

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

Helen Jane Wilson :
253 Rue Lecourbe :
Appt 39 :
75015, Paris :

and :

Valerie Wilson Hudson :
45 Weepingwood :
Irvine, CA 92614 :

and :

Civil Action No. _____

Cynthia Lahne :
4309 Bramers Lane :
Louisville, KY 40216 :

and :

Melanie Ann Nicholson :
2004 East Irvington Rd. #83 :
Tucson, AZ 85714 :

and :

Tim William Russell :
1622 Brookfield Ct. :
Twin Falls, ID 83301 :

Plaintiffs, :

v. :

SYRIAN ARAB REPUBLIC :
Damascus, SYRIA :

Defendant. :

COMPLAINT

Plaintiffs Helen Jane Wilson, Valerie Wilson Hudson, Cynthia Lahne, Melanie Ann Nicholson, and Tim Russell (hereinafter collectively “the Plaintiffs”) bring this action pursuant to the Foreign Sovereign Immunities Act, 28 U.S.C. § 1602, et. seq. (hereinafter “FSIA”). This action arises out of the personal injuries, suffering and losses of the Plaintiffs as a result of the coordinated Paris terrorist attacks, particularly the Bataclan Theatre attack committed on November 13, 2015 (“Paris Bataclan Theatre Terrorist Attack” or “Bataclan Attack”). These coordinated attacks were carried out by a Foreign Terrorist Organization (“FTO”), THE ISLAMIC STATE (a.k.a. “ISIS,” “ISIL,” or “IS”) so designated by the U.S. Department of State on December 17, 2004. ISIS operated with the material support and resources provided by the Defendant, the SYRIAN ARAB REPUBLIC (hereinafter “SYRIA” or “Syria”) as a designated State Sponsor of Terrorism, having been so designated at all times referenced herein. The Plaintiffs are the victims of “personal injury” as required by 28 U.S.C. § 1605A, thereby entitling the Plaintiffs, and each of them, as American victims of Syrian terrorism, to bring this action and recover damages pursuant to applicable law. This matter is related to *Winternitz, et al v. Syrian Arab Republic*, Civil Action Nos. 17-02104 (TJK) (D.D.C.) in that it involves Syrian sponsorship of and the providing of material support to the same terrorist organization, ISIS, which has resulted in the death and injuries of American citizens.

In support of their Complaint, Plaintiffs allege the following:

THE PARTIES

The Plaintiffs

1. Plaintiff, Helen Jane Wilson (“Ms. Wilson”) was present and severely and permanently injured in the Paris Bataclan Theatre Terrorist Attack,

which was committed by ISIS, a Foreign Terrorist Organization. At the time of the acts alleged, and at all other times relevant hereto, Ms. Wilson was a United States citizen. Ms. Wilson was, at all times relevant hereto, a victim of “personal injury” as required by 28 U.S.C. § 1605A. Plaintiff Helen Jane Wilson can sue and be sued in this Court.

2. Plaintiff Valerie Wilson-Hudson was, and at all times relevant hereto, the biological sister of Helen Jane Wilson, and a citizen of the United States. Plaintiff Valerie Wilson-Hudson has suffered severe mental anguish and extreme emotional pain and suffering as a result of the injuries her sister, Ms. Wilson, suffered in the Paris Bataclan Theatre Terrorist Attack. Plaintiff Valerie Wilson-Hudson can sue and be sued in this Court.

3. Plaintiff Cynthia Lahne was, and at all times relevant hereto, the biological sister of Helen Jane Wilson, and a citizen of the United States. Plaintiff Cynthia Lahne has suffered severe mental anguish and extreme emotional pain and suffering as a result of the injuries her sister, Ms. Wilson, suffered in the Paris Bataclan Theatre Terrorist Attack. Plaintiff Cynthia Lahne can sue and be sued in this Court.

4. Plaintiff Melanie Ann Nicholson was, and at all times relevant hereto, the biological sister of Helen Jane Wilson, and a citizen of the United States. Plaintiff Melanie Ann Nicholson has suffered severe mental anguish and extreme emotional pain and suffering as a result of the injuries her sister, Ms. Wilson, suffered in the Paris Bataclan Theatre Terrorist Attack. Plaintiff Melanie Ann Nicholson can sue and be sued in this Court.

5. Plaintiff Tim Russell was, and at all times relevant hereto, the biological brother of Helen Jane Wilson, and a citizen of the United States. Plaintiff Tim Russell has suffered severe mental anguish and extreme emotional pain and suffering as a result of the injuries his sister, Helen,

suffered in the Paris Bataclan Theatre Terrorist Attack. Plaintiff Tim Russell can sue and be sued in this Court.

The Defendant

6. Defendant SYRIAN ARAB REPUBLIC is a foreign state that was designated in 1979 as a State Sponsor of Terrorism pursuant to section 60 of the Export Administration Act of 1979, 50 U.S.C. App. § 2405, section 620(A) of the Foreign Assistance Act of 1961, 22 U.S.C. § 2371, and section 40 of the Arms Export Control Act, on December 29, 1979, and has remained so designated, continuously, ever since. SYRIA has been included on the U.S. State Department's list of State Sponsors of Terrorism longer than any other listed state.

7. On December 17, 2004, the United States State Department designated ISIS as a Foreign Terrorist Organization under Section 219 of the Immigration and Nationality Act.

8. Defendant SYRIA, at all times pertinent to this action, provided material support and resources to ISIS, enabling the terrorist organization to carry out a murderous campaign of terrorism in different countries across various continents, including France, Belgium and elsewhere. SYRIA is and has been a State Sponsor of ISIS within the meaning of 28 U.S.C. §1605A and the Flatow Amendment, by providing them with funding, equipment, arms, direction, logistical support, and/or training for their terrorist activities.

9. President Bashar Al-Assad presently rules Syria as a dictator, as he has continuously done since 2000.

10. President Bashar Al-Assad performed acts within the scope of his office which provided material support and sponsorship to ISIS, and caused the personal injuries resulting from the acts of terrorism described herein. Accordingly, as provided in 28 U.S.C. § 1605(c), Defendant

SYRIA has direct liability for its own acts, and vicariously the liability for the acts of President Bashar Al-Assad.

11. Defendant SYRIAN ARAB REPUBLIC is liable to the Plaintiffs for the damages they suffered resulting from the acts of despicable and heinous terrorism described herein.

JURISDICTION AND VENUE

12. Jurisdiction over the subject matter of this case arises under 28 U.S.C. §§ 1330(a), 1331, 1332(a)(2) and 1605A.

13. SYRIA is subject to suit in the courts of the United States as a sponsor or terrorism and for providing material support to and as participants in ISIS' activities pursuant to the FSIA and related statutes.

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

15. 28 U.S.C. § 1605(c) provides a federal private right of action against a foreign state that is or was a state sponsor of terrorism, and also against any official, employees, agent or instrumentality of that foreign state while acting within the scope of his or her officer, employment, or agency for wrongful death, personal injury, and related torts caused by an act of torture or extrajudicial killing or the provision of material support and resources for such acts.

THE NOVEMBER 13, 2015 PARIS ATTACKS

16. On November 13, 2015, ISIS organized and coordinated multiple attacks in Paris, killing one-hundred and thirty (130) people and wounding and injuring over 350 more innocent people. The Paris attacks consisted of three teams from an ISIS terror cell including suicide bombers and men armed with assault rifles. Teams of ISIS operatives attacked the Stade de France

in Paris during an international soccer game between France and Germany where then-President of France Francois Hollande was in attendance.

17. Upon information and belief, three operatives committed the attack at the Stade de France by detonating suicide vests as they approached the Stadium.

18. On the same day and approximately at the same time, ISIS gunmen attacked cafes on Boulevard Voltaire. They opened fire with Kalashnikov rifles before detonating suicide belts and vests.

19. The deadliest attack occurred at the Bataclan Theatre, a concert venue, where at least eighty-nine (89) people died and at least ninety-nine (99) others were taken to the hospital in critical condition. Plaintiff Helen Jane Wilson was severely injured in the Paris Bataclan Theatre Terrorist Attack.

20. During the Paris Bataclan Theatre Terrorist Attack, three ISIS operatives entered the concert hall and opened fire with Kalashnikov rifles before exploding suicide vests.

21. Hours after the attack, ISIS released a video through its propaganda arm, the Al-Hayat Media Centre showing a bearded fighter, speaking in Arabic, calling on French Muslims to carry out attacks in France. Shortly after releasing the video, ISIS officially claimed responsibility for each of these attacks citing recent French airstrikes in Syria, insults directed at the prophet Muhammad and general disgust with French and western civilization as its motives. The authenticity¹ of ISIS's claim has been verified by several Western government and intelligence officials.

22. ISIS has been overtly and covertly supported and aided by the SYRIAN ARAB REPUBLIC in numerous ways including but not limited to providing travel documents to the ISIS

¹ <https://www.theguardian.com/world/live/2015/nov/14/paris-terror-attacks-attackers-dead-mass-killing-live-updates?page=with:block-5646c398e4b06fb53392c5df#block-5646c398e4b06fb53392c5df>

operatives, safe passage to Paris from Syria, logistical support, weapons, recruiting training, all of which contributed and caused the deaths and maiming of innocent civilians, including the Plaintiff, Ms. Wilson.

23. Defendant's sponsorship of, and provision of material support and resources to ISIS must be understood in terms of the totalitarian nature of the Syrian regime, and in the context of Syria's long, storied, and sordid history of employing terrorism as a tool for advancing its domestic and international agendas.

Helen Jane Wilson – Paris Bataclan Theatre Terrorist Attack

24. On November 13, 2015, Ms. Wilson was with her friend, Mr. Nick Alexander, who was travelling with the Eagles of Death Metal, the band scheduled to play at the Bataclan Theatre that evening, as he worked selling merchandise and souvenirs near the theatre's entrance.

25. At 9:40 p.m. the first gunshots went off, vividly making popping and crackling noises over the sound of the electric guitars on stage. As Ms. Wilson noticed the gunmen, they opened fired into the crowd again. Mr. Alexander immediately pulled Ms. Wilson to the ground, using his body to protect hers. The couple played dead underneath a table for as long as possible.

26. While Mr. Alexander and Ms. Wilson were trying to hide, a gunman came toward their counter and opened fire. Two bullets ripped through Ms. Wilson's thighs, missing her femoral artery by one inch. Mr. Alexander was killed in the Bataclan Attack – he passed away in Ms. Wilson's arms inside the theatre. Ten minutes later, Ms. Wilson escaped from the theatre.

27. Although Ms. Wilson survived the attack after receiving a transfusion in the ambulance, she suffered severe physical and psychological short-term, long-term, temporary and/or permanent injuries. Her injuries include but are not limited to muscle and nerve damage in both legs which affects her ability to sit, stand and/or walk for extended periods of time, significant

scarring in both legs as a result of the bullet wounds she sustained, severe psychological trauma including Post Traumatic Stress Disorder (“PTSD”) which includes insomnia, flashbacks, depression, and panic attacks. In addition, she suffers from digestive issues affecting her digestive system, liver and pancreas, all of which are result of the stress she has experienced following the Bataclan Attack.

28. Ms. Wilson still experiences chronic pain in both legs. Walking for long periods of time is painful. As a result of these injuries which did and continue to affect her ability to enjoy and experience everyday life, she receives medical treatment for her physical injuries. In addition, she participates in twice-weekly psychological counseling to address her PTSD and other psychological injuries. She takes regular medications to address all of these physical and psychological injuries. She is required to see her doctors regularly for treatments with her legs, as a result of her permanent disabilities suffered as a result of the terror attack.

THE MEMBERS OF THE PARIS TERROR CELL ARE ISIS AGENTS

29. Key members of the ISIS cell that planned and carried out the Paris Attacks are, upon information and belief: Abdelhamid Abbaaoud (a.k.a. Abu Aomar al-Beljiki), Salah Abdedlsam, Ibrahim al-Bakrawi, Khalid al Bakrawi, Najim Laachraouri, Oussama Atar (a.k.a. Abu Ahmed), Abdelilah Himich (a.k.a. Abu Sulayman al-Faransi), Khaled Zerkani, Mohamed Abrini, Fabien Clain (a.k.a. Abu Anas al-Faransi), Mohammed Belkaid (a.k.a. Soufiane Kayal), Ismael Omar Mostefai, Foued Mohamed-Aggad, Samy Amimour, Ibrahim (Brahim) Abdeslam, Chakib Akrouh, Bilal Hadfi, Ahmad al-Mohammad, and M al-Mahmod.

30. These operatives organized, scouted locations, conducted pre-attack surveillance, recruited operatives, coordinated operatives, transported weapons and personnel to carry out the attacks, supplied safehouses, assembled suicide vests and bombs used in the attacks, created

infrastructure in Paris, disseminated propaganda, provided funds and committed the terrorist attacks that occurred that day in Paris, including the Bataclan Attack in which Ms. Wilson was severely and permanently injured, all to her damage.

31. These operatives also joined and fought for various ISIS units and traveled to and from Syria in the months and years immediately prior to the Paris Attacks.

SYRIA’S SPONSORSHIP OF AND PROVISION OF MATERIAL SUPPORT AND RESOURCES TO ISLAMIC STATE

32. The Syrian Arab Republic is a republic in name only. In reality, Syria is a dictatorship and a police state that strategically exhibits only the external forms of a democratic regime.

33. Until a February 2012 referendum, its constitution vested one particular party – the Arab Socialist Ba’ath Party – with leadership functions in the State and society.

34. In 1966, Syrian Ba’athists conducted a coup d’état. The Ba’athists eliminated all political parties in opposition.

35. Hafez Al-Assad, the now deceased father of the current President of the Syrian Arab Republic, was appointed Minister of Defense in approximately 1966. Hafez Al-Assad led another coup in 1970, in which the Ba’ath party was purged of internal opposition, its leaders were jailed, and Hafez Al-Assad was installed as President of the police state.

36. The Al-Assad family has controlled the Syrian regime without interruption for forty years, since 1971.

37. Hafez Al-Assad had a three-decade Presidency, lasting from 1971 to 2000, in which he was confirmed President in unopposed referenda five consecutive times.

38. He was succeeded by his son Bashar Al-Assad in 2000. Bashar Al-Assad was

confirmed as President, leader of the Ba'ath Party and leader of the Army, for a 7-year term, by an unopposed referendum held in 2001 in which he claimed 97.2% of the vote.

39. He was re-appointed in another unopposed referendum in 2007, this time claiming 97.6% of the vote.

40. In 2014, Bashar Al-Assad was reelected to a third 7-year term, claiming 88.7% of the vote with polling only allowed in government-held territory.

41. Members of President Al-Assad's own minority sect, the Al-Awali clan, control most key positions in the Syrian military and Syrian intelligence and security services.

42. The Ba'ath Party is heavily influenced by the Syrian military and Syrian intelligence and security services, the latter consuming a large share of Syria's economic resources.

43. The President and his senior aides in the Syrian military and Syrian intelligence and security services make most important decisions in Syrian political and economic life.

44. There are more than a dozen security services in Syria, some overlapping in their domains, to make sure that the whole of Syrian territory is covered. These security services answer directly to President Bashar Al-Assad and his brother General Maher Al-Assad, commander of the Syrian Republican Guard.

45. The Asaad regime supported ISIS in many ways, including direct and indirect support.

46. The Assad regime has released ISIS operatives from Syrian prison facilities. These jihadist terrorists are not just foot soldiers, but senior Islamic State leaders and operatives.

47. A Syrian intelligence officers said, "the regime did not just open the door to the prisons and lets these extremists out, it facilitated them in their work, in their creation of arms brigades."

48. It is clear that support for ISIS from Syrian territory and/or Syrian government actors, on the scale required to facilitate ISIS, could not have been accomplished without the explicit authorization of the Syrian government and Syrian Military Intelligence through President Al-Assad.

49. A U.S. Department of State Bulletin published in 1987 states: “Available evidence indicates that Syria prefers to support groups whose activities are generally in line with Syrian objectives rather than to select targets or control operations itself. Damascus utilizes these groups to attack or intimidate enemies and opponents and to exert its influence in the region. Yet at the same time, it can disavow knowledge of their operations. Such Syrian-supported groups have carried out scores of attacks against Palestinian and other Arab, Turkish, Israeli, and Western targets.” Syria has provided material support and sponsorship not only to ISIS, but to HAMAS, Hezbollah, and Palestinian Islamic Jihad, among other terrorist organizations and terrorists.

50. Syrian government support for the terrorist network that morphed into ISIS goes back many years, to include support for foreign fighters traveling through Syria to join al Qaeda in Iraq (AQI, and specifically the terrorist network led by Abu Musab al Zarqawi which later became ISIS).

51. ISIS, in its early incarnation as the Zarqawi organization, benefited from Syrian safe haven and support; it maintained a logistical facilitation network in Syria which helped plan operations and funded and trained operatives who carried out attacks in Jordan; and its network in Syria provided financial and operational support to its compatriots fighting in Iraq. The Zarqawi organization has long benefited from a network of associates in Syria that it uses to facilitate travel to Iraq, and other logistics for members of its European network. Over an extended period of time, the Zarqawi network in Iraq—which later renamed itself as the Islamic State group—received

financial and operational support from supporters in Syria. Accordingly, ISIS, first in its early incarnation as the Zarqawi organization, benefited from Syrian safe haven and support, maintained a logistical facilitation network in Syria which helped plan operations and funded and trained operatives who carried out attacks.

52. ISIS occupies a large portion of eastern Syria and western Iraq, having established its headquarters in Raqqa, Syria. Significantly, there are vast oil fields in the areas under its control from which ISIS is able to drill and collect gas and oil.

53. ISIS gas and oil sales, including to the Defendant, Syria, have become its largest source of money, surpassing travel tolls, private donations, and all other sources of revenue allowing ISIS, with the material support of Defendant Syria, to maintain control of its so-called “caliphate.”

54. Syria knowingly purchases oil from ISIS as part of its close economic cooperation with The Islamic State. Oil and gas sales are ISIS’ largest source of funds with the vast majority of its oil sales being to the Syrian government and private Iraqi buyers. As of 2014, sales to Syrian and Iraqi buyers, including Bashar Al-Assad’s government, accounted for one million US dollars in revenues for ISIS per day.

55. The Assad regime also purchased and sold grain from ISIS generated from areas under the control of the Islamic State. The Syrian regime also supported the financing of ISIS by allowing Syrian banks to continue to function and provide financial services within ISIS-held territory. In other words, while the rest of the international community was actively seeking to deny ISIS access to oil revenue and banking facilities, the Assad regime was providing ISIS access to both. The Government of Syria actively provided this material support for ISIS and also looked the other way and essentially and wrongly turned a blind eye by allowing ISIS to conduct financial

transactions through informal financial networks as well, even once these illicit terror-financing channels were publicly exposed.

56. In addition to economically supporting ISIS, the regime uses ISIS to further its political agenda – as it has historically used other designated terrorist organizations. By pursuing policies that help ISIS maintain control and bolster its forces, Syria has attempted to gain support of western governments. Syrian intelligence agencies were deeply involved in the Assad regime’s efforts facilitating and providing cover for the terrorist pipeline that ran through Syria into Iraq and helped build up al Qaeda in Iraq, which later became ISIS.

57. Furthermore, the regime frequently refrained from attacking Islamic State group positions. Former U.S. Ambassador to Syria Robert Ford said, “[t]he regime is basically not fighting them. They’re letting them go. There is a huge headquarters in Raqqa for the Islamic State.”

58. Charles Lister, author of *The Syrian Jihad: Al-Qaeda, the Islamic State, and the Evolution of an Insurgency*, testified before the House Committee on Foreign Affairs stating, “the Assad regime appears to have repeatedly allowed – or potentially even facilitated – the movement of ISIS militants through regime-held territory and onto new frontlines on which it can fight the opposition.”

59. According to the U.S. Treasury Department, in 2014 “ISIL may have earned as much as several million dollars per week, or \$100 million in total, from the sale of oil and oil products to local smugglers who, in turn, sell them to regional actors, notably the Assad regime.

60. The relationships built between AQI/ISIS fighters and Syrian intelligence officers and agencies, going back to 2001-2002, helped these fighters over time to become the dangerous terrorists of the Islamic State group.

61. The Syrian regime has for the longest time largely enabled ISIS soldiers, allowing them to occupy Syrian cities.

62. It is well known that ISIS' headquarters are in Raqqa, Syria – from where, according to the U.S. Department of State, ISIS plots most of its external operations including but not limited to the 2015 Paris Bataclan Attack and the related Brussels Airport Attack which took place on March 22, 2016, committed by the same or related ISIS terror cells and groups. The U.S. Department of State, in its 2015 Country Report on Terrorism, found that Syria continues to embrace terrorism as an instrument of policy.

63. The report further noted ISIS operatives who helped carry out attacks all over the world remain at large in Syria despite being wanted by neighboring and western governments.

64. The report also express concerns about the proliferation of weapons that Syria has been giving to FTOs.

65. Additionally, it states that the Syrian government has created an environment which encourages terrorist recruits to come to Syria and enables FTOs, specifically ISIS, to plot external attacks without fear of being stopped or imprisoned.

66. Syria has continued to be continuously designated as a State Sponsor of Terrorism since 1979 and has continued to sponsor designated FTOs in an unrepentant and unapologetic manner, intentionally providing material support, logistics, safe haven, aid and assistance to those who maim and kill innocent American citizens and others through acts of terrorism.

67. The provision of material support and resources to The Islamic State, a known and designated FTO, by the Syrian government, acting directly and by and through individual governmental leaders, representatives and instrumentalities as named in this Complaint, constitute

violations of applicable and numerous United States laws, thereby rendering the Syrian Defendant liable for its illegal acts and deeds.

COUNT I

28 U.S.C. § 1605A(c), PRIVATE RIGHT OF ACTION
(on behalf of all Plaintiffs)

68. Paragraphs 1 through 68 are incorporated herein as if fully set forth herein.

69. The SYRIAN ARAB REPUBLIC was and remains a state sponsor of terrorism as described in 28 U.S.C. § 1605A(a)(2)(A)(i). Defendant and its agents and instrumentalities were acting within the scope of their office, employments, or agency in committing the acts alleged herein, including planning, and carrying out the Paris Bataclan Theatre Attack on November 13, 2015.

70. As a direct and proximate result of the willful, wrongful, intentional, reckless and heinous acts of ISIS members, whose acts were funded, enabled and materially supported by the Syrian Arab Republic and its agents, Plaintiffs suffered, inter alia, physical pain and suffering, mental anguish, emotional pain and suffering, solatium damages and/or economic losses resulting from Defendant's acts.

71. Pursuant to 28 U.S.C. § 1605A(c), Plaintiffs, each of whom are U.S. nationals, may assert a cause of action against Defendant for their personal injuries, including but not limited to, their wrongful death and/or physical pain and suffering, mental anguish, emotional pain and suffering, solatium damages and/or economic losses that were caused by the provision of material support or resources for such an act performed or provided by an official, employee, instrumentality or agent of Defendant while acting within the scope of his or her office, employment, or agency.

72. Accordingly, as a result of Defendant's actions, Plaintiffs are entitled to recover and be awarded, and accordingly seek compensatory damages.

WHEREFORE, Plaintiffs demand that judgment be entered against Defendant in such amounts as are permitted by law and in accordance with this Court's prior determinations of awards and Judgments on behalf of similarly situated Plaintiffs for their compensatory damages, and otherwise as permitted by this Court and applicable law.

COUNT II

LOSS OF SOLATIUM **(on behalf of all Plaintiffs except Plaintiff Helen Wilson)**

73. Paragraphs 1 through 73 are incorporated herein as if fully set forth herein.

74. As a direct and proximate result of the willful, wrongful, intentional, and reckless acts of Defendant, the Plaintiff family members of Helen Wilson, are each victims who have each suffered extreme mental anguish and emotional pain and suffering.

75. Accordingly, the Plaintiff family members of Helen Wilson bring claims for loss of solatium against Defendant pursuant to 28 U.S.C. § 1605A(c), or, in the alternative, the law of the District of Columbia.

WHEREFORE, the individual Plaintiffs each demand that judgment be entered against the Defendant in an amount to be proven for their compensatory damages, and otherwise as permitted under applicable law by this Court.

COUNT III

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS **(on behalf of all Plaintiffs)**

76. Paragraphs 1 through 76 are incorporated herein as if fully set forth herein.

77. On November 13, 2015, members of ISIS, with the support and aid of the

Defendant, willfully, violently, and forcefully caused death and serious injury at the Bataclan Theatre, after they opened fire into the crowd.

78. The act of opening fire into a crowd of people gathered at the Bataclan Theatre on November 13, 2015, constituted extreme and outrageous conduct on the part of ISIS members, whose acts were intended to cause the infliction of physical and emotional harm and distress upon the injured and killed victims, and their families, and were funded and supported by the Syrian Arab Republic.

79. As a direct and proximate result of the willful, wrongful, intentional, and reckless acts of ISIS members, whose acts were funded and supported by the Syrian Arab Republic, Plaintiffs suffered severe emotional distress entitling them to compensatory damages.

80. Each Plaintiff may assert a cause of action for intentional infliction of emotional distress against the Defendant in connection with the willful, wrongful, intentional, and reckless action of ISIS members. Such cause of action may be asserted pursuant to 28 U.S.C. § 1605A(c), or, in the alternative, the laws of the District of Columbia.

WHEREFORE, Plaintiffs demand that judgment be entered against the Defendant in an amount to be proven for their compensatory damages, and otherwise as permitted by this Court under applicable law.

COUNT IV
PUNITIVE DAMAGES

(on behalf of each Plaintiff)

81. Paragraphs 1 through 81 are incorporated herein as if fully set forth herein.

82. As a direct and proximate result of the willful, wrongful, intentional, and reckless

acts of Defendant, each of the Plaintiffs suffered extreme mental anguish, emotional pain and suffering, and the loss of the society and companionship and solatium as a result of being injured in the attack or as a result of their family member being injured in the Bataclan Theatre attack.

83. Under 28 U.S.C. §1605A and/or state and foreign law, the Plaintiffs, and each of them, are entitled to an award of punitive damages to be assessed and awarded against the Defendant for its heinous, reprehensible and unforgivable conduct in perpetrating unrelenting terror upon the United States of America, her citizens, and the Plaintiffs, and each of them.

84. The purposes of punitive damages are to punish, for retribution and to deter further acts of terror by the Defendant and other terror states and organizations and those who provide material support for the sponsorship of terror. This allows, and under the circumstances requires, a message to be sent by this Court to the Syrian Arab Republic that it's past and ongoing sponsorship of terror will not be countenanced by this Court nor by the United States of America. An award of punitive damages should be assessed against the Defendant, and Judgment should be entered on behalf of the Plaintiffs, and each of them, in such amounts of punitive damages, to be shared among them in direct proportion to the compensatory damages awarded to each of the Plaintiffs, and as the interests of justice may allow.

WHEREFORE Plaintiffs demand that judgment be entered for punitive damages, jointly and severally, against Defendant, in the amount to be determined by the Court,

PRAYER FOR RELIEF

WHEREFORE Plaintiffs, and each of them, pray that the Court:

- A. Grant Plaintiffs, and each of them, judgment in their favor against Defendant on Counts I through IV and
- B. Award Plaintiffs, and each of them:

7. Compensatory damages against Defendant, the Syrian Arab Republic in the amount to be proven before this Court; and
8. Solatium damages against Defendant, the Syrian Arab Republic, in the amount to be proven before this Court; and
9. Punitive damages against Defendant, the Syrian Arab Republic, on behalf of the Plaintiffs in the amount to be determined by this Court, to be apportioned among the Plaintiffs in relation to the award of compensatory damages which each may be granted by this Court; and
10. Reasonable costs and expenses; and
11. An award of reasonable attorney's fees; and
12. Such other and further relief which the Court may determine to be just, proper and equitable under the circumstances and as permitted under applicable law for the heinous acts of terror committed and/or materially supported by the Defendant.

Dated: August 6, 2021

Respectfully submitted,

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