

**ORIGINAL**

#18882

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

**ROBERT LEE BEECHAM, Individually  
and as Representative  
of the Estate of Kenneth Terence Ford  
9990 Beaverland Street  
Detroit, MI 48239**

and

**ALICE FAYE FORD, Individually and as  
Representative of the  
Estate of Kenneth Terence Ford  
15145 Piedmont Street  
Detroit, MI 48223**

and

**REVELL SCOTT  
15145 Piedmont Street  
Detroit, MI 48223**

and

**ROBERT LEE BEECHAM  
9990 Beaverland Street  
Detroit, MI 48239**

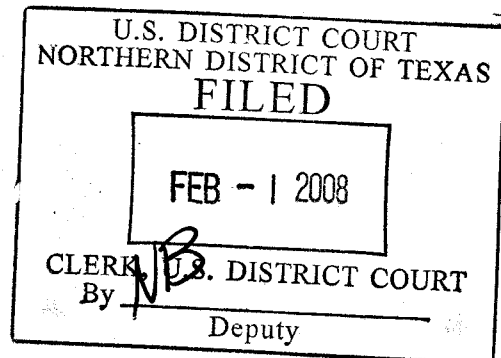
and

**ALICE FAYE FORD,  
15145 Piedmont Street  
Detroit, MI 48223  
Representatives of the  
Estate of Robin L. Beecham**

and

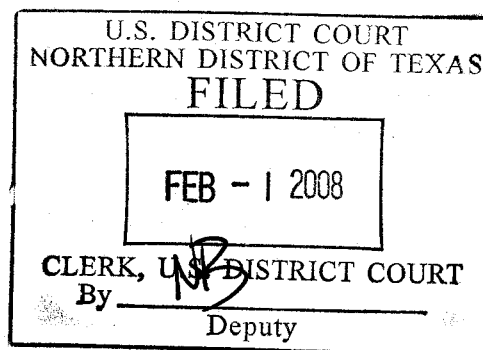
**PATROCINIA GOINS, Individually and  
as Representative of the  
Estate of James E. Goins  
813 New St.  
Uniondale, NY 11553-3437**

and



Civil Action No. 01-2243  
(RWR)

**3-08CV0165-N**



CARLOS GOINS  
215 Himrod Street  
Brooklyn, NY 11237

and

TROY DEON EURING  
Donaustr. 19  
12043 Berlin, Germany

and

GERALD FORD  
Reckeweg 65a  
13591 Berlin, Germany

and

RICHARD GEORGE  
Jahnstrasse 55  
12347 Berlin, Germany

and

ALFRED JACKSON  
Nieritzweg 36  
14165 Berlin, Germany

and

DAVID JACKSON  
119 Bluff Avenue  
LaGrange, IL 60525

and

LARRY JEFFERSON  
Burgemeister Str. 63  
12103 Berlin, Germany

and

DALTON E. PORTEOUS  
146 North Canaan Street  
Hartford, CT 06112



DONNA MARIE DAGRACA  
104 Sabin St., #6  
Pawtucket, RI 02860

and

CHRISTOPHER A. GORDON-SOMERS  
1159 Sheeler Hills Drive  
Apopka, FL 32703

and

WADE McARTHUR HARRIS, JR.  
2045 Elizabeth Chapman Drive  
Jackson, MS 39212

and

RALPH HUNTER  
620 Trunecek Circle  
Raleigh, NC 27603

and

ALEX L. JACKSON  
9 26<sup>th</sup> St., N.E.  
Cairo, GA 31728

and

EARL THOMAS MARSHALL, SR.  
93, Rte - 119  
Rindge, NH 03461

and

FRANK WESLEY McGEE, JR.  
1818 Spikes Street  
Grand Prairie, TX 75051

and

CLARENCE RAMBO  
360 A Port Street  
Fort Benning, GA 31905

and )  
FORREST WARD )  
202 Johns Road )  
Warner Robins, GA 31093 )

and )  
THOMAS LEON WOODLAND )  
280 Uvalde Road, #277 )  
Houston, TX 77015 )

and )  
JEFFREY WYNES )  
200 Picatinny )  
White Sands Missile Range, NM 88002 )

and )  
CARLOS MARQUEZ )  
323 Wainohia Street )  
Kihei, HI 96753 )

and )  
ANDRE W. WOODSON )  
731 Bellwood Avenue, #204 )  
Bellwood, IL 60104 )

and )  
RUTHLYN RESHA BAXTER )  
137 Holiday Place )  
Madisonville, KY 42431 )

and )  
BRANDON BORDERS )  
215 Muench Street )  
Harrisburg, PA 17102 )

and )

RICKEY EUGENE BORDERS  
Motzstr. 70  
10777 Berlin, Germany

and

LEE ROBERT BROWN, III  
1695 Aspen Court  
Orange Park, FL 32073

and

SHAWN BUTLER  
6346 Shetland Avenue  
Pittsburgh, PA 15206

and

DARRYL ALLEN BYERS  
7660 Swindon Street  
Blacklick, OH 43004

and

JORDAN EDWARDS  
2414 Northwest 8th Street  
Pompano Beach, FL 33069

and

JAMES EARL FRAZIER  
89 Bastogne Road, B  
Fort Lee, VA 23801

and

MICHAELA HAUGABOOK  
1536 Pine Ridge Drive  
Roxboro, NC 27573

and

TIMOTHY GLEN HENDERSON  
15460 N.W. 12<sup>th</sup> Court  
Pembroke Pines, FL 33028

and )

CHARLIE CHRIS HILL )  
2006 Gillionville Road )  
Albany, GA 31707 )

and )

ROOSEVELT JOHNSON )  
5645 International Drive )  
Jacksonville, FL 32219 )

and )

ROBERT EUGENE JONES )  
232 Rose Street )  
Martinez, GA 30907 )

and )

RONALD JONES )  
10622 Northwoods Forest Drive )  
Charlotte, NC 28214 )

and )

GARY LUNGRIN )  
P. O. Box 245 )  
Bentonia, MS 39040 )

and )

CHARLES J. MAXWELL )  
P. O. Box 16652 )  
Clearwater, FL 33766 )

and )

JAMES WINFIELD MAY )  
7011 Ashaway Cove )  
Memphis, TN 38119 )

and )

PAUL ANDREW McCATHRON  
804 Treewood Drive, Apt. 38  
Hillsboro, OH 45133

and

ANDRE McGHEE  
1239 Euclid Avenue, SE  
Grand Rapids, MI 49507

and

DELIONEL B. MEADOWS  
2707 Westwood Drive  
Killeen, TX 76549

and

MANUEL ANTHONY MEDINA  
3424 Rucker Road  
Lompoc, CA 93436

and

BRYAN MILLS  
4523 Bluehaven Drive  
Dayton, OH 45406

and

LYNN ARNETT MORGAN  
8700 N. 50th Street, Apt. 1423  
Tampa, FL 33617

and

WAYNE P. NEELEY  
210 North 39<sup>th</sup> Street  
Waco, TX 76710

and

MIGUEL H. SPRUILL  
321 Lost Tree Drive  
Columbia, SC 29223



and )

RONALD TATE )  
4330 N. 27<sup>th</sup> St., Apt. #2 )  
Milwaukee, WI 53216 )

and )

ALVIN LEVERT WALLACE )  
706 28<sup>th</sup> Street South )  
Bessemer, AL 35020 )

and )

ROBERT WELDON )  
91-1042 Kaikauhaa St. )  
Ewa Beach, HI 96706 )

and )

LLOYD ELLIOT WELLS )  
828 Tara Bend )  
Hampton, GA 30228 )

and )

EARNEST EUGENE WILSON )  
499 Quail Hollow Road )  
South Hill, VA 23970 )

and )

MARSHAUN A. R. WINSTON )  
7695 Charles Drive, Apt. 203 )  
Lenexa, KS 66216 )

and )

ROBERT LEE BEECHAM, )  
Personal Representative of the )  
Estate of Kenneth Ford )  
9990 Beaverland Street )  
Detroit, MI 48239 )

and )

J. C. ANDREWS  
1271 Semoran Blvd  
Suite 117  
Caselberry, FL 32707

and

ANN MARIE ARNICAR  
6306 Hidden Hollow  
San Antonio, TX 78239-2722

and

TRACY BILLINGSLEA  
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Killeen, TX 76549

and

REGINALD BORDERS  
1930 Foster Ave.  
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and

GERALD CLARK  
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Riverdale, GA 30296

and

ALLEN CONES  
1346 Boston Ave.  
Grand Rapids, MI 49507

and

LEROY CRAIG  
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Suffolk, VA 23434-5462

and

GARY DAMON  
4316 Rockside Hills Dr.  
Raleigh, NC 27603

and

STACY DEMPS  
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and

TERRY FINCH  
7582 Springfield Ct.  
Gloucester, VA 23061

and

WILLIAM GILMORE  
404 W. Pullum St  
Samson, AL 36477

and

JEREMY HALL  
4757 East Greenway Rd  
Suite 107 PMB 234  
Phoenix, AZ 85032

and

DONALD HAM  
1057 Cabot St.  
Port Charlotte, FL 33953-2014

and

RALPH HUNTER  
629 Trunecek Cir  
Raleigh, NC 27603

and

ALEX L. JACKSON  
906 Madison Street  
Thomasville, GA 31792-4310

and )

DAVID T. JACKSON )  
119 Bluff Ave. )  
La Grange, IL 60525 )

and )

JOHN JACKSON )  
3831 Cottage Ave. )  
Baltimore, MD 21215 )

and )

ALAN LEE )  
3360 Chichester Ave. )  
Apt J6 )  
Boothwyn, PA 19601 )

and )

RON LOCKE )  
511 Twenty Seventh Street )  
Phoenix City, AZ 85007 )

and )

EARLE MARSHALL )  
93 Rte. 119 )  
Rindge, NH 03461 )

and )

FRANK McDOUGALD )  
1700 E. Tabor Ave., Apt D3 )  
Fairfield, CA 94533 )

and )

ULYSSES MAYS )  
711 NW Arlington Ave )  
Lawton, OK 73507 )

and )

LARRY NORTINGTON  
200 N. Wilshire Ave.  
Apt. 118  
Anaheim, CA 92801

and

MICHAEL O'NEAL  
9314 S. Ash St.  
Apt. G-5  
Takoma, WA 98444

and

PATRICK PETTWAY  
201 Brooklane  
Selma, AL 36701

and

MARVIN RAGIN  
234 Tally Adams Rd.  
Eastove, SC 29044

and

ERNEST RIOS  
8281 Sparrow Rd.  
Valley Springs, CA 95252

and

LARRY RUFF  
736 Cambridge Ave.  
Aberdeen, MD 21001

and

CHARLES STAPLES  
1203 Credonwood Circle  
Brandon, FL 33510

and

JEFFERY SUTTON  
11929 SW 216 St.  
Miami, Fl 33170

and

RICKY TUCKER  
6635 Presidential Dr.  
Jackson, MS 39213

and

CURTIS WILLIAMS  
534 Griffin Ave.  
Apt 4  
Valdosta, GA 31601

and

MICHAEL WILLIAMS  
534 Griffin Ave.  
Apt 4  
Valdosta, GA 31601

and

CEDRIC WOOLFORK  
47459 Twenty-Seventh Street, W  
Lancaster, CA 93536

and

JAMES ZEIGLER  
2308 Lava Lane  
Killeen, TX 76542

and

TESSIE L. BROWN  
Individually And As Personal Representative  
Of The Estate Of Edward Mac Goins

and

**ROBERT L. JONES**  
**Hoher Strasse 35**  
**Siegen, Germany 57072**

**Plaintiffs**

v.

**SOCIALIST PEOPLE'S LIBYAN**  
**ARAB JAMAHIRIYA (Libya)**  
**Tripoli, Libya**

**and**

**JAMAHIRIYA SECURITY ORGANIZATION**  
**Tripoli, Libya**

**and**

**SOCIALIST PEOPLE'S LIBYAN**  
**ARAB JAMAHIRIYA MINISTRY FOR**  
**INFORMATION AND SECURITY**  
**Tripoli, Libya**

**and**

**SOCIALIST PEOPLE'S LIBYAN ARAB**  
**JAMAHIRIYA SECURITY ORGANIZATION**  
**Tripoli, Libya**

**and**

**SOCIALIST PEOPLE'S LIBYAN ARAB**  
**JAMAHIRIYA EXTERNAL SECURITY**  
**ORGANIZATION**  
**Tripoli, Libya**

**and**

**COLONEL MUAMMAR AL-GHADDAFI**  
**Head of State of the Socialist People's**  
**Libyan Arab Jamahiriya**  
**Tripoli, Libya**

**and**

OMAR MUSTAFA AL-MUNTASIR  
Foreign Minister, Socialist People's  
Libyan Arab Jamahiriya  
Tripoli, Libya

and

N. N.  
Minister for Information and Security,  
Socialist People's Libyan Arab  
Jamahiriya  
Tripoli, Libya

and

MOHAMMED ABDULLAH SAID  
RASHID  
Address Unknown

and

ELAMIN A. ELAMIN  
Address Unknown

and

ALI IBRAHIM O. KESHLAF  
Address Unknown

and

MUSBAH AL ALBANI  
Address Unknown

and

YASSER CHRAIDI  
Moabit Detention Institution  
Berlin, Germany

and

ALI CHANAA  
Moabit Detention Institution



Berlin, Germany )  
 )  
 and )  
 )  
 VERENA CHANAA )  
 Moabit Women's Detention )  
 Institution )  
 Berlin, Germany )  
 )  
 and )  
 )  
 MUSBAH OMAR ABULGASEM ETER )  
 Moabit Detention Institution )  
 Berlin, Germany )  
 )  
 and )  
 )  
 SOUAD CHRAIDI )  
 Abra, Lebanon )  
 )  
 and )  
 )  
 ANDREA HÄUSLER )  
 Berlin, Germany )  
 )  
 )  
 Defendants )

**CONSOLIDATED FOURTH AMENDED COMPLAINT**

Pursuant to the Court's orders dated March 31, 2007 and May 21, 2007, plaintiffs, by and through their counsel, file a Consolidated Fourth Amended Complaint. As directed by the Court's orders, plaintiffs in this amended complaint omit previously-filed causes of action which were brought under the terrorism exception to the Foreign Sovereign Immunities Act. As further directed by the Court's orders, plaintiffs also omit previously-filed claims for punitive damages.

Plaintiffs bring this action seeking damages arising out of the April 5, 1986 Libyan state-sponsored terrorist bombing of the "La Belle" discotheque in West Berlin, Germany. Plaintiffs move for judgment against Defendants, jointly and severally, and in support of their Consolidated Fourth Amended Complaint allege as follows:

### **JURISDICTION AND VENUE**

1. Subject matter jurisdiction of this case arises under 28 U.S.C. §§ 1330 and 1332, and 28 U.S.C. §§ 1602-1611. Defendants are subject to suit in the courts of the United States pursuant to the Foreign Sovereign Immunities Act, as amended, 28 U.S.C. § 1605(a)(7), and related statutes.

2. Venue is proper in this District pursuant to 28 U.S.C. § 1391(f)(4).

### **FACTUAL ALLEGATIONS**

3. Plaintiff Robert Lee Beecham is the surviving father of Kenneth Terence Ford, who was killed by the terrorist acts committed by defendants which are set forth in this Complaint. Kenneth Terence Ford was at the time of the acts alleged in this Complaint a citizen of the United States. Mr. Beecham is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Beecham brings this action individually and as a representative of the Estate of Kenneth Terence Ford.

4. Plaintiff Alice Faye Ford is the surviving mother of Kenneth Terence Ford. Ms. Ford is, and at the time of the acts alleged in this Complaint was, a

citizen of the United States. Ms. Ford brings this action individually and as a representative of the Estate of Kenneth Terence Ford.

5. Plaintiff Revell Scott is the surviving sister of Kenneth Terence Ford. Ms. Scott is, and at the time of the acts alleged in this Complaint was, a citizen of the United States.

6. Plaintiffs Robert Lee Beecham and Alice Faye Ford are the representatives of the Estate of Robin L. Beecham, who was a surviving brother of Kenneth Terence Ford. Robin L. Beecham was, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Robert Lee Beecham and Alice Faye Ford bring this action as representatives of the Estate of Robin L. Beecham.

7. Plaintiff Patrocinia Goins is the surviving wife of James E. Goins, who was killed by the terrorist acts committed by defendants which are set forth in this Complaint. James E. Goins was at the time of the acts alleged in this Complaint a citizen of the United States. Patrocinia Goins is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Patrocinia Goins brings this action individually and as the representative of the Estate of James E. Goins.

8. Plaintiff Carlos Goins is the surviving son of James E. Goins. Carlos Goins is, and at the time of the acts alleged in this Complaint was, a citizen of the United States.

9. Plaintiff Troy Deon Euring is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Euring has suffered

personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

10. Plaintiff Gerald Ford is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Ford has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

11. Plaintiff Richard George is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. George has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

12. Plaintiff Alfred Jackson is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Jackson has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

13. Plaintiff David Jackson is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Jackson has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

14. Plaintiff Larry Jefferson is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Jefferson has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

15. Plaintiff Dalton E. Porteous is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Porteous has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

16. Plaintiff Anthony Sailor is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Sailor has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

17. Plaintiff Robert Lee Sims is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Sims has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

18. Plaintiff Henry Carl Smith is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Smith has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

19. Plaintiff Melvin Spencer is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Spencer has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

20. Plaintiff Romana Wells is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Ms. Wells has suffered personal

injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

21. Plaintiff Tyrell White is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. White has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

22. Plaintiff Anthony Bernard Ballard is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Ballard has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

23. Plaintiff Donna Marie DaGraca is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Ms. DaGraca has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

24. Plaintiff Christopher A. Gordon-Somers is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Gordon-Somers has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

25. Plaintiff Wade McArthur Harris, Jr. is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Harris has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

26. Plaintiff Ralph Hunter is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Hunter has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

27. Plaintiff Alex L. Jackson is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Jackson has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

28. Plaintiff Earl Thomas Marshall, Sr. is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Marshall has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

29. Plaintiff Frank Wesley McGee, Jr. is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. McGee has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

30. Plaintiff Clarence Rambo is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Rambo has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

31. Plaintiff Forrest Ward is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Ward has suffered personal

injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

32. Plaintiff Thomas Leon Woodland is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Woodland has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

33. Plaintiff Jeffrey Wynes is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Wynes has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

34. Plaintiff Carlos Marquez is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Marquez has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

35. Plaintiff Andre W. Woodson is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Woodson has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

36. Plaintiff Ruthlyn Resha Baxter is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Ms. Baxter has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.



37. Plaintiff Brandon Borders is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Borders has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

38. Plaintiff Rickey Eugene Borders is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Borders has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

39. Plaintiff Lee Robert Brown, III is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Brown has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

40. Plaintiff Shawn Butler is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Butler has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

41. Plaintiff Darryl Allen Byers is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Byers has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

42. Plaintiff Jordan Edwards is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Edwards has suffered

personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

43. Plaintiff James Earl Frazier is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Frazier has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

44. Plaintiff Michaela Haugabook is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Ms. Haugabook has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

45. Plaintiff Timothy Glen Henderson is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Henderson has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

46. Plaintiff Charlie Chris Hill is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Hill has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

47. Plaintiff Roosevelt Johnson is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Johnson has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

48. Plaintiff Robert Eugene Jones is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Jones has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

49. Plaintiff Ronald Jones is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Jones has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

50. Plaintiff Gary Lungrin is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Lungrin has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

51. Plaintiff Charles J. Maxwell is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Maxwell has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

52. Plaintiff James Winfield May is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. May has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

53. Plaintiff Paul Andrew McCathron is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. McCathron has

suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

54. Plaintiff Andre McGhee is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. McGhee has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

55. Plaintiff Delionel B. Meadows is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Meadows has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

56. Plaintiff Manuel Anthony Medina is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Medina has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

57. Plaintiff Bryan Mills is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Mills has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

58. Plaintiff Lynn Arnett Morgan is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Morgan has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

59. Plaintiff Wayne P. Neeley is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Neeley has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

60. Plaintiff Miguel H. Spruill is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Spruill has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

61. Plaintiff Ronald Tate is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Tate has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

62. Plaintiff Alvin Levert Wallace is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Wallace has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

63. Plaintiff Robert Weldon is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Weldon has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

64. Plaintiff Lloyd Elliot Wells is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Wells has suffered

personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

65. Plaintiff Earnest Eugene Wilson is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Wilson has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

66. Plaintiff Marshaun A. R. Winston is, and at the time of the acts alleged in this Complaint was, a citizen of the United States. Mr. Winston has suffered personal injury as a result of the terrorist acts committed by defendants which are set forth in this Complaint.

67. Defendant Socialist People's Libyan Arab Jamahiriya ("Libya") is a foreign state that has been designated a state sponsor of terrorism pursuant to section 6(j) of the Export Administration Act of 1979, 50 U.S.C. § 2405(j), and section 620A of the Foreign Assistance Act of 1961, 22 U.S.C. § 2371, since December 29, 1979. Libya, acting by and through its officials, employees and agents, both known and unknown, committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. Libya sponsored the perpetrators, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction, and training for their terrorist activities.

68. Defendant Socialist People's Libyan Arab Jamahiriya Ministry for Information and Security ("MFIS") is a Libyan agency which performs terrorist

acts and through which Libya supports terrorist groups. The MFIS, acting by and through its officials, employees and agents, both known and unknown, committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. The MFIS sponsored the perpetrators within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. §1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of its acts, the MFIS was acting as agent for Libya and performed its acts within the scope of its agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

69. Defendant Socialist People's Libyan Arab Jamahiriya Security Organization ("JSO") is a Libyan agency which performs terrorist acts and through which Libya supports terrorist groups. The JSO, acting by and through its officials, employees and agents, both known and unknown, committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. The JSO sponsored the perpetrators within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of its acts, the JSO was acting as agent for Libya and performed its acts within the scope of its agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

70. Defendant Socialist People's Libyan Arab Jamahiriya External Security Organization ("ESO") is a Libyan agency which performs terrorist acts and through which Libya supports terrorist groups. The ESO, acting by and through its officials, employees and agents, both known and unknown, committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. The ESO sponsored the perpetrators within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of its acts, the ESO was acting as agent for Libya and performed its acts within the scope of its agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

71. Defendant Colonel Muammar Al-Ghaddafi is Head of State of the Socialist People's Libyan Arab Jamahiriya. Colonel Al-Ghaddafi committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. Colonel Al-Ghaddafi sponsored the perpetrators within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of his acts, Colonel Al-Ghaddafi was acting as an official and agent for Libya, MFIS, JSO and ESO and performed his acts within the scope of his office and agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.



72. Defendant Omar Mustafa Al-Muntasir was the Foreign Minister of the Socialist People's Libyan Arab Jamahiriya. Defendant Al-Muntasir committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. Defendant Al-Muntasir sponsored the perpetrators, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of his acts, defendant Al-Muntasir was acting as an official and agent for Libya, MFIS, JSO and ESO, and performed his acts within the scope of his office and agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

73. Defendant N. N. was the Minister for Information and Security of the Socialist People's Libyan Arab Jamahiriya. Defendant N.N. committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. Defendant N.N. sponsored the perpetrators, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of his acts, defendant N.N. was acting as an official and agent for Libya, MFIS, JSO and ESO, and performed his acts within the scope of his office and agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

74. Defendant Mohammed Abdullah Said Rashid was a leading member of the MFIS, JSO and ESO, in Tripoli, Libya. Defendant Rashid committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. Defendant Rashid sponsored the perpetrators, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of his acts, defendant Rashid was acting as an official and agent for Libya, MFIS, JSO and ESO and performed his acts within the scope of his office and agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

75. Defendant Elamin A. Elamin was a member of the People's Office of the Socialist People's Libyan Arab Jamahiriya in East Berlin and a Libyan intelligence service member. Defendant Elamin committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. Defendant Elamin sponsored the perpetrators, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of his acts, defendant Elamin was acting as an official and agent for Libya, MFIS, JSO and ESO and performed his acts within the scope of his office and agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

76. Defendant Ali Ibrahim O. Keshlaf was ambassadorial secretary of the People's Office of the Socialist People's Libyan Arab Jamahiriya in East Berlin. Defendant Keshlaf committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. Defendant Keshlaf sponsored the perpetrators, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of his acts, defendant Keshlaf was acting as an official and agent for Libya, MFIS, JSO and ESO and performed his acts within the scope of his office and agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

77. Defendant Musbah Al Albani was a diplomatic courier of the Socialist People's Libyan Arab Jamahiriya. Defendant Albani committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. Defendant Albani sponsored the perpetrators, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of his acts, defendant Albani was acting as an official and agent for Libya, MFIS, JSO and ESO and performed his acts within the scope of his office and agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

78. Defendant Yasser Chraidi is a member of the Palestinian terror organization "PFLP-GC." Yasser Chraidi committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. Yasser Chraidi sponsored the perpetrators, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of his acts, Yasser Chraidi was acting as an agent for Libya, MFIS, JSO and ESO and performed his acts within the scope of his agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

79. Defendant Ali Chanaa is a Palestinian and has been a German citizen since 1986. Ali Chanaa committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. Ali Chanaa sponsored the perpetrators, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of his acts, Ali Chanaa was acting as an agent for Libya, MFIS, JSO and ESO and performed his acts within the scope of his agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

80. Defendant Verena Chanaa is a German citizen and the wife of Ali Chanaa. Verena Chanaa committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the

terrorist acts which are set forth in this Complaint. Verena Chanaa sponsored the perpetrators, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of her acts, Verena Chanaa was acting as an agent for Libya, MFIS, JSO and ESO and performed her acts within the scope of her agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

81. Defendant Musbah Omar Abulgasem Eter was an accredited employee of the People's Office of the Socialist People's Libyan Arab Jamahiriya in East Berlin. Defendant Eter committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. Eter sponsored the perpetrators, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of his acts, defendant Eter was acting as an official, employee and agent for Libya, MFIS, JSO and ESO and performed his acts within the scope of his office, employment and agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

82. Defendant Souad Chraidi was the wife of Yasser Chraidi. Souad Chraidi committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. Souad Chraidi sponsored the perpetrators,

within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of her acts, defendant Souad Chraidi was acting as an agent for Libya, MFIS, JSO and ESO and performed her acts within the scope of her agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

83. Defendant Andrea Häusler is a German citizen and the sister of Verena Chanaa. Defendant Häusler committed the terrorist acts which are set forth in this Complaint and provided material support and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. Defendant Häusler sponsored the perpetrators, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction and training for the terrorist acts which are set forth in this Complaint. At all times material and in all of her acts, defendant Häusler was acting as an agent for Libya, MFIS, JSO and ESO and performed her acts within the scope of her agency, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note.

84. All of the defendants participated in a conspiracy to commit the state-sponsored terrorist bomb attack at the "La Belle" discotheque, and in the execution thereof. Defendants Libya, MFIS, JSO, and ESO acted through their officials, employees and agents, including the named individual defendants herein and others unknown. Among the overt acts committed in furtherance of

the conspiracy and the execution thereof were the acts described in the following paragraphs.

85. In March 1986, defendant Rashid, a leading member of the Libyan intelligence service in Tripoli, Libya, commissioned defendants Elamin and Keshlaf, members of the intelligence service employed in the Libyan embassy in East Berlin as diplomats, with the planning, preparation and execution of a terrorist attack in West Berlin by which it was intended that as many military personnel of the United States of America as possible would be killed.

86. In furtherance of this planned attack, defendant Albani, a Libyan intelligence service courier, transported sub-machine guns, hand grenades and approximately 12 kg of explosives from Tripoli to East Berlin as diplomatic luggage.

87. Defendants Keshlaf and Elamin brought Yasser Chraidid into the conspiracy.

88. Defendants Ali and Verena Chanaa and defendant Eter joined in the planning and preparation of the terrorist attack.

89. Defendants selected the "La Belle" discotheque in West Berlin, known to be frequented by large numbers of United States military personnel, as the target of the terrorist attack.

90. On April 4, 1986, in preparation of the terrorist attack, defendant Souad Chraidid transported approximately 3 kg of plastic explosive loaded with iron parts, a detonator and a delay timing device (timer) from the Libyan embassy

in East Berlin to the apartment of defendants Ali and Verena Chanaa in West Berlin.

91. It was defendants' intention that the bomb, when detonated, would cause an explosion that would kill all of the persons present in the "La Belle" discotheque. Accordingly, in furtherance of defendants' intention, defendants chose a plastic explosive – either Semtex H, Hexogene, Nitropenta or Flex X – known to be highly explosive and resistant to detection. It is the explosive of choice of terrorists seeking to cause total destruction and massive loss of life. Defendants had purchased over one ton of this highly explosive material for use by terrorist organizations.

92. On April 4, 1986 at around 9:00 p.m. defendants Yasser Chraidi, Ali Chanaa, Verena Chanaa and Eter made the final preparations for the terrorist attack at which time the detonator and timer were fitted into the explosive. The explosive was concealed in a bag. After this, Eter said, "This is the answer to the Americans, a gift from Gadhafi to Reagan."

93. At around 11:00 p.m. defendants Verena Chanaa and Andrea Häusler brought the bomb to be detonated into the "La Belle" discotheque, where the electrical delay timing device of the explosive was activated. The bag containing the bomb was placed at a seat in the center of the dance floor. On April 5, 1986 at around 1:35 a.m. Verena Chanaa and Andrea Häusler left the "La Belle" discotheque. There were approximately 260 people in the discotheque at the time.



94. The bomb exploded with great and destructive force at approximately 1:40 a.m. Three persons – Kenneth Terence Ford, James E. Goins, and Nermin Haney, a female Turkish citizen – were killed. The explosive pressure tore off Mr. Ford's genitals, and separated his left lower-leg and his left arm from the trunk of his body. He sustained severe burns on his face and body. He died of shock and loss of blood. Both of Mr. Goins' lower-legs were ripped open and his bones shattered. Metal parts of the bomb penetrated his body and he sustained severe burns on his face and body. Despite an emergency operation, in which both legs were amputated, he later died from his injuries. Nermin Haney had her left eye torn out and her left lower-leg cut to pieces by the explosion. She bled to death at the scene. At least 229 persons suffered severe personal injuries as a result of the bomb explosion. The explosion would have killed everyone present in the discotheque but for the fact that the explosion blasted out the interior walls and collapsed the dance floor so that the victims fell into a cellar.

95. Both before and after the terrorist bomb attack on the "La Belle" discotheque, the telex communications between the Libyan intelligence service switchboard in Tripoli and the Libyan embassy in East Berlin record that officials, employees and agents of Libya, MFIS, JSO and ESO are responsible for the planning, preparation and execution of this terrorist act. Immediately after this terrorist bomb attack, the Libyan embassy in East Berlin sent a message to the Libyan government that execution of this terrorist act had been carried out successfully. The communication stated that "... at 1:30 early this morning the

performance of one of the actions took place with success, without leaving behind any clues..."

96. In April 1986 Major General John H. Mitchell was the United States Commander in Berlin. He received secret national defense information from reliable sources. He learned that before the "La Belle" bomb attack, instructions had been sent from the Libyan government in Tripoli to the Libyan People's Office in East Berlin to perform terrorist attacks against Americans and that the Libyan People's Office in East Berlin communicated to the Libyan government in Tripoli immediately after the bomb attack that the operation had been successfully performed.

97. On September 10, 1996, defendant Eter visited the German embassy in Malta. During questioning in the presence of the German ambassador, Eter made a detailed confession by disclosing the planning, preparation and execution of the terrorist attack on "La Belle;" his own actions; and the actions of the other perpetrators, as set forth above. During further questioning conducted by the senior state prosecutor in Berlin, Eter described in detail the execution of the "La Belle" terrorist act by officials, employees and agents of Libya, MFIS, JSO and ESO.

98. On March 17, 2001, Defendant Al-Ghaddafi, in a secret meeting in Tripoli, Libya, admitted to Mr. Steiner, the foreign policy adviser to German Federal Chancellor Schröder, that Libya and he (Al-Ghaddafi) participated in the terrorist bomb attack at the "La Belle" discotheque as well as the "Lockerbie" terrorist act. On March 29, 2001, at a meeting in Washington, D.C. between the

leaders of Germany and the United States, Mr. Steiner reported to President George W. Bush, Secretary of State Colin Powell, and National Security Advisor Condoleezza Rice these admissions of defendant Al-Ghaddafi.

99. This action is brought by the Plaintiffs, Robert Lee Beecham, Personal Representative of the Estate of Kenneth Ford, et al., by counsel, in a representative capacity and in an individual capacity as to each plaintiff, as appropriate, for wrongful death and personal injuries, as more particularly described herein, for their own benefit, for the benefit of each particular estate, and for the benefit and on behalf of all those legally entitled to assert a claim under the state common law or statutory law and the state wrongful death and survival acts of the state where they were domiciled at the time of the attack. This Court exercises subject matter jurisdiction in accordance with the provisions of 28 United States Code Sections 1330(a), 1331, 1332(a)(2), and 1605. The Court exercises in personam jurisdiction over the parties designated as Defendants in accordance with the provisions of 28 United States Code Section 1605(a)(7) footnote, Pl. 104-208. The proper venue for this action is in this Court in accordance with the provisions of 28 United States Code 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.

100. The Plaintiffs in this action consist of United States citizens who were at the time of the occurrence herein alleged either members of the Armed Forces of the United States, civilian spouses of members of the Armed Forces of the United States, retired members of the Armed Forces of the United States,

civilian employees of governmental entities of the United States or the estates of such persons who are now deceased. At the precise time of the events hereinafter described which gave rise to this litigation, none of these persons were engaged in any official activity on behalf of the United States and all were off duty and were in attendance at the La Belle Discotheque in Friednauer, in metropolitan Berlin, Germany. Friednauer, at the time of the occurrence, was within the American Zone of Berlin. It was widely known to be frequented by Americans, particularly servicemen who were off duty. On April 5th, 1986 a bomb exploded within the La Belle Discotheque resulting in the deaths of three persons, including two Americans, and injuries to an additional 230 other people. Plaintiffs received various injuries including blunt force concussions, cuts from shrapnel, burns, and crush injuries from the walls and ceiling which collapsed from the force of the explosives. Several plaintiffs were trapped in the rubble until the fire brigade could extinguish the blaze and extricate them.

101. The attack on April 5, 1986 on the La Belle Discotheque was carried out upon the direction of Colonel Muammar Abu Minar al Qadhafi, de facto chief of government of the Defendant, the Socialist People's Libyan Arab Jamahiriya (Libya). Libya is a foreign state that has been designated a state sponsor of terrorism pursuant to section 6(j) of the Export Administration Act of 1979, 50 U.S.C. § 2405(j), and section 620A of the Foreign Assistance Act of 1961, 22 U.S.C. § 2371, since December 29, 1979. Libya, acting by and through its officials, employees and agents, both known and unknown, committed the terrorist acts which are set forth in this Complaint and provided material support

and resources to the perpetrators of the terrorist acts which are set forth in this Complaint. Libya sponsored the perpetrators, within the meaning of 28 U.S.C. § 1605(a)(7) and 28 U.S.C. § 1605 note, by providing them with funding, planning, direction, and training for their terrorist activities. The attack itself was carried out by persons associated with the Libyan secret intelligence service, the Jamahiriya Security Organization (JSO), including JSO member Musbah Abulgasem Eter. This direct support and assistance was engaged in by an officials, employees, and/or agents of Libya while acting within the scope of their office, employment, or agency. They were assisted by Yasser Mohammed Chreidi, a Palestinian and a member of the Abu Nidal Organization (ANO), a terrorist group receiving financial support and assistance from Libya. Agents of Libya physically located in East Berlin supplied the explosives used to carry out the attack. Germans, known as Verena C. and Ali C., who were members of a Libyan sponsored terrorist group, concealed the bomb in a purse and placed it within the discotheque.

102. Intelligence sources intercepted communications from Muammar Abu Minar al Qadhafi to the JSO ordering that terrorist acts be carried out resulting in the La Belle discotheque bombing. In furtherance of this planned attack a Libyan intelligence service courier transported sub-machine guns, hand grenades and approximately 12 kg of explosives from Tripoli to East Berlin as diplomatic luggage. On April 4, 1986, in preparation of the terrorist attack, Souad Chraidi transported approximately 3 kg of plastic explosive loaded with iron parts, a detonator and a delay timing device (timer) from the Libyan embassy in East Berlin to the apartment of Ali and Verena Chanaa in West Berlin. On April 4,

1986 at around 9:00 p.m. Yasser Chraidi, Ali Chanaa, Verena Chanaa and Eter made the final preparations for the terrorist attack at which time the detonator and timer were fitted into the explosive. The explosive was concealed in a bag. After this, Eter said, "This is the answer to the Americans, a gift from Gadhafi to Reagan."

103. At around 11:00 p.m. Verena Chanaa and Andrea Häusler brought the bomb to be detonated into the "La Belle" discotheque, where the electrical delay timing device of the explosive was activated. The bag containing the bomb was placed at a seat in the center of the dance floor. On April 5, 1986 at around 1:35 a.m. Verena Chanaa and Andrea Häusler left the "La Belle" discotheque. There were approximately 260 people in the discotheque at the time.

104. The bomb exploded with great and destructive force at approximately 1:40 a.m. Three persons – Kenneth Terence Ford, James E. Goins, and Nermin Haney, a female Turkish citizen – were killed. The explosive pressure tore off Mr. Ford's genitals, and separated his left lower-leg and his left arm from the trunk of his body. He sustained severe burns on his face and body. He died of shock and loss of blood. Both of Mr. Goins' lower-legs were ripped open and his bones shattered. Metal parts of the bomb penetrated his body and he sustained severe burns on his face and body. Despite an emergency operation, in which both legs were amputated, he later died from his injuries. Nermin Haney had her left eye torn out and her left lower-leg cut to pieces by the explosion. She bled to death at the scene. At least 229 persons suffered severe personal injuries as a result of the bomb explosion. The explosion would have

killed everyone present in the discotheque but for the fact that the explosion blasted out the interior walls and collapsed the dance floor so that the victims fell into a cellar.

105. Both before and after the terrorist bomb attack on the "La Belle" discotheque, the telex communications between the Libyan intelligence service switchboard in Tripoli and the Libyan embassy in East Berlin record that officials, employees and agents of Libya and JSO are responsible for the planning, preparation and execution of this terrorist act. Immediately after this terrorist bomb attack, the Libyan embassy in East Berlin sent a message to the Libyan government that execution of this terrorist act had been carried out successfully. The communication stated that "... at 1:30 early this morning the performance of one of the actions took place with success, without leaving behind any clues..."

106. In April 1986 Major General John H. Mitchell was the United States Commander in Berlin. He received secret national defense information from reliable sources. He learned that before the "La Belle" bomb attack, instructions had been sent from the Libyan government in Tripoli to the Libyan People's Office in East Berlin to perform terrorist attacks against Americans and that the Libyan People's Office in East Berlin communicated to the Libyan government in Tripoli immediately after the bomb attack that the operation had been successfully performed.

107. On September 10, 1996, Eter visited the German embassy in Malta. During questioning in the presence of the German ambassador, Eter made a detailed confession by disclosing the planning, preparation and

execution of the terrorist attack on "La Belle;" his own actions; and the actions of the other perpetrators, as set forth above. During further questioning conducted by the senior state prosecutor in Berlin, Eter described in detail the execution of the "La Belle" terrorist act by officials, employees and agents of Libya and JSO.

108. On March 17, 2001, Al Qaddafi, in a secret meeting in Tripoli, Libya, admitted to Mr. Steiner, the foreign policy adviser to German Federal Chancellor Schröder, that Libya and he (Al Qaddafi) participated in the terrorist bomb attack at the "La Belle" discotheque as well as the "Lockerbie" terrorist act. On March 29, 2001, at a meeting in Washington, D.C. between the leaders of Germany and the United States, Mr. Steiner reported to President George W. Bush, Secretary of State Colin Powell, and National Security Advisor Condoleezza Rice these admissions of Al-Ghaddafi.

109. At no time, prior to the attack on the La Belle discotheque patrons, did a state of war or other status of belligerency exist between the United States of America and Libya. American military personnel were therefore by definition non-combatants in accordance with recognized principals of American and international law. The physical injuries suffered by the Plaintiffs or Plaintiffs' decedents were inflicted upon them for the purpose of intimidating the United States and influencing its foreign policy. The actions performed by Libyan agents, employees, and officials during the conspiracy to bomb the discotheque constitute extra-judicial killing, attempted extra-judicial killing, "torture" and the provision of "material support"<sup>1</sup> for the aforementioned, as defined in Section 3(b) of The Torture Victim Protection Act of 1991. Such actions further constitute

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<sup>1</sup> As defined by 18 U.S.C. §2339A.



tortious, illegal and criminal actions under international law, United States law, the laws of the state of their permanent residence and District of Columbia law.

110. The Plaintiffs and/or contingent beneficiaries of claims herein set forth are, and were at the time of the occurrence, nationals of the United States in accordance with the provisions of 28 United States Code Section 1605(a)(7)(B)(ii).

111. The Jamahiriya Security Organization (JSO), is an agency of Libya and the Libyan secret intelligence service. The Abu Nidal Organization (ANO), is a terrorist group, which, at the time of the occurrence, received financial assistance, training and technical advice from Libya. Agents of Libya operating in East Berlin supplied the explosives used in the attack. The attack was carried out by Libyan agents, officials, and employees at the direction of Colonel Muammar Abu Minar al Qadhafi. The Libyan agents, officials, and employees were therefore acting within the scope of their office, employment, or agency.

112. Each plaintiff listed in this count asserts that he or she is entitled to judgment on this count pursuant to the applicable laws, common law or statutory law, of the state where each plaintiff and/or decedent was domiciled at the time of the incident at issue in this case.

113. As a direct and proximate result of the "La Belle" bomb explosion, Kenneth Terence Ford suffered severe and permanent injuries to mind and body, including those set forth above, which caused him extensive pain and suffering and eventually resulted in his death. Plaintiffs Robert Lee Beecham and Alice

Faye Ford, his surviving parents and representatives of his estate, bring claims individually and on behalf of the Estate of Kenneth Terence Ford.

114. Plaintiff Revell Scott, the surviving sister of Kenneth Terence Ford, brings her separate claim individually. Plaintiffs Robert Lee Beecham and Alice Faye Ford, representatives of the Estate of Robin L. Beecham, who was a surviving brother of Kenneth Terence Ford, bring a separate claim on behalf of the Estate of Robin L. Beecham.

115. As a direct and proximate result of the "La Belle" bomb explosion, James E. Goins suffered severe and permanent injuries to mind and body, including those set forth above, which caused him extensive pain and suffering and eventually resulted in his death on June 7, 1986. Plaintiff Patrocinia Goins, his surviving wife and representative of his estate, brings claims individually and on behalf of the Estate of James E. Goins. Plaintiff Carlos Goins, the surviving son of James E. Goins, brings his separate claim individually.

116. As a direct and proximate result of the "La Belle" bomb explosion, plaintiff Troy Deon Euring was caused to sustain severe and permanent injuries to mind and body, including but not limited to, injuries to his ear, a perforated ear drum and post-traumatic stress. Because of his injuries, plaintiff Troy Deon Euring has been caused to undergo and will undergo in the future extensive medical treatment, including surgery, and has been caused to incur and will incur in the future medical and related expenses. He has suffered a loss of earnings and an impairment of his earning capacity. Plaintiff Troy Deon Euring has been and will continue to be prevented from engaging in his normal activities. He has