United States), including the prohibition on killing U.S. citizens as set forth in 18 U.S.C. § 2332(a) and (c).

868. Hezbollah's acts in killing Omer Balva, a U.S. citizen, were intended to: (a) intimidate or coerce the civilian populations of the State of Israel and the United States; (b) influence the policy of the governments of the State of Israel and the United States by intimidation or coercion; and (c) affect the conduct of the governments of the State of Israel and the United States by mass destruction, assassination, or kidnapping within the meaning of 18 U.S.C. § 2331.

869. Hezbollah's acts both occurred primarily outside the territorial jurisdiction of the United States and transcended national boundaries in terms of the means by which they were accomplished.

870. Hezbollah's acts were extreme and outrageous and were committed with the knowledge of and intention to cause extreme physical pain and suffering to any and all persons within close proximity of the attack and extreme emotional distress to the family members of those who were killed or injured by reason of those acts.

871. By violating 18 U.S.C. §§ 2332(a) and (c)'s prohibitions against murdering a U.S. citizen, and the other crimes listed in 18 U.S.C. § 2339A(a), and causing them serious bodily injury, Hezbollah is liable pursuant to 18 U.S.C. § 2333(a) for any and all damages the estate of Omer Balva and the Balva family Plaintiffs have sustained as a result of such murder.

#### **TENTH CLAIM FOR RELIEF**

##### **Civil Liability under 18 U.S.C. §§ 2333(a), 2339A and 2339B Against FTO Defendants, on Behalf of All Plaintiffs Murdered by the FTO Defendants**

872. The allegations set forth in the preceding paragraphs are incorporated by reference as though fully set forth herein.

873. Each of FTO Defendants PIJ, PFLP, Hezbollah, and Hamas provided each other material support in violation of 18 U.S.C. § 2339A by conspiring with and providing material support and resources to each other, knowing or intending that they be used in preparation for or in carrying out the October 7 Attack and the Subsequent Related Attacks, which constituted violations of section 18 U.S.C. § 2332 and the other crimes listed in 18 U.S.C. § 2339A(a), and assisted in the preparation for, carrying out, and commission of acts of international terrorism described herein.

874. Each of FTO Defendants PIJ, PFLP, Hezbollah, and Hamas provided each other material support, and attempted and conspired to do so, in violation of 18 U.S.C. § 2339B by providing material support and resources to each other, knowing that each FTO Defendant was a designated FTO, engages in terrorist activity, and/or engages in terrorism, as these terms are defined in 18 U.S.C. § 2339B.

875. The FTO Defendants' acts in kidnapping, injuring, killing, and attempting to kill, U.S. nationals and other persons, were, are, and appear to be intended to: (a) intimidate or coerce the civilian populations of the State of Israel and the United States; (b) influence the policy of the governments of the State of Israel and the United States by intimidation or coercion; and (c) affect the conduct of the governments of the State of Israel and the United States by mass destruction, assassination, or kidnapping within the meaning of 18 U.S.C. § 2331.

876. The FTO Defendants' conduct was a substantial cause in fact and a significant, foreseeable factor in the chain of events leading to the Plaintiffs' injuries.

877. The FTO Defendants' acts occurred primarily outside the territorial jurisdiction of the United States and transcended national boundaries in terms of the means by which they were accomplished.

878. The FTO Defendants' knowing provision of material support to each other involved acts that were dangerous to human life, by their nature and as evidenced by their consequences.

879. Furthermore, each Plaintiff's injuries constitute harm falling within the risk contemplated by the FTO Defendants' material support to each other.

880. Through their conduct as described above, by knowingly providing material support to each other and thereby knowingly violating 18 U.S.C. §§ 2339A and 2339B, the FTO Defendants are civilly liable for damages to each Plaintiff for their injuries pursuant to 18 U.S.C. § 2333(a).

#### **ELEVENTH CLAIM FOR RELIEF**

##### **Civil Liability for Aiding and Abetting in Violation of 18 U.S.C. §§ 2333(a) and 2333(d)(2) Against FTO Defendants PIJ, PFLP, and Hezbollah, on Behalf of All Plaintiffs**

881. The allegations set forth in the preceding paragraphs are incorporated by reference as though fully set forth herein.

882. Hamas was designated an FTO on October 8, 1997, and remains so-designated.

883. The October 7 Attack and the Subsequent Related Attacks consisted of hundreds of different phases of a terror campaign jointly perpetrated by FTO Defendants Hamas, PFLP, PIJ, and Hezbollah, among others.

884. The attacks alleged herein were acts of international terrorism as defined by 18 U.S.C. § 2331(1).

885. FTO Defendants Hezbollah, PIJ, and PFLP aided and abetted (within the meaning of 18 U.S.C. § 2333(d)(2)), Hamas, the person (within the meaning of 18 U.S.C. § 2333(d)(1) and 1 U.S.C. § 1) that committed most of the acts of international terrorism set forth herein, including through financial support, tactical training, intelligence sharing, strategic planning, the provision of weapons, and other forms of assistance and encouragement described above.

886. FTO Defendants Hezbollah, PIJ, and PFLP assisted Hamas knowingly and were generally aware of their roles in Hamas's illegal and tortious conduct.

887. The assistance these FTO Defendants knowingly provided Hamas was substantial.

888. The terror attacks described herein which were committed by Hamas were the natural and foreseeable consequences of these FTO Defendants' assistance to Hamas.

#### **TWELFTH CLAIM FOR RELIEF**

##### **Civil Liability for Aiding and Abetting in Violation of 18 U.S.C. §§ 2333(a) and 2333(d)(2) Against FTO Defendant Hamas, on Behalf of All Plaintiffs**

889. The allegations set forth in the preceding paragraphs are incorporated by reference as though fully set forth herein.

890. Hezbollah, PIJ, and PFLP were each designated an FTO on October 8, 1997, and remain so-designated.

891. The October 7 Attack and the Subsequent Related Attacks consisted of hundreds of different phases of a terror campaign jointly perpetrated by FTO Defendants Hamas, PFLP, PIJ, and Hezbollah, among others.

892. The attacks committed alleged herein were acts of international terrorism as defined by 18 U.S.C. § 2331(1).

893. Hamas aided and abetted (within the meaning of 18 U.S.C. § 2333(d)(2)) Hezbollah, PIJ, and PFLP, who were the persons (within the meaning of 18 U.S.C. § 2333(d)(1) and 1 U.S.C. § 1) that committed some of the acts of international terrorism set forth herein, including through financial support, tactical training, intelligence sharing, strategic planning, the provision of weapons, and other forms of assistance and encouragement described above.

894. Hamas assisted Hezbollah, PIJ, and PFLP knowingly and was generally aware of its role in their illegal and tortious conduct.

895. The assistance Hamas knowingly provided to these FTO Defendants was substantial.

896. The terror attacks described herein which were committed by Hezbollah, PIJ, and PFLP were the natural and foreseeable consequences of Hamas's assistance to Hezbollah, PIJ, and PFLP.

### **THIRTEENTH CLAIM FOR RELIEF**

#### **Civil Liability for Conspiracy in Violation of 18 U.S.C. §§ 2333(a) and 2333(d)(2) Against the FTO Defendants, on Behalf of All Plaintiffs**

897. The allegations set forth in the preceding paragraphs are incorporated by reference as though fully set forth herein.

898. The attacks alleged herein were acts of international terrorism as defined by 18 U.S.C. § 2331(1).

899. Hamas, Hezbollah, PIJ, and PFLP were each designated an FTO on October 8, 1997, and remain so-designated.

900. The FTO Defendants conspired with each other and others (including the IRGC) for the purpose of committing acts of terrorism, including the October 7 Attack and the Subsequent Related Attacks.

901. Each FTO Defendant agreed to join the conspiracy knowing its general aims.

902. Members of the conspiracy performed overt acts in furtherance of the conspiracy, which included acts that substantially and foreseeably injured Plaintiffs.

903. Plaintiffs' injuries were proximately caused by the FTO Defendants' acts of international terrorism.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiffs respectfully request that the Court:

- (a) Accept jurisdiction over this action;
- (b) Enter judgment for Plaintiff Estates against the Iran Defendants, jointly and severally, for compensatory damages for wrongful death and survival, including, but not limited to, physical injury, extreme mental anguish, pain and suffering, economic losses, and any pecuniary loss (or loss of income to the estates) in amounts to be determined at trial;
- (c) Enter judgment for all Plaintiffs (except the ATA-Only Plaintiffs) against the Iran Defendants, jointly and severally, for compensatory damages, including, but not limited to, physical injury, extreme mental anguish, pain and suffering, economic losses, and solatium, in amounts to be determined at trial;
- (d) Enter judgment for all Plaintiffs (except the ATA-Only Plaintiffs) against the Iran Defendants, jointly and severally, for punitive damages in an amount to be determined at trial;
- (e) Enter judgment against the FTO Defendants and in favor of all Plaintiffs for compensatory damages in amounts to be determined at trial;
- (f) Enter judgment against the FTO Defendants and in favor of all Plaintiffs for treble damages pursuant to 18 U.S.C. § 2333(a);
- (g) Enter judgment against the FTO Defendants and in favor of all Plaintiffs for any and all costs sustained in connection with the prosecution of this action, including attorneys' fees, pursuant to 18 U.S.C. § 2333(a);
- (h) Enter judgment for all Plaintiffs (except the ATA-Only Plaintiffs) against the Iran Defendants, jointly and severally, for Plaintiffs' costs and attorney's fees;
- (i) Enter judgment against the Iran Defendants, jointly and severally, for prejudgment interest; and
- (j) Such other and further relief as the Court finds just and equitable.



Dated: November 17, 2024

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Newman, Rothner, Shindman, Spitz, Thaler, Vardi,  
Zer-Chen, Edan, Zafrani, Natan, Amar, Goodman,  
Gutstein and Tawil Plaintiffs*

# Exhibit 1

In the name of Allah, the compassionate, the merciful

The Izz a-Din al-Qassam Brigades

Human Resources Branch

Organization and Administration Department

Date: September 9, 2019

Muharram 10, 1441

**To the esteemed brothers – the commanders of the brigades, may Allah preserve you**

May peace, mercy and blessings of Allah be upon you

**Re: Scholarships in Iran**

Firstly, we beseech Allah to keep you in good health, to help you, and may your steps be guided on the path of truth.

Regarding the aforementioned subject, in light of the fact that on August 28<sup>th</sup>, 2019, the General Council was tasked with forming a committee comprised of [representatives of the] intelligence and human resources [branches] that would address the matter of the scholarships in Iran, a meeting was held, and the following was agreed:

1. 12 brothers are to be selected for bachelor's degrees
2. 4 brothers are to be selected for master's degrees
3. 2 brothers are to be selected for doctorates

The above will be in the following fields: computer engineering, programming, Farsi studies, political science, special forces, naval forces, or any specialty needed by the divisions and the specialties.

**Therefore, the following is required of each district / branch:**

1. Nominating 5 brothers for the bachelor's degree program, whose high school grade point averages are no less 80%
2. Nominating 1 brother for the master's degree program
3. Nominating 1 brother for the doctorate program

**All these within the aforementioned specialties.**

**Note:** An interview panel shall convene to select the requested number from among the candidates.

May Allah shower you with His blessings

**Your Brother, Abu Ibrahim**

**[Yahya Sinwar]**



التاريخ: 2019/09/09م

محرر: 10-م/ 1441هـ

قادة الكائنات  
الأخوة الأفاضل! ~~الحضرة العظمى~~ .. حفظكم الله ..

السلام عليكم ورحمة الله وبركاته

### الموضوع: منح دراسية في إيران

بداية نسال الله أن تكونوا بصحة وعافية، وأن يعينكم ويسدد على طريق الحق خطاكم، وبالإنسار إلى الموضوع أعلاه، بناء على تكليف المجلس العام بتاريخ 2019/08/28م لتشكيل لجنة من الاستخبارات والقوى البشرية بوضع تصور حول المنح الدراسية في إيران تم اللقاء والتوافق على التالي:

1. اختيار عدد (12) أخ لدراسة البكالوريوس.
2. اختيار عدد (4) أخوة لدراسة الماجستير.
3. اختيار عدد (2) أخوة لدراسة الدكتوراه.

وذلك في المجالات التالية (هندسة الحاسوب، البرمجة، الدراسات الفارسية، العلوم السياسية، قوات خاصة، بحرية، أو أي تخصص يلزم الأركان والتخصصات).

### لذا مطلوب من كل لواء/ ركن:

1. ترشيح عدد (5) إخوة لا يقل معدلهم عن 80% في الثانوية العامة لدراسة البكالوريوس.
2. ترشيح أخ لدراسة الماجستير.
3. ترشيح أخ لدراسة الدكتوراه.

وذلك ضمن التخصصات سابقة الذكر.

ملاحظة: سيتم عقد لجنة مقبالات لاختيار العدد المطلوب من ضمن المرشحين.

وبارك الله فيكم

أخوكم  
أبو إبراهيم

# Exhibit 2



In the name of Allah, the Merciful, the Compassionate

Dear Brother, *Abu Ibrahim*,<sup>1</sup> may Allah protect you

Greetings and peace be upon you, and Allah's mercy and blessings.

**Attached is a breakdown of the financial payments received from Iran in the period  
between 2014-2020**

	<b>Date</b>	<b>Amount</b>	<b>Remarks</b>
1.	July 8, 2014	\$ 1 million	
2.	August 27, 2014	\$ 2 million	
3.	September 16, 2014	\$ 2 million	
4.	October 23, 2014	\$ 2 million	
5.	November 13, 2014	\$ 3 million	
6.	December 2, 2014	\$ 2 million	
7.	December 20, 2014	\$ 2 million	
8.	December 31, 2014	\$ 1 million	
	Total for the year 2014	\$ 15 million	
9.	January 7, 2015	\$ 3 million	
10.	January 23, 2015	\$ 3 million	
11.	February 18, 2015	\$ 3 million	
12.	March 12, 2015	\$ 3 million	
13.	March 30, 2015	\$ 3 million	
14.	April 22, 2015	\$ 2 million	
15.	May 7, 2015	\$ 2 million	
16.	June 2, 2015	\$ 2 million	
17.	July 7, 2015	\$ 3 million	

<sup>1</sup> This is likely referring to Yahya Sinwar

18.	July 28, 2015	\$ 2 million	
19.	August 15, 2015	\$ 3 million	
20.	September 4, 2015	\$ 4 million	
21.	September 23, 2015	\$ 3 million	
22.	October 12, 2015	\$ 4 million	
23.	November 4, 2015	\$ 3 million	
24.	November 23, 2015	\$ 2 million	
25.	December 12, 2015	\$ 3 million	
	Total for the year 2015	\$ 48 million	
26.	January 6, 2016	\$ 3 million	
27.	January 31, 2016	\$ 2 million	
28.	February 20, 2016	\$ 3 million	
29.	March 12, 2016	\$ 4 million	
30.	April 3, 2016	\$ 4 million	
31.	May 14, 2016	\$ 2 million	
32.	June 2, 2016	\$ 3 million	
33.	July 5, 2016	\$ 2 million	
34.	August 6, 2016	\$ 3 million	
35.	September 11, 2016	\$ 4 million	
36.	October 9, 2016	\$ 3 million	
37.	November 13, 2016	\$ 4 million	
	Total for the year 2016	\$ 37 million	
	Year 2017	- <i>Was not received</i>	According to our request
	Year 2018	- <i>Was not received</i>	According to our request
38.	March 16, 2019	\$ 5 million	1 million to Abu Ibrahim



39.	April 7, 2019	\$ 3 million	600,000 to Abu Ibrahim
40.	April 14, 2019	\$ 2 million	1 million to Abu al-Abd <sup>2</sup>
41.	May 28, 2019	\$ 6 million	800,000 to Abu Ibrahim
42.	June 10, 2019	\$ 6 million	1.2 million to Abu Ibrahim
43.	August 18, 2019	\$ 5 million	1 million to Abu Ibrahim
44.	November 14, 2019	\$ 5 million	1 million to Abu Ibrahim
45.	December 2, 2019	\$ 5 million	1 million to Abu Ibrahim
46.	December 26, 2019	\$ 5 million	1 million to Abu Ibrahim
	Total for the year 2019	\$ 42 million	
47.	March 11, 2020	\$ 4 million	800,000 to Abu Ibrahim
48.	May 13, 2020	\$ 3 million	600,000 to Abu Ibrahim, of which 100,000 to the poor people among the holy warriors
49.	July 6, 2020	\$ 5 million	1 million to Abu Ibrahim
	Total for the year 2020 so far	\$ 12 million	

May Allah bless you

Your brother / A. Al-Baraa<sup>3</sup>

July 30, 2020

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<sup>2</sup> This likely refers to Ismail Haniyeh

<sup>3</sup> This likely refers to Marwan Issa, deputy commander of Hamas' terror apparatus.

م	التاريخ	المبلغ	ملاحظات
١.	٢٠١٤-٧-٨	١ مليون \$	
٢.	٢٠١٤-٨-٢٧	٢ مليون \$	
٣.	٢٠١٤-٩-١٦	٢ مليون \$	
٤.	٢٠١٤-١٠-٢٣	٢ مليون \$	
٥.	٢٠١٤-١١-١٣	٣ مليون \$	
٦.	٢٠١٤-١٢-٢	٢ مليون \$	
٧.	٢٠١٤-١٢-٢٠	٢ مليون \$	
٨.	٢٠١٤-١٢-٣١	١ مليون \$	
إجمالي عام ٢٠١٤ م		١٥ مليون \$	
٩.	٢٠١٥-١-٧	٣ مليون \$	
١٠.	٢٠١٥-١-٢٣	٣ مليون \$	
١١.	٢٠١٥-٢-١٨	٣ مليون \$	
١٢.	٢٠١٥-٣-١٢	٣ مليون \$	
١٣.	٢٠١٥-٣-٣٠	٣ مليون \$	
١٤.	٢٠١٥-٤-٢٢	٢ مليون \$	
١٥.	٢٠١٥-٥-٧	٢ مليون \$	
١٦.	٢٠١٥-٦-٢	٢ مليون \$	

م	التاريخ	المبلغ	ملاحظات
١٧.	٢٠١٥-٧-٧	٣ مليون \$	
١٨.	٢٠١٥-٧-٢٨	٢ مليون \$	
١٩.	٢٠١٥-٨-١٥	٣ مليون \$	
٢٠.	٢٠١٥-٩-٤	٤ مليون \$	
٢١.	٢٠١٥-٩-٢٣	٣ مليون \$	
٢٢.	٢٠١٥-١٠-١٢	٤ مليون \$	
٢٣.	٢٠١٥-١١-٤	٣ مليون \$	
٢٤.	٢٠١٥-١١-٢٣	٢ مليون \$	
٢٥.	٢٠١٥-١٢-١٢	٣ مليون \$	
إجمالي عام ٢٠١٥ م		٤٨ مليون \$	
٢٦.	٢٠١٦-١-٦	٣ مليون \$	
٢٧.	٢٠١٦-١-٣١	٢ مليون \$	
٢٨.	٢٠١٦-٢-٢٠	٣ مليون \$	
٢٩.	٢٠١٦-٣-١٢	٤ مليون \$	
٣٠.	٢٠١٦-٤-٣	٤ مليون \$	
٣١.	٢٠١٦-٥-١٤	٢ مليون \$	
٣٢.	٢٠١٦-٦-٢	٣ مليون \$	
٣٣.	٢٠١٦-٧-٥	٢ مليون \$	
٣٤.	٢٠١٦-٨-٦	٣ مليون \$	
٣٥.	٢٠١٦-٩-١١	٤ مليون \$	
٣٦.	٢٠١٦-١٠-٩	٣ مليون \$	
٣٧.	٢٠١٦-١١-١٣	٤ مليون \$	
إجمالي عام ٢٠١٦ م		٣٧ مليون \$	
عام ٢٠١٧ م		- لم يصب	بناء على طلبنا
عام ٢٠١٨ م		- لم يصب	بناء على طلبنا
٣٨.	٢٠١٩-٣-١٦	٥ مليون \$	١ مليون ليد أبو إبراهيم
٣٩.	٢٠١٩-٤-٧	٣ مليون \$	٦٠٠ ألف ليد أبو إبراهيم
٤٠.	٢٠١٩-٤-١٤	٢ مليون \$	١ مليون ليد أبو العبد
٤١.	٢٠١٩-٥-٢٨	٦ مليون \$	٨٠٠ ألف ليد أبو إبراهيم
٤٢.	٢٠١٩-٦-١٠	٦ مليون \$	١ مليون و ٢٠٠ ألف ليد أبو إبراهيم

م	التاريخ	المبلغ	ملاحظات
٤٣	٢٠١٩-٨-١٨	٥ مليون \$	١ مليون ليد أبو إبراهيم
٤٤	٢٠١٩-١١-١٤	٥ مليون \$	١ مليون ليد أبو إبراهيم
٤٥	٢٠١٩-١٢-٢	٥ مليون \$	١ مليون ليد أبو إبراهيم
٤٦	٢٠١٩-١٢-٢٦	٥ مليون \$	١ مليون ليد أبو إبراهيم
إجمالي عام ٢٠١٩ م		٤٢ مليون \$	
٤٧	٢٠٢٠-٣-١١	٤ مليون \$	٨٠٠ ألف ليد أبو إبراهيم
٤٨	٢٠٢٠-٥-١٣	٣ مليون \$	٦٠٠ ألف ليد أبو إبراهيم منها ١٠٠ ألف لفقراء المجاهدين
٤٩	٢٠٢٠-٧-٦	٥ مليون \$	١ مليون ليد أبو إبراهيم
إجمالي ٢٠٢٠ حتى الآن		١٢ مليون \$	

وبارك الله فيكم ...

أخوك / أ. البراء

٢٠٢٠/٧/٣٠ م

# Exhibit 3

**In the Name of Allah, the Gracious, the Merciful**

All praise is due to Allah, the Lord of all worlds, and may peace and blessings be upon the master of the messengers, our master and prophet, Abu al-Qasim Muhammad, son of Abdullah, and upon his pure and righteous household, as well as his chosen and noble companions.

To the esteemed Brother and dear leader, Abu al-Abd Haniyeh, may the Lord honor you.

May peace, mercy and blessings of Allah be upon you.

I ask Allah, blessed and exalted, to keep you, your honorable family, and all the dear Brothers in the best of health and conditions. We pray to Him, the Almighty, to grant you more of His successes, as well as all your dear Brothers, and especially the holy warriors and frontier guardians in blessed Jerusalem. As for what follows:

We met with the esteemed Brother and holy warrior Abu Usama [Khalil al-Hayya], as well as his excellency, Secretary General Mr. Hassan Nasrallah, may Allah preserve him. It was a good meeting, and if Allah wills it, things will proceed easily. Moreover, we spoke with our distinguished Brother Abu Usama [Khalil al-Hayya], elaborating on the details of what we – either ourselves or his Excellency – had been working on with the Syrian Brothers in order to work out the relationship, which have considerably shortened the path, and the situation has been made easier, at a minimal effort on your part.

I also mentioned to the two Brothers, Hajj Abu Usama [Khalil al-Hayya] and Hajj Abu Hamdan, that this matter needs to be carefully studied, and requires a high level of expertise and precision on your part in handling communications - whether responding to messages or speeches from supporters, or addressing those who may attempt to undermine the situation. I warned the Brothers that there are some Brothers, who agreed with you or didn't strongly object when you made this decision during the meeting, but there are indications and examples that demonstrated that there is a group of Brothers which is not interested in letting this matter proceed smoothly. It is natural for there to be flattery, supportive remarks, and reassuring statements among the leadership and cadres of the Syrian people backing the regime, who hold extreme views on this matter. I mention this based on evidence that several Hamas operatives were present and actively involved in fighting against the regime.

I also told the Brothers that we strove and agreed to remove the obstacles and pave the path going forward, but that starting now, everything will relate back to you and to how you treat this issue, whereby kindness and speaking appropriately, on your part, will lead to acceptance and a warm welcome on their part. This will allow things to proceed well, so that we will be able to achieve the desired result in the best possible way. If an unkind and impolite attitude is taken, the regime may become displeased, that this may set us back many years.

We hope that blessed Allah will grant you success, and grant us success, in whatever benefits the resistance endeavor and the mutual support and cooperation between us in the face of everyone's common enemy, and the enemy of the Islamic world – the Zionist enemy.

We send our greetings to you and to all our Brothers, the holy warriors. Further to your previous messages and the message that was conveyed orally by our esteemed Brother, Abu Usama [Khalil al-Hayya], we have informed him that there is a sum of 5 million ready to be delivered to you, and we request that you notify us who we should deliver it to, with the customary required details.

May Allah accept your deeds, and may Allah bless your efforts. Peace, blessings and mercy of Allah be upon you.

***Your Brother, "Ramadan"*<sup>1</sup>**

June 8, 2022

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<sup>1</sup> This is likely Muhammad Said Izadi – "Hajj Ramadan" - head of Palestine directorate of the IRGC Qods Force.

June 10, 2022

**In the Name of Allah, the Gracious, the Merciful**

**Praise be to Allah, Lord of the Worlds, and prayers and peace be upon our master prophet Muhammad and his family and companions.**

**To: Our beloved Brother, Hajj Ramadan [Muhammad Said Izadi], may Allah preserve you.**

**May peace, mercy and blessings of Allah be upon you.**

**I pray that you, your family, and your loved ones are all well and in good health when you receive this letter, in the best way that our Lord loves and is pleased with.**

- I received your noble letter on the meeting that took place with his Excellency, Mr. Hassan Nasrallah, may Allah preserve him, and you, in the presence of Brothers Abu Usama [Khalil al-Hayya] and Abu Hamdan, regarding the consistent progress in the movement's orientation favoring a restoration of the connection with brotherly Syria.

As soon as he returned from Lebanon, Brother Abu Usama [Khalil al-Hayya] updated me on the meeting and what occurred during the meeting, including a lengthy conversation and ideas that help build this connection, in a way that optimizes the situation we are all in, as we are all in the same boat. We are in the process of studying and deliberating what had been accomplished between you, at the level of the team that monitors the decision's implementation.

Taking into account what you wrote in your noble letter, and inasmuch as we are aware of the inside and outside surrounding factors pertaining to this relationship, we will surely make great efforts to create the right environment for this decision. We will always need to consult and collaborate on this issue, in appreciation of the effort undertaken by his Excellency and by yourselves vis-a-vis the Syrian state, which has contributed to providing a positive environment and disposition toward this relationship.

- As for the financial issue: I thank you for allocating a sum of five million dollars, which is to be sent to me, and I request that you inform me what I should send to the Brothers in Gaza, based on what you had mentioned to Brother Abu Usama [Khalil al-Hayya]. This is an important matter, which you are already aware of, but it is tied to the president's responsibility and to how the sums are monitored, so that they don't impair the benefit we wish to bring to Gaza.

Please deliver the sum of 5 million to Brother Shadi, who is located near you, in Beirut (whom you are familiar with).

**Asking the Lord, may He be exalted, to increase his bounty to you.**

**Your Brother,**

Abu al-Abd [Ismail Haniyeh]



بسم الله الرحمن الرحيم

الحمد لله رب العالمين والصلاة والسلام على سيد المرسلين سيدنا وتبينا ابي القاسم محمد بن عبد الله وعلى اهل بيته الطيبين الطاهرين واصحابه المنتجبين الميامين.

جانب الأخ القائد العزيز "أبو العبد هنية" - أعزكم المولى -

السلام عليكم ورحمة الله وبركاته

أسأل الله تبارك وتعالى أن تكونوا والعائلة الكريمة وكافة الأخوة الأعزاء في أحسن عافية وحال وندعوه عز وجل أن يزيدكم من توفيقاته وجميع إخوانكم الأعزاء وخاصة المجاهدين والمرابطين في القدس الشريف، أما بعد.

فقد اجتمعنا مع الأخ العزيز المجاهد "أبو أسامة" وكذلك مع سماحة الأمين العام "السيد حسن نصرالله" (حفظه الله) وقد كانت جلسة طيبة وإن شاء الله ستكون الأمور ميسرة، كما أننا شرحنا للأخ العزيز "أبو أسامة" تفاصيل ما اشتغلنا به سواء نحن أو سماحته مع الأخوة السوريين لترتيب العلاقة والتي اختصرت الطريق بشكل كبير وتم تيسير الأمور بأقل كلفة عليكم.

وأيضاً ذكرت للأخوين الحاج "أبو أسامة" والحاج "أبو حمدان" بأن الموضوع يحتاج إلى دراسة ودراية ودقة عالية من طرفكم بالتعامل أو بالتعاطي سواء في الرسائل أو الخطابات من المؤيدين والممهددين للطريق أو من الأشخاص الذين سيكونوا بصدد تخريب هذا الوضع، وقد حذرت الأخوة بأنه هناك البعض من الأخوة ممن وافقكم أو لم يتشددوا عندما أخذتم هذا القرار في جلستكم ولكن هناك مؤشرات ونماذج بأنه هناك مجموعة من الأخوة معنيين بعدم ترك الموضوع يمر على خير، ومن الطبيعي أن يكون هناك مجاملات وتعابير تساعد وتبعث بالطمأنينة عند قيادة وكوادر الشعب السوري المؤيد للنظام الذي عنده موقف متشدد من هذا الملف مستنداً على أدلة وإثباتات تؤكد التدخل والحضور لبعض العناصر من حماس في محاربة النظام.

كما أنني ذكرت للأخوة أيضاً بأننا سعيينا وتوقفنا في تفكيك الألغام وتمهيد الطريق، ولكن من الآن كل شيء يعود لكم ولطريقة تعاملكم مع الملف حيث أنه بالملاطفة والتعابير المناسبة من طرفكم تسبب القبول والترحيب من طرفهم وتمر الأمور على خير ونستطيع الوصول إلى النتيجة المطلوبة بأحسن طريقة ممكنة، وإذا كان هناك تعامل جاف وغير لطيف فيمكن أن لا يرضى النظام وأن يرجعنا سنوات إلى الخلف.

نتمنى من الله تبارك وتعالى أن يوفقكم وإيتائنا لما في خير لمشروع المقاومة وتكاتف وتعاون الجميع مع البعض في وجه العدو المشترك للجميع وللعالم الإسلامي وهو العدو الصهيوني.

تحياتنا لكم ولجميع الأخوة المجاهدين وبناء على رسائلكم السابقة والرسالة الشفهية عبر الأخ العزيز "أبو أسامة" فقد أبلغته بأنه هناك مبلغ ٥ ملايين جاهز لنسلمه لحضرتك، فأمل منكم إفادتنا لمن نسلمه مع البيانات اللازمة كالعادة.

تقبل الله أعمالكم وبارك الله في جهادكم.

والسلام عليكم ورحمة الله وبركاته.

أخوكم "رمضان"

8/6/2022



2022/6/10

بسم الله الرحمن الرحيم

الحمد لله رب العالمين، والصلاة والسلام على سيد المرسلين سيدنا محمد وعلى آله وصحبه أجمعين وبعد.

جناب الأخ الحبيب الحاج / رمضان حفظه الله

السلام عليكم ورحمة الله وبركاته،،،

وأسأل الله أن تصلكم رسالتي وأنتم والأهل والأحبة جميعاً بألف خير وعافية وعلى خير ما يحب ربنا ويرضى.

- فقد وصلتني رسالتكم الكريمة بشأن اللقاء الذي جرى مع سماحة السيد حسن نصر الله حفظه الله وشخصكم الكريم بحضور الأخوين أبو أسامة وأبو حمدان والمتعلق بمواظبة تطوير توجه الحركة لاستعادة العلاقة مع سوريا الشقيقة.

وكان الأخ أبو أسامة قد وضعني فور عودته من لبنان في صورة اللقاء وما جرى فيه من حديث موسع وأفكار خدمة لبناء هذه العلاقة بالشكل الذي يحقق أفضل صورة لنا جميعاً كوننا في مركب واحد، ونحن الآن في قيد الدراسة وتداول ما تم بينكم على مستوى الفريق المتابع لتنفيذ القرار.

وأخذين بالاعتبار ما جاء في رسالتكم الكريمة، وحيث أننا ندرك العوامل المحيطة داخلياً وخارجياً حول العلاقة هذه، وبالتأكيد أننا سنبدل جهداً كبيراً لبناء البيئة الملائمة لهذا القرار. وسنكون دوماً بحاجة إلى التشاور والتعاون حول ذلك مقدرين الجهد الذي بذله سماحة السيد وأنتم مع الدولة السورية والذي اسهم في توفير المناخ الإيجابي والقابلية لهذه العلاقة.

- أما بالنسبة للوضع المالي: فأشكركم على تخصيص مبلغ خمسة ملايين دولار لتصل طرفي، وكان بودي أن تعلمني ماذا أرسل للأخوة في غزة حسب ما ذكرتم للأخ أبو أسامة وهذا أمر مهم ولا يخفى عليك، وإنني أؤيد بشدة كل ما يصل للأخوة في غزة ولكن الأمر يتعلق بمسئولية الرئيس وكيفية رصد المبالغ بما لا يضر بالفائدة التي نريدها لغزة. وأرجو التكرم بتسليم مبلغ (٥) الخمسة ملايين للأخ شادي المتواجد طرفكم في بيروت (والمعروف لديكم).

سائلاً المولى سبحانه أن يزيدكم من فضله

أخوكم/  
أبو العبد

# Exhibit 4

September 24, 2022

**In the name of Allah, the merciful, the compassionate**

**Praise the Lord of the worlds, and prayer and peace be upon our master, messenger of Allah, and his family, his companions and those faithful to him.**

**Dear brother Abu Ibrahiim,<sup>1</sup> may Allah protect you and keep you safe.**

**Peace be upon you, and Allah's mercy and blessings.**

**I pray to Allah that my letter finds you, your parents and children and all the beloved ones who surround you, well and in good health, and in the grace and satisfaction of Allah.**

**I am writing to you regarding a few issues:**

**1. Developments in the track related to Syria:**

We continue to make progress toward completing the measures, undeterred by the noise around us. The actions of certain individuals initially caused us to reconsider, but we have regained a decisive calmness, without hesitation or confusion. Our response to the incitement campaign is simple: we will move forward with implementing the decision.

**In this we base ourselves on the following:**

- A. The establishment's decision.
- B. The fact that the majority of the movement supports the decision and the track (Gaza, West Bank, the prisons, Lebanon, and a considerable number of the region's leadership and its officials abroad)
- C. A considerable part of the nation, the religious scholars and the strategists support the movement's decision, and have made this known in several ways.

**As we intend to implement the decision we take the following parameters into consideration:**

- A. It is essential that L.T. accepts the operational measures outlined in the decision to ensure continued support from the establishment and to leave no room for excuses from brother Abu al-Walid [Khaled Mashal] and his group. While we anticipate resistance from L.T.'s colleagues in the "outside" area, the majority supports us. Therefore, all decisions will pass, and we will ensure their legal validity in the eyes of both the "inside" and "outside" parties.
- B. There is an individual inciting unrest, and we recognize the need to hold him accountable. We understand that Abu al-Walid's [Khaled Mashal] opposition is based on personal issues and not substantial ones. If the Syrians would open the door for him, he will be running towards them. However, our current priority is to proceed with the decision and take the step of meeting with the Syrian president, in line with the proposal put forth by his Eminence, A-Sayyid [Hasan Nasrallah].
- C. We must collaborate with our allies to jointly create the optimal conditions for implementing the decision. This will help the movement's leadership manage the anger and discontent voiced by certain segments of the nation, particularly among the Syrians,

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<sup>1</sup> This likely refers to Yahya Sinwar.

Iraqis, and Yemenites. I have already drafted a letter to A-Sayyid Hasan Nasrallah on this matter (attached for your review).

- D. We need to ensure that Dr. Musa [Musa Abu Marzook] remains within the circle of the decision's supporters, and that the committee influences him effectively. Additionally, we must reach an agreement with him on the directions we want to take and distance him from the influence of Abu al-Walid [Khaled Mashal] and his group. While it's true that he has made commendable efforts with the internal opposition and some "outside" elements, he recently sent a letter offering advices and expressing concerns. In some instances, he conveyed the beliefs of others rather than his own (attached for your review).

Today, we convened the leadership committee with Dr. Musa [Musa Abu Marzook] in attendance. We discussed the proposal to meet with the Syrian president and reached a consensus on the matter. A letter has been sent for approval by the executive committee during its emergency meeting scheduled for the day after tomorrow, God willing. The letter will be distributed through the secretariat.

In light of the fact that we are wisely and determinedly building connections, including strengthening our ties with Russia and forming strong relationships with Algeria, while simultaneously maintaining our existing ties with Turkey, Qatar, and Egypt, I believe restoring relations with Syria, along with our strategic partnerships with Iran and Hezbollah, will significantly enhance the movement's position and balance of power. This approach leverages the movement's formidable military capabilities in Gaza and its growing presence in the West Bank.

I have previously communicated with brothers Abu Fikri<sup>2</sup> and Abu Ubeida<sup>3</sup> about the necessity for you and brother Abu al-Baraa [Marwan Issa] to attend these meetings. Your participation is vital for our collective success.

## 2. **The financial status:**

The situation is very bad. The Iranian brothers have not sent me any payments for approximately four months. A few days ago, they sent only four million dollars. I want to emphasize that the last two payments, one from Turkey and the other from Qatar, were made only after considerable effort on my part to engage both parties. Additionally, throughout all of 2022, Qatar made only one payment to us. These circumstances significantly affect the image of the movement's leadership and its chairman, particularly concerning fundamental issues such as Al-Qassam, the prisoners, the martyrs, and the budgets for the regions and central offices.

This is why we must collaborate to navigate this challenging period effectively. By working together, we can address Al-Qassam's needs through the direct support provided by Hajj Ramadan [Muhamad Izadi, head of the IRGC Qods Force directorate for Palestine], while we are documenting a portion of this assistance. This approach will help alleviate the burden caused by the limited funds we currently receive.

**May Allah bring us success and show us the righteous path**

Your brother, Abu Al-Abd [Ismail Haniyeh]

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<sup>2</sup> This likely refers to Hamas leader Sameh al-Siraj.

<sup>3</sup> This likely refers to Hodayfa al-Kahlout, one of Hamas's spokesmen.

٢٠٢٢/٩/٢٤

بسم الله الرحمن الرحيم

الحمد لله رب العالمين، والصلاة والسلام على سيدنا رسول الله وعلى آله وصحبه ومن والاه.

الأخ الحبيب / أبو إبراهيم حفظه الله ورعاه

السلام عليكم ورحمة الله وبركاته...

وأسأل الله أن تصلكم رسالتي وأنتم والأهل والأبناء وجميع الأحبة من حولكم بألف خير وعافية. وفي نعمة من الله وفضل ورضى.

واكتب إليكم في بعض المواضيع:

1. تطورات المسار المتعلق بسوريا:

نحن نزحف بشكل متواصل نحو إتمام الخطوات رغم الضجيج الذي حولنا لأن هدف ما يقوم به البعض دفعنا إلى التراجع عن القرار ونتحلى بالهدوء الحاسم وبدون تردد أو ارتباك وردنا على حملة التحريض أن نمضي قدماً في تنفيذ القرار، ونحن في ذلك نستند إلى:

أ. قرار المؤسسة.

ب. الكتلة الأكبر داخل الحركة تؤيد القرار والمسار (غزة - الضفة - السجون - لبنان - وعدد وازن من قيادة الإقليم ورجالاته في الخارج).

ج. تيار وازن من الأمة والعلماء والاستراتيجيين الذين يؤيدون قرار الحركة، وعبروا عن ذلك بطرق مختلفة.

ونعتمد في تنفيذ القرار نعتمد على المحددات التالية:

أ. الحرص على اعتماد (ل ت) الخطوات الإجرائية للقرار وذلك لاستمرار الاسناد المؤسسي، وسحب الذرائع من الأخ أبو الوليد ومجموعته، ومع علمنا بأن أعضاء (ل ت) لإقليم الخارج سيعارضون كل الخطوات إلا أن الأغلبية معنا وبذلك نحسم كل القرارات. ونؤكد على قانونيتها أمام الجهات الداخلية والخارجية.

ب. هناك من يشاغب ونعرف أنه بحاجة إلى محاسبة ونذكر بأن معارضة أبو الوليد هو موضوع شخصي وليس مبدئي ولو فتح السوريون له الباب فسوف يهرول تجاههم، ولكن الأولوية الآن هي لتنفيذ القرار وإتمام خطوة اللقاء مع الرئيس السوري وفق الاقتراح الذي قدمه سماحة السيد.

ج. العمل مع الحلفاء على ضرورة البناء المشترك للبيئة الأمثل لتنفيذ القرار لتسهيل المهمة على قيادة الحركة في مواجهة الغضب واللغط الذي يخيم على بعض قطاعات الأمة وخاصة



السوريين والعراقيين واليمنيين وقد كتبت للسيد حسن نصر الله رسالة بهذا الخصوص (مرفق للاطلاع).

د. الحرص على إبقاء الدكتور موسى في دائرة التأييد للقرار واستصحابه من خلال اللجنة والتوافق معه على التوجهات وإبقائه خارج تأثير أبو الوليد وجماعته، وهو يبذل جهداً طبياً مع المعارضين داخل الصف ومع جهات خارجية ولكنه أرسل رسالة فيها نصائح وتخوفات وإن كان في بعضها يعبر عن رأي غيره وليست قناعاته (وهي مرفق لاطلاعتكم عليها).

وقد عقدنا اليوم للجنة القيادية وبحضور الدكتور موسى وناقشنا مقترح اللقاء مع الرئيس السوري وتوافقنا عليه، وقد صدرنا رسالة بهذا الخصوص لاعتمادها من التنفيذية في الاجتماع الطارئ بعد غدٍ بإذن الله تعالى، وسيتم توزيعها عبر أمانة السر.

وحيث أننا نبني المسارات بحزم وحكمة بما في ذلك تعزيز العلاقة مع روسيا وبناء علاقة قوية مع الجزائر بالتوازي مع علاقاتنا القائمة مع تركيا وقطر ومصر فإن استعادة العلاقة مع سوريا إلى جانب العلاقة الاستراتيجية مع إيران والحزب سوف يكون لذلك عظيم الأثر الإيجابي على تموضع الحركة وميزتها الاستراتيجية والمستندة في كل ذلك إلى قوتها العسكرية المهابة في غزة وتصاعدها في الضفة الغربية.

وفي ضوء ما سبق نحن بحاجة إلى تماسك الكتلة الصلبة في قيادة الحركة لإنجاز هذه المسارات الاستراتيجية للحركة داخلياً وخارجياً والصبر على بعض المنغصات وهذا يحتم ضرورة حضوركم اجتماع (ل ت) وبفانك على الطاولة في هذه المرحلة الدقيقة والحساسة لأن غيابك له وبما تمثله يضعف المشهد ويربح الأخوة الآخرين وهذا ما لا يجب منحهم إياه، وقد أرسلت لكم مع الأخ أبو فكري وأبو عبيدة لضرورة حضور اللقاءات أنت والأخ الحبيب أبو البراء.

## 2. الوضع المالي:

سبيء جداً والأخوة الإيرانيين متوقفون عن الدفعات لي من أربعة أشهر تقريباً وأرسلوا قبل أيام مبلغ أربعة ملايين دولار فقط، علماً بأن دفعتي الشهرين الماضيين التي تم صرفهما واحدة من تركيا والأخرى من قطر، وتمت بعد جهد جهيد بذلته مع الطرفين، وبالمناسبة قطر لم ترسل لنا إلا دفعة واحدة طيلة عام ٢٠٢٢ م، وكل ذلك ينعكس على صورة قيادة الحركة ورئيسها وعلى الملفات الأساسية وخاصة ملف القسام والأسرى والشهداء وميزانيات الأقاليم والمكاتب المركزية.

ولذلك نريد أن نتعاون في تجاوز هذه المحنة وبحيث أن نغطي للقسام من خلال ما يرسله الحاج رمضان مباشرة ونسجل بعضها ونخفف بذلك عن المبلغ الشحيح الذي يصلنا.

والله الموفق والهادي إلى سواء السبيل

أخوكم/أبو العبد

# Exhibit 5

In the Name of Allah, the Gracious, the Merciful

December 18, 2022

Special meeting: Brother Abu Ibrahim<sup>1</sup> + Brother Abu Usama<sup>2</sup> with the Small Council.

\*\*\* **Topics:**

- \* The united fronts
- \* The financial situation (with the allies)
- \* Force buildup in Lebanon
- \* Logistics
- \* General report on the Arab-Islamic Relations Office<sup>3</sup> during the preceding period
- \* The military and security attachés in the Arab-Islamic Relations [Office]
  - Brother Abu Usama [Khalil al-Hayya] reviewed the activities and achievements he was responsible for in the past months through the Arab-Islamic Relations Office. He focused on the visit to Syria and on the beginning of the relationship with the Syrian regime, as well as the internal debate within the movement that was sparked by the decision, both before and after the visit, and both before and after this decision was made. The decision remained within the confines of the organization's leadership for a great deal of time (the focus was on the visit to Syria, and the meeting with the Syrian President and a number of key figures in the regime).
  - Moreover, a briefing was given on the progress in the relationship with Algeria, according to which it's at its early stages, but it needs to be further monitored by the Brothers in Algeria in order to establish a foothold in that important country. The specific benefits stemming from this relationship are being studied more extensively.
  - Furthermore, a briefing was given on the relationship with other countries, such as Sudan and its internal state of affairs, continuing with Turkey, where the official government position on its relationship with us has noticeably regressed. Here, the intent is to go into the details on the nature of Hamas presence in Turkey, which wasn't commonplace earlier. It is also clear that the Turkish state seeks more restrictions and

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<sup>1</sup> Abu Ibrahim likely refers to Yahya Sinwar.

<sup>2</sup> Abu Usama likely refers to Likely Khalil al-Hayya.

<sup>3</sup> An institute headed by Khalil al-Hayya



limits to the movement's activities in that country. It seems this will go on at least until the July 2023 presidential elections.

- **The united fronts:**

- An agreement has been reached with Brother Abu Usama [Khalil al-Hayya] that it is vital to visit the Brothers in the Hezb<sup>4</sup> [Hezbollah] and the Iranian state, in order to convey a clear message on the future of the joint activities against the Zionist occupation. We will, of course, update Abu al-Abd<sup>5</sup> on this position, and the visit will need to be secret and urgent. Due to the sensitivity of this message, no one other than Abu al-Abd should be acquainted with the content of these meetings.
- It has been concluded that a clear message must be conveyed to A-Sayyid Hasan Nasrallah that if Iran or the resistance in Lebanon<sup>6</sup> would face a war in the future, we, the Hamas Movement and the Al-Qassam,<sup>7</sup> are fully prepared to participate, in full force, in those battles, as we hope that in such confrontations (the war), as a basic principle, we'll turn that opportunity into a fateful confrontation with the occupation, with the intention that this confrontation will be the end of the occupation, if Allah wills it.
- Moreover, in that same message, if a confrontation erupts between us and the occupation on the future of Jerusalem and Al-Aqsa, and if an open confrontation results, in principle, what is needed is for the Axis of Resistance to intervene, headed by the Hezb [Hezbollah] and the other factions (Iraq, Yemen, and Syria). It is up to the [Islamic] Republic<sup>8</sup> to decide whether to participate, and we haven't set this as a condition for it, but it is of paramount importance that the Hezb [Hezbollah] take an active role.
- Obviously, these messages should first be conveyed to A-Sayyid Hasan [Nasrallah], as well as to Hajj Esmail Qaani [head of the IRGC Qods Force] and to the head of the Revolutionary Guard [Hussein Salami].<sup>9</sup> If possible, contact should be made with the Guide<sup>10</sup> so that he can be updated on this important position.
- Naturally, what we intend to achieve with this position is to create a true ally for the resistance and its axis, especially in the strategic matters tied to resisting the occupation. We don't mean the potential tactical confrontations, because not everyone needs to participate in such confrontations, which could occur vis-a-vis Iran or the resistance in Gaza<sup>11</sup> (of the usual type).

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<sup>4</sup> The meaning of Hezbollah is Party of God. When the author of this letter writes "Hezb" (Party), he is referring to Hezbollah.

<sup>5</sup> Abu al-Abd likely refers to Ismail Haniyya.

<sup>6</sup> The "resistance in Lebanon" refers to Hezbollah.

<sup>7</sup> Al-Qassam is short for the Izz a-Din al-Qassam Brigades, Hamas' military apparatus.

<sup>8</sup> This likely refers to the Islamic Republic of Iran.

<sup>9</sup> The Guard is short for the Islamic Revolutionary Guard Corps – IRGC.

<sup>10</sup> The Guide (*Murshid*) is a title given to the Iranian Supreme Leader.

<sup>11</sup> The "resistance in Gaza" refers to Hamas.

- It was confirmed that in the context of this strategic overview and direction, the basic principle is that we agree with our Brothers in Iran that financial support of at least 7 million per month will be approved, over the course of the year, in order to mobilize and prepare for these types of confrontations comfortably. It would be good if Brother Abu Usama [Khalil al-Hayya] were to request that a 3-4 month advance payment be made, as an advance payment made with the first payment, in order to expedite the pace of preparations and our side's readiness.

- **In regard to the force buildup in Lebanon**

- A presentation was given on the position, which had been deliberated internally for considerable time. So far, no progress or breakthrough has been made in this regard with either our Brothers abroad or with Hezb [Hezbollah] or the Guard [IRGC].
- An agreement was reached, and the following mechanism has been adopted:
- We will proceed in two tracks. The first track is to end the state of disagreement and inform our Brothers abroad through Brother Abu al-Abd [Ismail Haniyeh] that it would be best to authorize the region<sup>12</sup> to work with the Guard [IRGC], using the mechanism that was already in place, in its minimal form, which is presented to us. This, provided that the main bureau clearly delegates tasks to employ those abroad so that the work and the tasks they are entrusted with can be accomplished. These tasks include the military production of missiles and drones, the current training with the Hezb [Hizbollah], and the potential to exploit the territory (Syria - Dar'a + the Golan - the areas that aren't under the regime's control) for our preparedness for future stages. We confirm that we will do our best to keep the situation stable between them and the Brothers in the Hezb [Hezbollah] and in the Guard [IRGC].
- The second track: Authorizing Brother 'Amar [possibly Samir Fandi, head of the Izz a-Din al-Qassam Brigades in Lebanon or Azam al-Aqra, another senior al-Qassam Brigades operative] through the formation he currently has, and developing that formation with the Hezb [Hezbollah] and the Guard [IRGC]. This, in addition to expanding the scope of our work to include other Lebanese elements (like the Islamic Movement), such that these formations can be ready to operate in the future with the Hezb [Hezbollah] and the Guard [IRGC], without Hamas (Lebanon). That way, we won't go into an internal disagreement with the "outside" region<sup>13</sup> in case such a thing emerges, even though this is our right. Naturally, the principle is that we preserve a high level of secrecy regarding this matter with the Hezb [Hezbollah] and Brother 'Amar [either Samir Fandi or Azam al-Aqra], whereby these formations are our strike force.

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<sup>12</sup> The author is probably using the word *Iqlim* in this context in reference to the "outside" leadership (the leadership residing out of the Palestinian Territories).

<sup>13</sup> See footnote 12. Reference to the "outside" region probably refers to the Hamas leadership residing abroad.

- After these two tracks pertaining to force buildup are approved, we will have closed this current chapter of deliberation with the “outside” region. Abu al-Abd [Haniyeh] will quietly inform them that this matter is considered at a stage of testing the waters with the axis, when no encroachment has been made, and therefore, the mechanism that was previously used should be worked with. They are authorized to work and equip, and the connection with the Central Bureau will be in the context of technical monitoring. Moreover, Abu al-Baraa<sup>14</sup> will correspond with Abd al-Aziz<sup>15</sup> with the same content as the correspondence between Abu al-Abd [Ismail Haniyeh] and Abu al-Walid [Khaled Mashal].<sup>16</sup>
- **Logistics**
  - Brother Abu Ibrahim presented the current hurdles with the Brothers in the Hezb [Hezbollah] and the Guard [IRGC] pertaining to developing the issue of logistics with them.<sup>17</sup> An agreement was reached, according to which Brother Abu Usama [Khalil al-Hayya] would convey the following concept to the Brothers in the Hezb [Hezbollah]:
    1. The Yemeni region would be authorized to function as a logistics depot, whereby Brothers from the Guard [IRGC] will oversee (support) it. In addition, an authorized smuggler from our side will be authorized to receive it from them, after which we will engage in the complete oversight of the smuggling operation, once it leaves the Yemeni region, and until it reaches Palestine. They need to be reassured about the smugglers from our side, in light of how sensitive this matter is for them. They need to be reassured that they are reliable brothers, that they have been tested in previous important matters, and that they accomplished their missions honorably.
    2. The maritime transport route that was sent to them in earlier correspondences should be approved, including the use of underwater submarines arriving in our country.
- **The military and security attachés**
  - It has been agreed that in the region, which is fit to be approved and prepared to accept a Hamas presence, Brother Abu Usama [Khalil al-Hayya] must study the option of approving a military attaché, due to the importance of this matter, especially in Syria and Algeria, for example, or any region that would be suitable and which could be a candidate for this connection.

With thanks to Allah,

Abu Al-Baraa [Marwan Issa]

<sup>14</sup> Abu al-Baraa likely refers to Marwan Issa, then-deputy commander of Hamas’ military apparatus.

<sup>15</sup> This could be a reference to Samir Fandi, who was head of the Izz a-Din al-Qassam Brigades, Hamas’ military apparatus in Lebanon.

<sup>16</sup> Abu al-Walid likely refers to Khaled Mashal.

<sup>17</sup> In this context, “Abu Ibrahim might refer to Muhammad Sinwar, who was deeply involved in logistics rather than his brother, Yahya Sinwar.

بسم الله الرحمن الرحيم

٢٠٢٢/١٢/١٨

لقاء خاص: الأخ أبو إبراهيم + الأخ أبو أسامة مع المجلس المصري

### \*\*\*العناوين\*\*\*

- \* الجبهات الموحدة
- \* الوضع المالي ( مع الحلفاء )
- \* بناء القوة في لبنان
- \* الإمداد
- \* تقرير عام عن مكتب العلاقات العربية والإسلامية في الفترة السابقة
- \* الملحقين العسكريين والأمنيين في العلاقات العربية والإسلامية

- استعرض الأخ أبو أسامة الإنجازات والأعمال التي قام بها من خلال مكتب العلاقات العربية والإسلامية في الأشهر الأخيرة ؛ وقد ركز بشكل واضح عن زيارة سوريا وبدء العلاقة مع النظام السوري ، وما رافق تنفيذ هذا القرار من جدل داخلي في الحركة قبل وبعد الزيارة ، وحتى قبل وبعد القرار الذي امتد فترة طويلة من الوقت داخل الأطر القهادية ( وتم التركيز على زيارة سوريا واللقاء بالرئيس السوري وبعض أركان النظام ) .
- كذلك تم استعراض سير العلاقة مع الجزائر وأنها في بداياتها ولكنها تحتاج إلى مزيد من المتابعة من الإخوة في الجزائر من أجل ترسيخ أقدام في هذا البلد الهام . وهناك مزيد من الفحص حول فعوى الاستفادة من تلك العلاقة .
- كذلك تم استعراض العلاقة مع دول أخرى مثل السودان وأوضاعها الداخلية ، مروراً بتركيا ؛ حيث أن هناك تراجع واضح في الموقف الرسمي التركي في العلاقة ، والمقصود هنا البدء بالدخول في تفاصيل وطبيعة التواجد الحمساوي في تركيا بطريقة لم تكن معهودة سابقاً ، وكذلك واضح أن الدولة التركية تريد مزيد من التحديد والتقييد

لأعمال الحركة في الساحة ، وقد تمتد هذه الآلية في العلاقة كحد أدنى حتى الانتخابات الرئاسية يوليو/ ٢٣ م٢٠٢٠ .

• الجهات الموحدة :

- تم الاتفاق مع الأخ أبو أسامة أنه من الضروري أن يتم عقد زيارة للإخوة في الحزب + دولة إيران من أجل نقل رسالة واضحة حول مستقبل العمل المشترك ضد الاحتلال الصهيوني ، طبعاً نضع الأخ أبو العبد في صورة الموقف ، والزيارة يجب أن تكون سرية وعاجلة بحيث لا يطلع على فحوى هذه اللقاءات أحد سوى الأخ أبو العبد لحساسية الرسالة .
- وقد تم الخلوص أنه مطلوب نقل رسالة واضحة للسيد حسن نصر الله أنه إذن تعرضت إيران أو المقاومة في لبنان لأي حرب مستقبلية ، فإننا في حركة حماس - والقسام مستعدون وجاهزون من أجل المشاركة بكل قوة في تلك المعارك ، حيث أننا نطمح أنه في حالة كانت المواجهات ( الحرب ) فالأصل أن نحول تلك الفرصة إلى مواجهة مصيرية مع الاحتلال ، حيث نطمح أن تكون فيها نهايته بإذن الله .
- كذلك في نفس الرسائل أنه مطلوب في حال حصلت مواجهة بيننا وبين الاحتلال حول مستقبل القدس والأقصى وحدثت مواجهة مفتوحة فالأصل أن يتم تدخل محور المقاومة وعلى رأسه الحزب والفصائل الأخرى ( العراق - اليمن - سوريا ) ، والأمر متروك للجمهورية من حيث المشاركة ، وألا نشترط عليها ذلك ، ولكن من الأهمية بمكان أن يكون للحزب دوراً فاعلاً .
- طبعاً هذه الرسائل الأصل أن تنقل للسيد حسن ، وكذلك للحاج إسماعيل قاني ، وكذلك لممثل الحرس الثوري ( حسين سلامي ) ، وإن أمكن التواصل مع المرشد لوضعه في صورة هذا الموقف الهام .
- طبعاً ما نقصده في هذا الموقف هو بناء حلف حقيقي للمقاومة ومحورها ، وخاصة في القضايا التي تأخذ الطابع الإستراتيجي في المواجهة مع الاحتلال ، ولا نتحدث أن نقصد المواجهات التكتيكية المحتملة ولا تحتاج لمشاركة الكل في تلك الأحداث التي قد تحصل مع إيران أو المقاومة في غزة ( من النوع الاعتيادي ) .

- تم التأكيد أنه في إطار هذا العرض والتوجه الإستراتيجي الأصلي أن نتفق مع الإخوة في إيران أن يتم اعتماد دعم مالي كحد أدنى ( ٧ مليون ) شهرياً على مدار العام للتهوض والاستعداد لمثل هذه المواجهات بشكل مريح ، وجيد أن يطلب الأخ أبو أسامة أن يتم إرسال مبلغ مقدم لـ ٣ أو ٤ شهور مثلاً مقدماً في أول الدفعات لتسريع وتيرة الاستعداد والجهوزية طرفنا .

• بخصوص بناء القوة في لبنان :

- تم استعراض الموقف من هذا الأمر الذي طال التداول الداخلي فيه - وحتى الآن لم يحصل خرق أو تقدم ؛ سواء مع الإخوة في الخارج أو مع الحزب والحرس .
- تم الاتفاق وتبني الآلية التالية :-
- أن نسير في مسارين : الأول أن ننهي حالة الجدل ونبلغ الإخوة في الخارج من خلال الأخ أبو العبد أنه من الأفضل أن نعطي الإقليم صلاحية العمل مع الحرس بالآلية التي كانت موجودة سابقاً - في حدها الأدنى المعروض لنا مع أن يقوم المكتب المركزي بعمل تكليفات واضحة لتشغال الخارج لإنجاز تلك المهام والأعمال المناطة بهم ، مثل التصنيع العسكري - للصواريخ والمسيرات ، والتدريب الحالي القائم مع الحزب ، وكذلك إمكانية استغلال ساحة ( سوريا - درعا + الجولان - المناطق التي لا يسيطر عليها النظام ) من أجل الجهوزية لمراحل مستقبلية ، ونؤكد أننا سنعمل جهدنا من أجل أن تبقى الأجواء مستقرة بينهم وبين الإخوة في الحزب والحرس .
- المسار الثاني : أن نعتمد الأخ عمار من خلال التشكيل القائم بين يديه الآن ، وكذلك تطوير هذا التشكيل مع الحزب والحرس ، إلى جانب زيادة مساحة العمل مع مكونات أخرى من لبنان ( مثل الحركة الإسلامية ) بحيث تكون هذه التشكيلات جاهزة للعمل المستقبلي بالتوافق مع الحزب والحرس من غير حماس ( لبنان ) حتى لا ندخل في عملية جدل داخلي مع إقليم الخارج ، في حال تكشف ذلك مع أن هذا حقنا ، طبعاً الأصل أن نحافظ على درجة عالية من السرية تجاه هذا الأمر مع الحزب + الأخ عمار ، بحيث تكون هذه التشكيلات قوة ضاربة لنا .



- على أثر اعتماد هذين المسارين في بناء القوة نكون قد أغلقنا الأمر المتداول حالياً مع الحركة في إقليم الخارج بحيث يبلغهم الأخ أبو العبد بشكل هادئ أن الأمر يعد مرحلة جس النبض مع المحور لم تحصل فيه خرق ، ولذلك مطلوب العمل حسب الآلية المعهودة سابقاً ، ومعهم الصلاحية في العمل والتجهيز ، والعلاقة مع المكتب المركزي تكون في إطار المتابعة الفنية ، وكذلك يقوم أبو البراء بمراسلة عبد العزيز في نفس فحوى الأمر الذي يقوم به أبو العبد مع أبو الوليد .

• الإمداد :

- استعرض الأخ أبو إبراهيم العقوبات الموجودة مع الإخوة في الحزب والحرس حول تطوير الإمداد معهم ، وقد تم الاتفاق أن يقوم الأخ أبو أسامة بنقل التصور التالي للإخوة في الحزب .
١. أن يتم اعتماد الساحة اليمنية كبؤرة للإمداد ، بحيث يشرف عليها ( الإرتكاز ) إخوة من الحرس ، ويتم اعتماد مهرب معتمد من طرفنا ليستلم منهم ومن ثم نقوم بالإشراف الكامل على عملية التهريب فيما بعد ساحة اليمن حتى الوصول إلى فلسطين ، ومطلوب طمأنتهم بخصوص المهربين من طرفنا نظراً لحساسية الأمر لديهم ، وأنهم إخوة ثقات وتم تجربتهم في أمور سابقة وهامة وقد أنجزوا مهامهم بشكل محترم .
  ٢. أن يتم اعتماد خط النقل البحري الذي تم إرساله إليهم في مراسلات سابقة من خلال الغواصات تحت مائة وصولاً لبلادنا .

• الملحقين العسكريين والأمنيين :

- تم الاتفاق أنه في الساحة التي تصلح أن تكون معتمدة وجاهزة لتقبل الوجود الحمساوي فيجب أن يدرس الأخ أبو أسامة إمكانية اعتماد ملحق عسكري لأهمية هذا الأمر ، وخاصة في سوريا والجزائر مثلاً أو أي ساحة تصلح وتحتمل هذه العلاقة .

تم بحمد الله ،

أبو البراء