

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case RICO STATEMENT applicable to Perouz Seda Ghaty and Al Haramain Islamic Foundation
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This document relates to: Federal Insurance Co. v. al Qaida
03 CV 06978 (RCC)

**RICO STATEMENT
APPLICABLE TO
PEROUZ SEDA GHATY a/k/a “PETE SEDA” AND
AL HARAMAIN ISLAMIC FOUNDATION**

Based on information currently available, and pursuant to the Case Management Order dated June 15, 2004, plaintiffs submit this RICO statement for defendants Perouz Seda Ghaty a/k/a “Pete Seda” and Al Haramain Islamic Foundation.

Given the vastly complicated nature of the conspiracy and other wrongdoing that led to the events of September 11, 2001, much information is presently unavailable to plaintiffs, absent discovery. Plaintiffs therefore reserve the right to amend this RICO statement as information is learned and verified and after discovery is obtained.

1. The unlawful conduct is in violation of 18 U.S.C. § 1962(c) and/or (d).
2. The names of the defendants to whom this RICO statement pertains is Perouz Seda Ghaty a/k/a “Pete Seda” and Al Haramain Islamic Foundation. The alleged misconduct and basis for liability is set forth in Exhibit “A”.
3. Not applicable. All known wrongdoers are named as defendants in this action. Given the vastly complicated nature of the conspiracy and other wrongdoing that led to the events of September 11, 2001, however, much information is unavailable to plaintiffs, and the identities of other wrongdoers may be revealed through discovery. Plaintiffs therefore reserve the right to amend this RICO statement as information is learned and verified and after discovery is obtained.

4. The name of each victim and the manner in which each was injured is indicated on the chart attached hereto as Exhibit “B”.

5. (a) list of predicate acts and specific statutes violated:

conspiracy to commit murder	NY CLS Penal § 105.15; NY CLS Penal § 125.25(xi)
conspiracy to commit arson	NY CLS Penal § 105.15; NY CLS Penal § 150.15
fraud with identification documents	18 U.S.C. § 1028
mail fraud	18 U.S.C. § 1341
wire fraud	18 U.S.C. § 1343
financial institution fraud	18 U.S.C. § 1344
relating to unlawful procurement of citizenship or naturalization papers	18 U.S.C. § 1425
relating to the unlawful reproduction of naturalization or citizenship papers	18 U.S.C. § 1426
relating to the sale of naturalization or citizenship papers	18 U.S.C. § 1427
obstruction of justice	18 U.S.C. § 1503
obstruction of a criminal investigation	18 U.S.C. § 1510
obstruction of state or local law enforcement	18 U.S.C. § 1511
Travel Act	18 U.S.C. § 1952
fraud or misuse of visa permits or other documents	18 U.S.C. § 1546
illegal transactions in monetary instruments	18 U.S.C. § 1956
money laundering	18 U.S.C. § 1957

defrauding the US Government	18 U.S.C. § 371
filing false or materially false tax returns	26 U.S.C. § 7206(1), (2)
engaging in a corrupt endeavor to impede and impair the due administration of the internal revenue laws	26 U.S.C. § 7212(a)

(b) dates of, the participants in, and a description of the facts surrounding the predicate acts

DATES	PARTICIPANTS	FACTS
mid-1990s to 9/11/2001	Perouz Seda Ghaty aka “Pete Seda” (“Seda”) and Al Haramain Islamic Foundation (“AHIF”)	Seda and AHIF conspired to support terrorism and to obfuscate the roles of the various participants and conspirators in Radical Muslim Terrorism, which conspiracy culminated in the Attack.
late 1990s to 9/11/2001	Seda and AHIF	Seda and AHIF undertook the above-named actions as part of a conspiracy to commit murder and arson, in that they knew that the Enterprise in which they were participating, Radical Muslim Terrorism, planned to and would commit an act of deadly aggression against the United States in the near future, using the resources and support it supplied.
mid-1990s to 9/11/2001	Seda and AHIF	Seda and AHIF agreed to form and associate itself with the Enterprise and agreed to commit more than two predicate acts, <i>i.e.</i> , multiple acts of murder and arson, in furtherance of a pattern of racketeering activity in connection with the Enterprise.

(c) not applicable

(d) No.

(e) No.

- (f) The predicate acts form a pattern of racketeering in that they are continuous, and are a part of the Enterprise's regular way of doing business. Other of the defendants consistently, evenly constantly, laundered money, filed false tax returns, and otherwise impeded and impaired the administration of the tax laws as part of their scheme to conduit money to terrorists, and yet obfuscate their support of Radical Muslim Terrorism.
- (g) The predicate acts relate to each other (horizontal relatedness) as part of a common plan because each act of money laundering and tax evasion allowed certain of the defendants to surreptitiously provide funds to terrorist organizations, including al Qaida, which conspiracy culminated in the Attack.

6.

(a) The enterprise (the "Enterprise" or "Radical Muslim Terrorism") is comprised of the defendants named in the First Amended Complaint, and is a collection of persons, organizations, businesses, and nations associated in fact.

(b) The Enterprise has its origins in the defeat of the Soviets in Afghanistan in the late 1980s, when Osama Bin Ladin ("Bin Ladin") formed an organization called "The Foundation" or "al Qaida." Al Qaida was intended to serve as a foundation upon which to build a global Islamic army. The structure of the Enterprise is an association in fact with common and complex goals that consist of far more than the mere desire to perpetrate the acts of racketeering outlined herein. Rather, the Enterprise utilizes acts of racketeering to further its overall common purposes of: (i) spreading a particularly virulent brand of radical, conservative Islam; (ii) eliminating Western influences in Islamic countries, including Western influences that are perceived to keep in power repressive Saudi American regimes that are not true to Islam; and (iii) punishing Israel, and the United States for its perceived support of Israel. Radical Muslim Terrorism does not feature a centralized hierarchy, because the lack of a centralized hierarchy is essential to the Enterprise's clandestine nature and its success. Thus, although al Qaida had its own membership roster and a structure of "committees" to guide and oversee such functions as training terrorists, proposing targets, financing operations, and issuing edicts, the committees were not a hierarchical chain of command but were instead a means for coordinating functions and providing material support to operations. Perouz Seda Ghaty and Al Haramain Islamic Foundation fit neatly into this framework by providing funding to and otherwise providing material support for the members of the Enterprise who engaged in the Attack.

(c) no.

(d) Perouz Seda Ghaty and Al Haramain Islamic Foundation are associated with the Enterprise.

(e) Perouz Seda Ghaty and Al Haramain Islamic Foundation members of the Enterprise, and are separate and distinct from the Enterprise.

- (f) Perouz Seda Ghaty and Al Haramain Islamic Foundation intended to further the Attack and adopted the goal of furthering and/or facilitating that criminal endeavor, which criminal activity culminated in the Attack.
7. The pattern of racketeering activity conducted by Perouz Seda Ghaty and Al Haramain Islamic Foundation is separate from the existence of Radical Muslim Terrorism, but was a necessary component to the Attack.
 8. The Enterprise conducts terrorism all over the world; the racketeering activity conducted by Perouz Seda Ghaty and Al Haramain Islamic Foundation furthers and facilitates that activity, which activity culminated in the Attack. The usual and daily activities of the Enterprise includes recruitment, indoctrination, and the provisioning and operation of training camps, all of which activities are furthered and facilitated by the racketeering activities described herein.
 9. The Enterprise benefits by spreading its ideology, by suppressing other forms of Islam, and through the gratification of destroying its perceived enemies.
 10. The Enterprise, and the racketeering activities conducted by Perouz Seda Ghaty and Al Haramain Islamic Foundation, relies heavily on the American interstate system of commerce for banking, supplies, communications, and virtually all its essential commercial functions, and in that manner affects interstate commerce. Additionally, the Attack itself affected commerce. See Rasul v. Bush, 124 S. Ct. 2686, No. 03-334, 2004 U.S. LEXIS 4760, * 8 (stating that the Attack “severely damaged the U.S. economy”).
 11. Not applicable.
 12. Not applicable.
 13. Radical Muslim Terrorism “employs” certain individuals, only a few of whose identities are known, including defendant Osama bin Ladin.
 14. The history of the conspiracy behind Radical Muslim Terrorism could, and has, filled many books, but for purposes of the present RICO Statement, the following is offered. After being turned out of the Sudan in May 1996, al Qaida established itself in Afghanistan, and relied on well-placed financial facilitators, including Perouz Seda Ghaty and Al Haramain Islamic Foundation, who laundered funds from Islamic so-called charities and corporations and raised money from witting and unwitting donors. They also relied heavily on certain imams at mosques who were willing to divert the *zakat*, the mandatory charitable contributions required of all Muslims. Al Qaida also collected money from employees of corrupted charities.

The funds thus raised were used to, among other things, operate terrorist training camps in Afghanistan, where some recruits were trained in conventional warfare but where the best and most zealous recruits received terrorist training. The curriculum in the camps placed great emphasis on ideological and religious indoctrination. All trainees and other personnel were encouraged to think creatively about ways to commit mass murder.

The camps were able to operate only because of the worldwide network of recruiters, travel facilitators, and document forgers who vetted recruits and helped them get in and out of Afghanistan. From the ranks of these recruits the nineteen perpetrators of the Attack were selected. None of this would have been possible without the funds supplied by participants and conspirators like Perouz Seda Ghaty and Al Haramain Islamic Foundation. Indeed, the Enterprise would not have been successful without the enthusiastic participation of all of the conspirators, including Perouz Seda Ghaty and Al Haramain Islamic Foundation. In order to identify nineteen individuals willing, able and competent to carry out the Attack, al Qaida needed to select from a vast pool of recruits and trainees, which pool would not have been available to it without the assistance provided by Perouz Seda Ghaty and Al Haramain Islamic Foundation. Perouz Seda Ghaty and Al Haramain Islamic Foundation, with knowledge and intent, agreed to the overall objectives of the conspiracy, and agreed to commit at least two predicate acts and all agreed to participate in the conspiracy, either expressly or impliedly. Perouz Seda Ghaty and Al Haramain Islamic Foundation also, with knowledge and intent, agreed to and did aid and abet all of the above illegal activities, RICO predicate acts, and RICO violations.

15. As the subrogees of both individual and property claimants, plaintiffs have been harmed in their business and property through the claims that they have paid out or for which they have reserved.
16. Plaintiffs' damages -- injuries, the loss of life and property damage that resulted from defendants' actions -- are direct in that they are not derivative of damage to a third party. Rather the plaintiffs' insureds' assignees were the "reasonably foreseeable victims of a RICO violation" and the "intended victims of the racketeering enterprise," *i.e.*, terrorism, the culmination of which was the Attack.
17. Each defendant is jointly and severally liable for the damages suffered by each plaintiff, as set forth in Exhibit "C".

18.

VI	Torture Victim Protection Act, 28 U.S.C. § 1350
VIII	RICO, 18 U.S.C. § 1962(c), 1962(d)
X	Anti-Terrorism Act, 18 U.S.C. § 2333

19. pendent state claims:

I	Trespass
II	Wrongful Death
III	Survival
IV	Assault & Battery
V	Intentional and Negligent Infliction of Emotional Distress
VII	Conspiracy
IX	Aiding and Abetting
XI	Negligence
XII	Punitive Damages

20. not applicable

EXHIBIT "A"

RICO STATEMENT

QUESTION # 2

DEFENDANT	MISCONDUCT	BASIS OF LIABILITY
<p>Perouz Seda Ghaty aka "Pete Seda" ("Seda") and Al Haramain Islamic Foundation ("AHIF")</p>	<p>Seda and AHIF have long provided financial services and other forms of material support to terrorist organizations, including al Qaida. Indeed, AHIF has long acted as a fully integrated component of al Qaida's worldwide logistical and financial support infrastructure, and provided material support and resources to al Qaida and affiliated foreign terrorist organizations.</p> <p>AHIF has offices all over the world from which it coordinates its support for the Enterprise, Radical Muslim Terrorism, and an interlocking management by which it effectuates that support. For example, Aqeel Abdulaziz Al-Aqil, a Saudi, is Secretary General of the Saudi AHIF located in Riyadh and president of the Oregon AHIF. Mansour Al-Kadi, a Saudi, is deputy director general of the Saudi AHIF, "head" of AHIF's Africa Committee, and vice president of the Oregon AHIF. (Seda is the secretary of the Oregon AHIF.)</p> <p>AHIF has advertised its connection to al Qaida. AHIF's website used to have a direct link to the al Qaida site about the Chechnyan operations (qoqaz.com). The website is part of the al Qaida propaganda organization, Azzam Publications group of websites, including qoqaz.com, qoqaz.net, and azzam.com (among others).</p> <p>Numerous branches of AHIF, including Afghanistan, Albania, Bangladesh, Bosnia, Ethiopia, Herzegovina, Indonesia, Kenya, the</p>	<p>1962(c) 1962(d)</p>

	<p>Netherlands, Tanzania and Pakistan, have been designated as sponsors and supporter of al Qaida and affiliated FTOs.</p> <p>When viewed as a single entity, AHIF is one of the principal Islamic organizations providing support for the al Qaida network and promoting militant Islamic doctrine worldwide. Under the leadership of Aqeel Abdulaziz Al-Aqil, the founder and long-time leader of AHIF and an al Qaida supporter, AHIF, numerous AHIF field offices and AHIF representatives operating throughout Africa, Asia, Europe and North America provided financial and material support to the al Qaida network.</p> <p>Also under Aqeel Abdulaziz Al-Aqil's leadership, AHIF implemented its tasks through its offices and representatives, which span more than fifty countries around the world. AHIF maintained nine general committees and several other “active committees” that included the “Continuous Charity Committee, African Committee, Asian Committee, Da’wah and Sponsorship Committee, Masjid Committee, Seasonal Projects Committee, Doctor’s Committee, European Committee, Internet and the American Committee, the Domestic Committee, Zakaat Committee and the Worldwide Revenue Promotion Committee.”</p> <p>In Southeast Asia, AHIF served as a primary source of al Qaida funding.</p> <p>In Africa, AHIF was heavily involved in plotting terrorist attacks against Americans, including but not limited to the suicide bomber attacks against the U.S. Embassies in Nairobi and Dar es Salaam in which 224 people were killed.</p> <p>AHIF’s Pakistan office provided funding and logistical support for the acquisition and delivery of Zenit missiles, Sting anti-aircraft missiles, and hand-held anti-tank weapons to</p>	
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	<p>al Qaida and al Qaida affiliated militants.</p> <p>In Europe, AHIF sponsored al Qaida activity through the al Nur Mosque which served as a meeting place, recruitment center and base of operations for al Qaida within Germany. At the direction of the Kingdom of Saudi Arabia, AHIF contributed in excess of \$1 million dollars to the Mosque, funding the purchase of the land for the Mosque as well as its construction.</p> <p>AHIF also sponsored al Qaida operations in Chechnya and Kosovo through its participation in the Saudi Joint Relief Committee (the "SJRC"). The SJRC offices in Pristine, Kosovo served as a cover for al Qaida operatives. Furthermore, between 1998 and 2000, the Kingdom of Saudi Arabia, through the SJRC, diverted more than \$74 million to al Qaida members and loyalists affiliated with the SJRC bureaus.</p> <p>In the United States, AHIF's Ashland, Oregon office, of which Seda was the secretary, committed violations of the Internal Revenue Code, Money Laundering Control Act and Bank Secrecy Act which funneling money to al Qaida.</p> <p>Seda and AHIF thereby have, for a period of many years, provided critical financial and logistical support to al Qaida to support that terrorist organization's global jihad. The September 11th Attack was a direct, intended and foreseeable product of Seda and AHIF's participation in al Qaida's jihadist campaign.</p>	
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EXHIBIT "B"

RICO STATEMENT

<i>Federal Insurance Company, et al. v. al Qaida et al., 03cv6978 Plaintiffs</i>	Paid to Date
ALLSTATE INSURANCE COMPANY	\$12,945,647.78
AMERICAN ALTERNATIVE INSURANCE CORPORATION	\$2,590,862.56
AMERICAN EMPLOYERS' INSURANCE COMPANY	\$325,421.23
AMERICAN GUARANTEE AND LIABILITY INSURANCE COMPANY	\$44,407,749.17
AMERICAN ZURICH INSURANCE COMPANY	\$2,365,183.61
AMLIN UNDERWRITING, LTD.	\$66,991,142.12
ASSURANCE COMPANY OF AMERICA	\$2,417,600.19
BOSTON OLD COLONY INSURANCE COMPANY	\$5,100.00
CHUBB CUSTOM INSURANCE COMPANY	\$612,585.00
CHUBB INDEMNITY INSURANCE COMPANY	\$3,771,622.01
CHUBB INSURANCE COMPANY OF CANADA	\$44,547,557.24
CHUBB INSURANCE COMPANY OF NEW JERSEY	\$410,681.69
CNA CASUALTY OF CALIFORNIA	\$25,771.00
COLONIAL AMERICAN CASUALTY AND SURETY INS. COMPANY	\$21,400.00
COMMERCIAL INSURANCE COMPANY OF NEWARK, NJ	\$141,343.00
CONTINENTAL INSURANCE COMPANY	\$542,627.00
CONTINENTAL INSURANCE COMPANY OF NEW JERSEY	\$39,073.00
CRUM & FORSTER INDEMNITY COMPANY	\$44,300.08
FEDERAL INSURANCE COMPANY	\$1,310,819,537.70
FIDELITY AND CASUALTY COMPANY OF NEW YORK	\$79,856.00
FIDELITY AND DEPOSIT COMPANY OF MARYLAND	\$7,636,903.02
GLENS FALLS INSURANCE COMPANY	\$36,239.00
GREAT LAKES REINSURANCE U.K. PLC	\$57,682,223.62
GREAT NORTHERN INSURANCE COMPANY	\$598,520,989.15
HISCOX DEDICATED CORPORATE MEMBER, LTD.	\$228,774,228.62
HOMELAND INSURANCE COMPANY OF NEW YORK	\$210,670.75
MARYLAND CASUALTY COMPANY	\$448,063.19
NATIONAL BEN FRANKLIN INSURANCE COMPANY OF ILLINOIS	\$6,442.00
NORTH RIVER INSURANCE COMPANY	\$3,405,966.77
NORTHERN INSURANCE COMPANY OF NEW YORK	\$1,288,908.39
ONE BEACON AMERICA INSURANCE COMPANY	\$85,101.50
ONE BEACON INSURANCE COMPANY	\$185,924,621.93
PACIFIC INDEMNITY COMPANY	\$20,917,471.59
SENECA INSURANCE COMPANY, INC.	\$4,039,407.18
STEADFAST INSURANCE COMPANY	\$392,783.63
THE CAMDEN FIRE INSURANCE ASSOCIATION	\$76,620.00
THE PRINCETON EXCESS & SURPLUS LINES INSURANCE COMPANY	\$3,796,292.50
UNITED STATES FIRE INSURANCE COMPANY	\$75,434,277.11
VALIANT INSURANCE COMPANY	\$3,500.00
VIGILANT INSURANCE COMPANY	\$41,781,107.08
ZURICH AMERICAN INSURANCE COMPANY	\$783,686,766.26

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case RICO STATEMENT applicable to the Saudi High Commission, as that term is defined herein
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This document relates to: Federal Insurance Co. v. al Qaida
03 CV 06978 (RCC)

**RICO STATEMENT
APPLICABLE TO THE SAUDI HIGH COMMISSION**

Based on information currently available, plaintiffs submit this RICO statement pursuant to the Case Management Order dated June 15, 2004 for defendant Saudi High Commission, a/k/a the Saudi High Relief Commission. Given the vastly complicated nature of the conspiracy and other wrongdoing that led to the events of September 11, 2001, much information is presently unavailable to plaintiffs, absent discovery. Plaintiffs therefore reserve the right to amend this RICO statement as information is learned and verified and after discovery is obtained.

1. The unlawful conduct is in violation of 18 U.S.C. § 1962(c) and/or (d).
2. The name of the defendant to whom this RICO statement pertains is the Saudi High Commission, a/k/a the Saudi High Relief Commission (the "Saudi High Commission"). The alleged misconduct and basis for liability is set forth in Exhibit "A".
3. Not applicable. All known wrongdoers are named as defendants in this action. Given the vastly complicated nature of the conspiracy and other wrongdoing that led to the events of September 11, 2001, however, much information is unavailable to plaintiffs, and the identities of other wrongdoers may be revealed through discovery. Plaintiffs therefore reserve the right to amend this RICO statement as information is learned and verified and after discovery is obtained.
4. The name of each victim and the manner in which each was injured is indicated on the chart attached hereto as Exhibit "B".

5. (a) list of predicate acts and specific statutes violated:

conspiracy to commit murder	NY CLS Penal § 105.15; NY CLS Penal § 125.25(xi)
conspiracy to commit arson	NY CLS Penal § 105.15; NY CLS Penal § 150.15
Travel Act	18 U.S.C. § 1952
illegal transactions in monetary instruments	18 U.S.C. § 1956
money laundering	18 U.S.C. § 1957
defrauding the US Government	18 U.S.C. § 371
filing false or materially false tax returns	26 U.S.C. § 7206(1), (2)
engaging in a corrupt endeavor to impede and impair the due administration of the internal revenue laws	26 U.S.C. § 7212(a)

(b) dates of, the participants in, and a description of the facts surrounding the predicate acts

DATES	PARTICIPANTS	FACTS
mid-1990s to 9/11/2001	The Saudi High Commission	Throughout this period, the Saudi High Commission conspired to support terrorism and to obfuscate the roles of the various participants and conspirators in Radical Muslim Terrorism, which conspiracy culminated in the Attack.
late 1990s to 9/11/2001	The Saudi High Commission	The Saudi High Commission undertook the above-named actions as part of a conspiracy to commit murder and arson, in that it knew that the Enterprise in which it was participating, Radical Muslim Terrorism, planned to and would commit an act of deadly aggression against the United States in the near future, using the resources and support supplied by the Saudi High Commission
mid-1990s to 9/11/2001	The Saudi High Commission	The Saudi High Commission agreed to form and associate itself with the Enterprise and agreed to commit more than two predicate acts, <i>i.e.</i> , multiple acts of murder and arson, in furtherance of a pattern of racketeering activity in connection with the Enterprise.

(c) not applicable

(d) No.

(e) No.

(f) The predicate acts form a pattern of racketeering in that they are continuous, and are a part of the Enterprise's regular way of doing business. Other of the defendants consistently, evenly constantly, laundered money, filed false tax returns, and otherwise impeded and impaired the administration of the tax laws as part of their scheme to conduit money to terrorists, and yet obfuscate their support of Radical Muslim Terrorism.

(g) The predicate acts relate to each other (horizontal relatedness) as part of a common plan because each act of money laundering and tax evasion allowed other of the defendants, including the Saudi High Commission, to surreptitiously provide funds to terrorist organizations, including al Qaida, which conspiracy culminated in the Attack.

6.

- (a) The enterprise (the “Enterprise” or “Radical Muslim Terrorism”) is comprised of the defendants named in the First Amended Complaint, and is a collection of persons, organizations, businesses, and nations associated in fact.
- (b) The Enterprise has its origins in the defeat of the Soviets in Afghanistan in the late 1980s, when Osama Bin Ladin (“Bin Ladin”) formed an organization called “The Foundation” or “al Qaida.” Al Qaida was intended to serve as a foundation upon which to build a global Islamic army. The structure of the Enterprise is an association in fact with common and complex goals that consist of far more than the mere desire to perpetrate the acts of racketeering outlined herein. Rather, the Enterprise utilizes acts of racketeering to further its overall common purposes of: (i) spreading a particularly virulent brand of radical, conservative Islam; (ii) eliminating Western influences in Islamic countries, including Western influences that are perceived to keep in power repressive Arab regimes that are not true to Islam; and (iii) punishing Israel, and the United States for its perceived support of Israel. Radical Muslim Terrorism does not feature a centralized hierarchy, because the lack of a centralized hierarchy is essential to the Enterprise’s clandestine nature and its success. Thus, although al Qaida had its own membership roster and a structure of “committees” to guide and oversee such functions as training terrorists, proposing targets, financing operations, and issuing edicts, the committees were not a hierarchical chain of command but were instead a means for coordinating functions and providing material support to operations. The Saudi High Commission fits neatly into this framework by raising funds for and providing funding to and otherwise providing material support for the members of the Enterprise who engaged in the Attack.
- (c) no.
- (d) The Saudi High Commission is associated with the Enterprise.
- (e) The Saudi High Commission is a member of the Enterprise, and is separate and distinct from the Enterprise.
- (f) The Saudi High Commission intended to further the Attack and adopted the goal of furthering and/or facilitating that criminal endeavor, which criminal activity culminated in the Attack.

7. The pattern of racketeering activity conducted by the Saudi High Commission is separate from the existence of Radical Muslim Terrorism, but was a necessary component to the Attack.

8. The Enterprise conducts terrorism all over the world; the racketeering activity conducted by the Saudi High Commission funds that activity, which activity culminated in the Attack. The usual and daily activities of the Enterprise includes recruitment, indoctrination, and the provisioning and operation of training camps, all of which activities are funded by the racketeering activities described herein.
9. The Enterprise benefits by spreading its ideology, by suppressing other forms of Islam, and through the gratification of destroying its perceived enemies.
10. The Enterprise, and the racketeering activities conducted by the Saudi High Commission, relies heavily on the American interstate system of commerce for banking, supplies, communications, and virtually all its essential commercial functions, and in that manner affects interstate commerce. Additionally, the Attack itself affected commerce. See Rasul v. Bush, 124 S. Ct. 2686, No. 03-334, 2004 U.S. LEXIS 4760, * 8 (stating that the Attack “severely damaged the U.S. economy”).
11. Not applicable.
12. Not applicable.
13. Radical Muslim Terrorism “employs” certain individuals, only a few of whose identities are known, including defendant Osama bin Ladin.
14. The history of the conspiracy behind Radical Muslim Terrorism could, and has, filled many books, but for purposes of the present RICO Statement, the following is offered. After being turned out of the Sudan in May 1996, al Qaida established itself in Afghanistan, and relied on well-placed financial facilitators, including the Saudi High Commission, and laundered funds from Islamic so-called charities and corporations. The financial facilitators also raised money from witting and unwitting donors. They also relied heavily on certain imams at mosques who were willing to divert the *zakat*, the mandatory charitable contributions required of all Muslims. Al Qaida also collected money from employees of corrupted charities.

The funds thus raised were used to, among other things, operate terrorist training camps in Afghanistan, where some recruits were trained in conventional warfare but where the best and most zealous recruits received terrorist training. The curriculum in the camps placed with great emphasis on ideological and religious indoctrination. All trainees and other personnel were encouraged to think creatively about ways to commit mass murder.

The camps were able to operate only because of the worldwide network of recruiters, travel facilitators, and document forgers who vetted recruits and helped them get in and out of Afghanistan. From the ranks of these recruits the nineteen perpetrators of the Attack were selected. None of this would have been possible without the funds supplied by participants and conspirators like the Saudi High Commission. Indeed, the Enterprise would not have been successful without the enthusiastic participation of all of the conspirators, including the Saudi High Commission. In order to identify nineteen individuals willing, able and competent to carry out the Attack, al Qaida needed to select from a vast pool of recruits and trainees, which pool would not have been available to it

without the assistance provided by the Saudi High Commission. The Saudi High Commission, with knowledge and intent, agreed to the overall objectives of the conspiracy, and agreed to commit at least two predicate acts and all agreed to participate in the conspiracy, either expressly or impliedly. The Saudi High Commission also, with knowledge and intent, agreed to and did aid and abet all of the above illegal activities, RICO predicate acts, and RICO violations.

15. As the subrogees of both individual and property claimants, plaintiffs have been harmed in their business and property through the claims that they have paid out or for which they have reserved.
16. Plaintiffs' damages -- injuries, the loss of life and property damage that resulted from defendants' actions -- are direct in that they are not derivative of damage to a third party. Rather the plaintiffs' insureds' assignees were the "reasonably foreseeable victims of a RICO violation" and the "intended victims of the racketeering enterprise," *i.e.*, terrorism, the culmination of which was the Attack.
17. Each defendant is jointly and severally liable for the damages suffered by each plaintiff, as set forth in Exhibit "B".

18.

VI	Torture Victim Protection Act, 28 U.S.C. § 1350
VIII	RICO, 18 U.S.C. § 1962(c), 1962(d)
X	Anti-Terrorism Act, 18 U.S.C. § 2333

19. pendent state claims:

I	Trespass
II	Wrongful Death
III	Survival
IV	Assault & Battery
V	Intentional and Negligent Infliction of Emotional Distress
VII	Conspiracy
IX	Aiding and Abetting
XI	Negligence
XII	Punitive Damages

20. not applicable

EXHIBIT "A"

RICO STATEMENT

QUESTION # 2

DEFENDANT	MISCONDUCT	BASIS OF LIABILITY
The Saudi High Commission	The Saudi High Commission has long acted as a fully integrated component of al Qaida's logistical and financial support infrastructure, and provided material support and resources to al Qaida and affiliated FTOs. The Financial Police of the Federation of Bosnia Herzegovina Ministry of Finance described the Saudi High Commission as a front for radical and terrorism-related activities. The Saudi High Commission worked closely with and largely funded Taibah International, which has been directly implicated in al Qaida operations outside of Bosnia, including the 1998 United States Embassy bombings in Kenya and Tanzania. Between 1992 and 2002, the Saudi High Commission funneled millions of dollars to al Qaida operations in Bosnia alone. The Saudi High Commission caused and/or allowed phony relief workers to use its name as "cover" when they traveled, to infiltrate sensitive areas. Approximately \$41 million donated to the Saudi High Commission remains unaccounted for.	1962(c) 1962(d)

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case AMENDED RICO STATEMENT applicable to SAUDI RED CRESCENT SOCIETY AND DR. ABDUL RAHMAN AL SWAILEM
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This document relates to:

*Federal Insurance Co. v. al Qaida
03 CV 06978 (RCC)*

**AMENDED RICO STATEMENT APPLICABLE TO
SAUDI RED CRESCENT SOCIETY
AND DR. ABDUL RAHMAN AL SWAILEM**

Based on information currently available, and pursuant to the Case Management Order dated June 15, 2004, plaintiffs submit this amended RICO statement for defendants Saudi Red Crescent Society (“SRC”) and Dr. Abdul Rahman Al Swailem.

Given the vastly complicated nature of the conspiracy and other wrongdoing that led to the events of September 11, 2001, much information is presently unavailable to plaintiffs, absent discovery. Plaintiffs therefore reserve the right to amend this RICO statement as information is learned and verified and after discovery is obtained.

1. The unlawful conduct is in violation of 18 U.S.C. § 1962(a), (c) and/or (d).
2. The name of the defendants to whom this RICO statement pertains are the Saudi Red Crescent Society and Dr. Abdul Rahman Al Swailem. The alleged misconduct and basis for liability is set forth in Exhibit “A”.
3. Not applicable. All known wrongdoers are named as defendants in this action. Given the vastly complicated nature of the conspiracy and other wrongdoing that led to the events of September 11, 2001, however, much information is unavailable to plaintiffs, and the identities of other wrongdoers may be revealed through discovery. Plaintiffs therefore reserve the right to amend this RICO statement as information is learned and verified and after discovery is obtained.
4. The name of each victim and the manner in which each was injured is indicated on the chart attached hereto as Exhibit “B”.
5. (a) list of predicate acts and specific statutes violated:

conspiracy to commit murder	NY CLS Penal § 105.15; NY CLS Penal § 125.25(xi)
conspiracy to commit arson	NY CLS Penal § 105.15; NY CLS Penal § 150.15
fraud with identification documents	18 U.S.C. § 1028
Travel Act	18 U.S.C. § 1952
illegal transactions in monetary instruments	18 U.S.C. § 1956
money laundering	18 U.S.C. § 1957
financial institutions fraud	18 U.S.C. § 1344
mail fraud	18 U.S.C. § 1341
wire fraud	18 U.S.C. § 1343
Providing material support of Terrorism	18 U.S.C. § 2332(b)(g)(5)(B) 18 U.S.C. § 2339A 18 U.S.C. § 2339B 18 U.S.C. § 2339C
Anti-Terrorism Act	18 U.S.C. § 2332b

(b) dates of, the participants in, and a description of the facts surrounding the predicate acts

DATES	PARTICIPANTS	FACTS
early 1990s to 9/11/2001	SRC and Dr. Abdul Rahman Al Swailem	The SRC and Dr. Abdul Rahman Al Swailem conspired to support terrorism and to obfuscate the roles of the various participants and conspirators in the al Qaida movement, which conspiracy culminated in the Attack.
early 1990s to 9/11/2001	SRC and Dr. Abdul Rahman Al Swailem	The SRC and Dr. Abdul Rahman Al Swailem undertook the above-named actions as part of a conspiracy to commit murder and arson, in that they knew that the Enterprise in which they were participating, the al Qaida movement, planned to and would commit acts of deadly aggression against the United States in the near future, using the resources

		and support each supplied.
early 1990s to 9/11/2001	SRC and Dr. Abdul Rahman Al Swailem	The SRC and Dr. Abdul Rahman Al Swailem agreed to form and associate themselves with the Enterprise and each agreed to commit more than two predicate acts, <i>i.e.</i> , multiple acts of money laundering, murder and arson, in furtherance of a pattern of racketeering activity in connection with the Enterprise.

(c) not applicable

(d) No.

(e) No.

(f) The predicate acts form a pattern of racketeering in that they are continuous, and are a part of the Enterprise’s regular way of doing business. Other of the defendants consistently, evenly constantly, laundered money, filed false tax returns, and otherwise impeded and impaired the administration of the tax laws as part of their scheme to conduit money to terrorists, and obfuscate their support of the al Qaida movement.

(g) The predicate acts relate to each other (horizontal relatedness) as part of a common plan because each act of money laundering, technical support and tax evasion allowed certain of the defendants to surreptitiously provide funds to terrorist organizations, including al Qaida, which conspiracy culminated in the Attack.

6.

(a) The enterprise (the “Enterprise” or “the al Qaida movement”) is comprised of the defendants named in the First Amended Complaint, and is a collection of persons, organizations, businesses, and nations associated in fact.

(b) The Enterprise has its origins in the defeat of the Soviets in Afghanistan in the late 1980s, when Osama Bin Laden (“Bin Laden”) formed an organization called “The Foundation” or “al Qaida.” Al Qaida was intended to serve as a foundation upon which to build a global Islamic army. The structure of the Enterprise is an association in fact with common and complex goals that consist of far more than the mere desire to perpetrate the acts of racketeering outlined herein. Rather, the Enterprise utilizes acts of racketeering to further its overall common purposes of: (i) spreading a particularly virulent brand of radical, conservative Islam; (ii) eliminating Western influences in Islamic countries; and (iii) punishing Israel, and the United States for its perceived support of Israel. The al Qaida movement does not feature a centralized hierarchy, because the lack of a centralized hierarchy is essential to the Enterprise’s clandestine nature and its success. Thus, although al Qaida had its own membership roster and a structure of “committees” to guide and oversee such functions as training terrorists, proposing targets, financing operations, and issuing edicts, the committees were not a hierarchical chain of command but were instead a means for coordinating

functions and providing material support to operations. The SRC and Dr. Abdul Rahman Al Swailem fit neatly into this framework by raising and providing funds for and otherwise providing material support for al Qaida and the members of the Enterprise who planned, coordinated and carried out the Attack.

- (c) No.
 - (d) The SRC and Dr. Abdul Rahman Al Swailem are associated with the Enterprise.
 - (e) The SRC and Dr. Abdul Rahman Al Swailem are members of the Enterprise, and are separate and distinct from the Enterprise.
 - (f) The SRC and Dr. Abdul Rahman Al Swailem intended to further the Attack and adopted the goal of furthering and/or facilitating that criminal endeavor, which criminal activity culminated in the Attack.
7. The pattern of racketeering activity conducted by The SRC and Dr. Abdul Rahman Al Swailem is separate from the existence of the al Qaida movement, but was a necessary component to the Attack.
 8. The Enterprise conducts terrorism all over the world; the racketeering activity conducted by the SRC and Dr. Abdul Rahman Al Swailem furthers and facilitates that activity, which activity culminated in the Attack. The usual and daily activities of the Enterprise includes recruitment, indoctrination, and the provisioning and operation of training camps, all of which activities are furthered and facilitated by the racketeering activities described herein.
 9. The Enterprise benefits by spreading its ideology, by suppressing other forms of Islam, and through the gratification of destroying its perceived enemies.
 10. The Enterprise, and the racketeering activities conducted by the SRC and Dr. Abdul Rahman Al Swailem, relies heavily on the American interstate system of commerce for banking, supplies, communications, and virtually all its essential commercial functions, and in that manner affects interstate commerce. Additionally, the Attack itself affected commerce. See Rasul v. Bush, 124 S. Ct. 2686, No. 03-334, 2004 U.S. LEXIS 4760, * 8 (stating that the Attack “severely damaged the U.S. economy”).
 11. Not applicable.
 12. Not applicable.
 13. The al Qaida movement “employs” certain individuals, only a few of whose identities are known, including defendant Osama bin Laden.
 14. The history of the conspiracy behind the al Qaida movement could, and has, filled many books, but for purposes of the present RICO Statement, the following is offered. From its inception, al Qaida has relied on well-placed financial facilitators and logistical sponsors, including the SRC and Dr. Abdul Rahman Al Swailem, to raise, manage and distribute

money and resources for the Enterprise under the guise of legitimate banking business activity. Al Qaida also relied heavily on certain imams at mosques who were willing to divert the *zakat*, the mandatory charitable contributions required of all Muslims.

The funds thus raised were used to, among other things, operate terrorist training camps in the Sudan, Afghanistan and elsewhere, where some recruits were trained in conventional warfare but where the best and most zealous recruits received terrorist training. The curriculum in the camps placed great emphasis on ideological and religious indoctrination. All trainees and other personnel were encouraged to think creatively about ways to commit mass murder.

The camps were able to operate only because of the worldwide network of fundraisers, recruiters, travel facilitators, and document forgers who vetted recruits and helped them get in and out of Afghanistan and the other countries where al Qaida maintained an operational presence. From the ranks of these recruits the nineteen perpetrators of the Attack were selected. None of this would have been possible without the funds and other support supplied by participants and conspirators like the SRC and Dr. Abdul Rahman Al Swailem. Indeed, the Enterprise would not have been successful without the enthusiastic participation of all of the conspirators, including the SRC and Dr. Abdul Rahman Al Swailem. In order to identify nineteen individuals willing, able and competent to carry out the Attack, al Qaida needed to select from a vast pool of recruits and trainees, which pool would not have been available to it without the assistance provided by the SRC and Dr. Abdul Rahman Al Swailem. These participants, with knowledge and intent, agreed to the overall objectives of the conspiracy, and agreed to commit at least two predicate acts and agreed to participate in the conspiracy, either expressly or impliedly. The SRC and Dr. Abdul Rahman Al Swailem also, with knowledge and intent, agreed to and did aid and abet all of the above illegal activities, RICO predicate acts, and RICO violations.

15. As the subrogees of both individual and property claimants, plaintiffs have been harmed in their business and property through the claims that they have paid out or for which they have reserved.
16. Plaintiffs' damages -- injuries, the loss of life and property damage that resulted from defendants' actions -- are direct in that they are not derivative of damage to a third party. Rather the plaintiffs' insureds' assignees were the "reasonably foreseeable victims of a RICO violation" and the "intended victims of the racketeering enterprise," *i.e.*, terrorism, the culmination of which was the Attack.
17. Each defendant is jointly and severally liable for the damages suffered by each plaintiff, as set forth in Exhibit "C".

18.

VI	Torture Victim Protection Act, 28 U.S.C. § 1350
VIII	RICO, 18 U.S.C. § 1962(c), 1962(d)
X	Anti-Terrorism Act,

	18 U.S.C. § 2333
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19. pendent state claims:

I	Trespass
II	Wrongful Death
III	Survival
IV	Assault & Battery
V	Intentional and Negligent Infliction of Emotional Distress
VII	Conspiracy
IX	Aiding and Abetting
XI	Negligence
XII	Punitive Damages

20. Not applicable

EXHIBIT “A”

RICO STATEMENT

QUESTION # 2

DEFENDANT	MISCONDUCT	BASIS OF LIABILITY
Saudi Red Crescent and Dr. Abdul Rahman Al Swailem	<p>The SRC’s close ties to al Qaida’s leadership date to the 1980s, when Osama bin Laden was deeply involved in financing and supporting the <i>mujihadeen</i> in Afghanistan. During that conflict, bin Laden and other future al Qaida leaders established a complex network of front “charities” and “relief organizations” to support to the <i>mujihadeen</i> forces:</p> <p>Bin Ladin understood better than most of the volunteers the extent to which the continuation and eventual success of the jihad in Afghanistan depended on an increasingly complex, almost worldwide organization.</p> <p>By all accounts, the SRC played a prominent role within that network. Indeed, in 1986, Dr. Abu Hazifa, a Director of the SRC, openly acknowledged the organization’s direct ties to the <i>mujihadeen</i>, and that many of those fighters in fact worked for the SRC.</p> <p>When the Soviets withdrew from Afghanistan in 1988, bin Laden concluded that the organization created to wage the <i>jihad</i> in Afghanistan should not be dissolved, but instead transformed into a multi-national Islamic army. The transformed organization, to be known as al Qaida, would wage war with America through terrorist activities, and engage in armed combat in regional conflicts throughout the world in the hopes of rallying Muslim communities to join its campaign to establish a Pan-Islamic Caliphate.</p> <p>During this time, the Saudi Arabian Red Crescent was populated and run by Islamic militants who would become the future founders of al Qaida. Following the</p>	1962(a), 1962(c), 1962(d)

withdrawal of Soviet forces from Afghanistan, the SRC continued to sponsor mujhadeen elements which joined Osama bin Laden's al Qaida, and the Saudi Arabian Red Crescent redirected its efforts towards the fulfillment of the objectives of the newly established al Qaida movement.

The SRC's integral role in the growth and development of the nascent al Qaida movement has been confirmed by documents seized in Bosnia and Herzegovina, during the searches of the Benevolent International Foundation's offices. During those searches, investigators recovered a list of orders from Osama bin Laden regarding the management of Islamic charities. On point 10 of his list, bin Laden urges the creation of a committee to receive and distribute donations to al Qaida, and suggests the participation of the Saudi Arabian Red Crescent, among others. During that same search, investigators found a letter on Saudi Arabian Red Crescent stationary to Abu Rida, another founding member of al Qaida, requesting that "weapons be inventoried." At the bottom of the letter is a note from Osama bin Laden to Wa'el Julaidan stating that al Qaida has an extreme need for weapons.

Bin Laden relied heavily on the network of charities established to support the Afghan *jihād*, including the SRC, in building this global terrorist network:

"From its inception, Al-Qaida has relied heavily on charities and donations from its sympathizers to finance its activities...The roots of these charity networks stem from the anti-Soviet Jihad in Afghanistan during the late 1980s."

Second Report of the U.N. Monitoring Group on Al Qaida, December 2003, pp. 13-14.

The SRC's support for bin Laden's terrorist organization was orchestrated largely by Wa'el Julaidan, a Specially Designated Global

	<p>Terrorist. In the 1980's, Julaidan headed the SRC's office in Peshawar, Pakistan, the coordinating point for supporting the <i>mujihadeen</i>. Historical documents regarding al Qaida's formation, uncovered in a raid of Benevolence International's office in Bosnia, confirm that Julaidan remained dedicated to bin Laden's vision after the Afghan conflict, and continued to funnel support to bin Laden through the charity organizations he headed.</p> <p>For example, one internal al Qaida document states that the SRC could no longer be relied on to function as an "umbrella" for al Qaida members, because Julaidan was being recalled to Saudi Arabia. See Government's Evidentiary Proffer Supporting the Admissibility of Co-Conspirator Statements, <i>United States v. Enaam Arnaout</i>, 02-CR-892 (N.D. IL).</p> <p>The import of this statement is clear – under Julaidan's direction the SRC was serving as a front for al Qaida. Authorities also discovered a message on the letterhead of the SRC bureau in Peshawar requesting that 'weapons' be inventoried. That letter contains a note from bin Laden to Julaidan, the SRC's then-director, stating "we have an extreme need for weapons."</p> <p>Years later, Julaidan facilitated the SRC's sponsorship of al Qaida activities in Kosovo and Chechnya. In 1999, Saudi Arabia formed the Saudi Joint Relief Committee for Kosovo and Chechnya (SJRC) to coordinate the relief efforts of the SRC and other Saudi charities in Kosovo and Chechnya. The Kingdom designated the SRC to exclusively serve as the operational arm for SJRC-coordinated relief efforts.</p> <p>Although bin Laden had publicly confirmed that Julaidan was one of al Qaida's founding members in a 1999 interview, the SJRC and SRC appointed Julaidan Director of SJRC and SRC operations in Pristina. In 2000, U.S. officials sent a written alert to the U.N. Peace Keeping Force in Pristina, asserting that SJRC</p>	
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	<p>officials Adel Kazam and Julaidan were “associates of Osama bin Laden” and that Julaidan was actively involved in helping bin Laden “move money and men” to and from the Balkans.</p> <p>Separate incidents revealed that members of the SRC staff working under the supervision of the SJRC actively participated in the development and planning of terrorist attacks against American interests. Employees of the SRC were similarly implicated in the 1996 al Qaida bombing attack on the Egyptian Embassy in Islamabad. Following that attack, investigators arrested Muhammed Ali Sayed and Bashir Barbar Qadim, two Sudanese employees of the SRC. The investigation which led to the arrests revealed evidence that Sayed had indirectly funded the attack by channeling SRC funds to Egyptian al Jihad, the terrorist organization run by Ayman al Zawahiri which formally merged with al Qaida several years before the September 11th Attack. Egyptian authorities alleged that Zawahiri personally masterminded the Embassy attack.</p> <p>Zawahiri’s relationship with the SRC was established long before the attack on the Egyptian Embassy. Zawahiri, who is universally regarded to be bin Laden’s top lieutenant, joined the SRC in 1985. By that time, he was already a prominent figure within the Muslim Brotherhood, and had been jailed by the Egyptian government. Zawahiri continued to serve as an SRC official until at least 1995, when he made a fundraising trip to the United States, raising \$500,000 in the San Francisco area. . According to members of the terrorist cell who arranged the trip, the funds raised by Zawahiri were channeled to al Qaida’s sister organization, the Egyptian Islamic Jihad.</p> <p>The SRC continued to serve as a front for al Qaida through the date of the September 11th Attack. In fact, just weeks after the September 11th Attack, the Pakistani government deported</p>	
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employees of the SRC, based on evidence that they were involved in al Qaida related terrorist activities. In 2002, NATO and Bosnian authorities arrested six Algerian al Qaida members who were plotting attacks on the U.S. and British embassies in Sarajevo. Two of those men were employees of the SRC.

Stated simply, the SRC has extensively and knowingly supported al Qaida, assisting it in raising money, concealing documents, giving shelter to operatives, and maintaining and transporting weapons. In other words, the SRC's role in al Qaida's global *jihād* is identical to the role it played in supporting the *mujihadeen* in Afghanistan.

The claims against al Swailem arise from his participation in the SRC's sponsorship of al Qaida. Al Swailem was appointed to head the SRC in 1998, and held that position until 2005. As head of the SRC, al Swailem used his authority to foster the organization's continued role in al Qaida's global *jihād*. For example, as head of the SRC, al Swailem was responsible for the decision to appoint Julaidan as a Director of the SJRC, thus placing a prominent and known al Qaida figure in a position of authority within his charity.

The SRC and al Swailem were well aware of the SRC's pervasive sponsorship of al Qaida during the relevant period. To begin with, it was well known that the SRC formed close ties with the al Qaida leadership during the conflict with the Soviet Union in Afghanistan, and that the fighters and charities who participated in that conflict formed the foundation of the al Qaida terrorist organization.

In addition, media reports prior to September 11, 2001 directly implicated the SRC in terrorist activities. The SRC leadership undoubtedly knew of those reports. Indeed, in many instances, high level officials of the SRC participated directly in that misconduct, a fact which in and of itself confirms the SRC's

	<p>knowledge. Moreover, given the close ties between the SRC and the Kingdom, it is also reasonable to infer that the SRC's leaders received warnings regarding their organization's illegal activities through official governmental channels.</p> <p>(The Saudi government received such warnings from the United States, France, Russia, Pakistan, Egypt, India, the United Nations and other sources, as detailed in Exhibit A to the Federal Plaintiffs' RICO Statement Applicable to World Assembly of Muslim Youth, incorporated herein by reference. As the SRC's involvement in terrorist activities was well known to intelligence officials since the early 1990's, it is reasonable to infer that it was identified specifically during many of those discussions. On this point, Plaintiffs respectfully refer the Court to the documents submitted as Exhibits to the June 1, 2005 Affirmation of Sean P. Carter Transmitting Supplemental Evidence in Opposition to All Motions to Dismiss Under the Foreign Sovereign Immunities Act.)</p> <p>Absent the material support and sponsorship provided by Saudi Red Crescent and Dr. Abdul Rahman Al Swailem, al Qaida would have remained a regional extremist organization incapable of conducting large scale terrorist attacks on a global level.</p>	
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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case RICO STATEMENT applicable to Saudi Joint Committee For Relief of Kosovo and Chechnya
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This document relates to: Federal Insurance Co. v. al Qaida
03 CV 06978 (RCC)

**RICO STATEMENT APPLICABLE TO
SAUDI JOINT COMMITTEE FOR RELIEF
OF KOSOVO AND CHECHNYA**

Based on information currently available, and pursuant to the Case Management Order dated June 15, 2004, plaintiffs submit this RICO statement for defendant Saudi Joint Committee for Relief of Kosovo and Chechnya.

Given the vastly complicated nature of the conspiracy and other wrongdoing that led to the events of September 11, 2001, much information is presently unavailable to plaintiffs, absent discovery. Plaintiffs therefore reserve the right to amend this RICO statement as information is learned and verified and after discovery is obtained.

1. The unlawful conduct is in violation of 18 U.S.C. § 1962(c) and/or (d).
2. The names of the defendant to whom this RICO statement pertains is Saudi Joint Relief Committee for Relief of Kosovo and Chechnya. The alleged misconduct and basis for liability is set forth in Exhibit "A".
3. Not applicable. All known wrongdoers are named as defendants in this action. Given the vastly complicated nature of the conspiracy and other wrongdoing that led to the events of September 11, 2001, however, much information is unavailable to plaintiffs, and the identities of other wrongdoers may be revealed through discovery. Plaintiffs therefore reserve the right to amend this RICO statement as information is learned and verified and after discovery is obtained.

4. The name of each victim and the manner in which each was injured is indicated on the chart attached hereto as Exhibit “B”.
5. (a) list of predicate acts and specific statutes violated:

conspiracy to commit murder	NY CLS Penal § 105.15; NY CLS Penal § 125.25(xi)
conspiracy to commit arson	NY CLS Penal § 105.15; NY CLS Penal § 150.15
Travel Act	18 U.S.C. § 1952
illegal transactions in monetary instruments	18 U.S.C. § 1956
money laundering	18 U.S.C. § 1957
mail fraud	18 U.S.C. § 1341
wire fraud	18 U.S.C. § 1343

- (b) dates of, the participants in, and a description of the facts surrounding the predicate acts

DATES	PARTICIPANTS	FACTS
mid-1990s to 9/11/2001	The Saudi Joint Committee for Relief of Kosovo and Chechnya (the “SJRC”)	The SJRC conspired to support terrorism and to obfuscate the roles of the various participants and conspirators in Radical Muslim Terrorism, which conspiracy culminated in the Attack.
late 1990s to 9/11/2001	The SJRC	The SJRC undertook the above-named actions as part of a conspiracy to commit murder and arson, in that it knew that the Enterprise in which it was participating, Radical Muslim Terrorism, planned to and would commit an act of deadly aggression against the United States in the near future, using the resources and support it supplied.
mid-1990s to 9/11/2001	The SJRC	The SJRC agreed to form and associate itself with the Enterprise and agreed to commit more than two predicate acts, <i>i.e.</i> , multiple

		acts of murder and arson, in furtherance of a pattern of racketeering activity in connection with the Enterprise.
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(c) not applicable

(d) No.

(e) No.

(f) The predicate acts form a pattern of racketeering in that they are continuous, and are a part of the Enterprise’s regular way of doing business. Other of the defendants consistently, evenly constantly, laundered money, filed false tax returns, and otherwise impeded and impaired the administration of the tax laws as part of their scheme to conduit money to terrorists, and yet obfuscate their support of Radical Muslim Terrorism.

(g) The predicate acts relate to each other (horizontal relatedness) as part of a common plan because each act of money laundering and tax evasion allowed certain of the defendants to surreptitiously provide funds to terrorist organizations, including al Qaida, which conspiracy culminated in the Attack.

6.

(a) The enterprise (the “Enterprise” or “Radical Muslim Terrorism”) is comprised of the defendants named in the First Amended Complaint, and is a collection of persons, organizations, businesses, and nations associated in fact.

(b) The Enterprise has its origins in the defeat of the Soviets in Afghanistan in the late 1980s, when Osama Bin Ladin (“Bin Ladin”) formed an organization called “The Foundation” or “al Qaida.” Al Qaida was intended to serve as a foundation upon which to build a global Islamic army. The structure of the Enterprise is an association in fact with common and complex goals that consist of far more than the mere desire to perpetrate the acts of racketeering outlined herein. Rather, the Enterprise utilizes acts of racketeering to further its overall common purposes of: (i) spreading a particularly virulent brand of radical, conservative Islam; (ii) eliminating Western influences in Islamic countries, including Western influences that are perceived to keep in power repressive Saudi American regimes that are not true to Islam; and (iii) punishing Israel, and the United States for its perceived support of Israel. Radical Muslim Terrorism does not feature a centralized hierarchy, because the lack of a centralized hierarchy is essential to the Enterprise’s clandestine nature and its success. Thus, although al Qaida had its own membership roster and a structure of “committees” to guide and oversee such functions as training terrorists, proposing targets, financing operations, and issuing edicts, the committees were not a hierarchical chain of command but were instead a means for coordinating functions and providing material support to operations. Saudi Joint Relief Committee fit neatly into this framework by providing funding to and otherwise providing material support for the members of the Enterprise who engaged in the Attack.

- (c) no.
 - (d) The SJRC is associated with the Enterprise.
 - (e) The SJRC is a member of the Enterprise, and is separate and distinct from the Enterprise.
 - (f) The SJRC intended to further the Attack and adopted the goal of furthering and/or facilitating that criminal endeavor, which criminal activity culminated in the Attack.
7. The pattern of racketeering activity conducted by the SJRC is separate from the existence of Radical Muslim Terrorism, but was a necessary component to the Attack.
 8. The Enterprise conducts terrorism all over the world; the racketeering activity conducted by the SJRC furthers and facilitates that activity, which activity culminated in the Attack. The usual and daily activities of the Enterprise includes recruitment, indoctrination, and the provisioning and operation of training camps, all of which activities are furthered and facilitated by the racketeering activities described herein.
 9. The Enterprise benefits by spreading its ideology, by suppressing other forms of Islam, and through the gratification of destroying its perceived enemies.
 10. The Enterprise, and the racketeering activities conducted by the SJRC, relies heavily on the American interstate system of commerce for banking, supplies, communications, and virtually all its essential commercial functions, and in that manner affects interstate commerce. Additionally, the Attack itself affected commerce. See Rasul v. Bush, 124 S. Ct. 2686, No. 03-334, 2004 U.S. LEXIS 4760, * 8 (stating that the Attack “severely damaged the U.S. economy”).
 11. Not applicable.
 12. Not applicable.
 13. Radical Muslim Terrorism “employs” certain individuals, only a few of whose identities are known, including defendant Osama bin Ladin.
 14. The history of the conspiracy behind Radical Muslim Terrorism could, and has, filled many books, but for purposes of the present RICO Statement, the following is offered. After being turned out of the Sudan in May 1996, al Qaida established itself in Afghanistan, and relied on well-placed financial facilitators, including the Saudi Joint Relief Committee, who laundered funds from Islamic so-called charities and corporations and raised money from witting and unwitting donors. They also relied heavily on certain imams at mosques who were willing to divert the *zakat*, the mandatory charitable contributions required of all Muslims. Al Qaida also collected money from employees of corrupted charities.

The funds thus raised were used to, among other things, operate terrorist training camps in Afghanistan, where some recruits were trained in conventional warfare but where the best and most zealous recruits received terrorist training. The curriculum in the camps placed great emphasis on ideological and religious indoctrination. All trainees and other personnel were encouraged to think creatively about ways to commit mass murder.

The camps were able to operate only because of the worldwide network of recruiters, travel facilitators, and document forgers who vetted recruits and helped them get in and out of Afghanistan. From the ranks of these recruits the nineteen perpetrators of the Attack were selected. None of this would have been possible without the funds supplied by participants and conspirators like the SJRC. Indeed, the Enterprise would not have been successful without the enthusiastic participation of all of the conspirators, including the SJRC. In order to identify nineteen individuals willing, able and competent to carry out the Attack, al Qaida needed to select from a vast pool of recruits and trainees, which pool would not have been available to it without the assistance provided by the SJRC. The SJRC, with knowledge and intent, agreed to the overall objectives of the conspiracy, and agreed to commit at least two predicate acts and all agreed to participate in the conspiracy, either expressly or impliedly. The SJRC also, with knowledge and intent, agreed to and did aid and abet all of the above illegal activities, RICO predicate acts, and RICO violations.

15. As the subrogees of both individual and property claimants, plaintiffs have been harmed in their business and property through the claims that they have paid out or for which they have reserved.
16. Plaintiffs' damages -- injuries, the loss of life and property damage that resulted from defendants' actions -- are direct in that they are not derivative of damage to a third party. Rather the plaintiffs' insureds' assignees were the "reasonably foreseeable victims of a RICO violation" and the "intended victims of the racketeering enterprise," *i.e.*, terrorism, the culmination of which was the Attack.
17. Each defendant is jointly and severally liable for the damages suffered by each plaintiff, as set forth in Exhibit "C".

18.

VI	Torture Victim Protection Act, 28 U.S.C. § 1350
VIII	RICO, 18 U.S.C. § 1962(c), 1962(d)
X	Anti-Terrorism Act, 18 U.S.C. § 2333

19. pendent state claims:

I	Trespass
II	Wrongful Death
III	Survival
IV	Assault & Battery
V	Intentional and Negligent Infliction of Emotional Distress
VII	Conspiracy
IX	Aiding and Abetting
XI	Negligence
XII	Punitive Damages

20. not applicable

EXHIBIT "A"

RICO STATEMENT

QUESTION # 2

DEFENDANT	MISCONDUCT	BASIS OF LIABILITY
Saudi Joint Relief Committee ("SJRC")	<p>The Saudi Joint Committee for Relief of Kosovo and Chechnya (SJRC) was formed by the Kingdom of Saudi Arabia in 1999, pursuant to Royal Order 7/B/1863, to coordinate, direct and supervise the ostensible relief efforts of several Saudi charitable organizations in Kosovo and Chechnya. The charities comprising the SJRC include the Muslim World League, International Islamic Relief Organization, Saudi Red Crescent Society, World Assembly of Muslim Youth, Al Haramain Foundation, and the Waqf Foundation. The constituent member charities of the SJRC serve as the operational arms of the SJRC in Chechnya and Kosovo, and operate under the SJRC's direction and control. At all times, Saudi Interior Minister Prince Naif bin Abdul Aziz headed the SJRC, and actively supervised and directed the organization's operations.</p> <p>Between its formation in 1999 and 2001, the SJRC and constituent charities comprising the SJRC were deeply involved in supporting al Qaida operations in Kosovo and Chechnya, and in supporting the terrorist organization's global infrastructure. Between 1999 and 2001, the SJRC channeled more than \$74,000,000 to al Qaida members and loyalists affiliated with the SJRC bureaus. In addition, the SJRC offices in Pristina, Kosovo, served as a cover for senior al Qaida operatives, including Adel Muhammad Sadi bin Kazam and Wa'el Hamza Julaidan, both of whom served as directors of the SJRC and are close associates of Osama bin Laden. Kazam and Julaidan,</p>	1962(c) 1962(d)

	<p>and many other extremists, used the cover of employment with the SJRC to gain entry into Kosovo and Chechnya. After gaining entry into these conflict regions with the assistance of the SJRC and its constituent charities, these al Qaida members channeled charitable contributions to the al Qaida network, facilitated the transfer of physical assets to al Qaida members fighting alongside Chechen rebels, and actively recruited and trained new al Qaida members from the local Muslim population. This pattern of activity is typical of al Qaida's charity fronts. As Treasury Department General Counsel David Aufhauser explained in a November 29, 2001 letter to Swiss officials:</p> <p style="padding-left: 40px;">Working in troubled areas such as Bosnia, Somalia, Sudan and various refugee camps, the putative "relief" organizations provide cover for individuals engaged in recruiting, organizing, and training terrorist cells. Their provision of humanitarian aid and educational services is done in concert with the terrorists to win the hearts and minds of the local people to whatever causes the terrorists espouse. When a region becomes more settled, such as Bosnia or Albania today, seemingly legitimate businesses replace charitable foundations as cover for continuing terrorist organizational activity.</p> <p>In addition to the logistical and financial support of al Qaida, members of the SJRC staff have actively participated in the development and planning of terrorist attacks against American interests. In April of 2000, NATO forces raided SJRC offices in Kosovo, based on intelligence gathered by U.S. officials which indicated that employees of the ostensible charity were planning a terrorist attack on US and NATO headquarters in Pristina.</p>	
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**EXHIBIT “B”
RICO STATEMENT**

Federal Insurance Company, et al. v. al Qaida et al., 03cv6978

Plaintiffs	Total Paid Loss
ACE AMERICAN INSURANCE COMPANY	\$47,868,634.56
ACE BERMUDA INSURANCE LTD	\$298,000,000.00
ACE CAPITAL V LTD	\$118,454,289.00
ACE INA INSURANCE COMPANY OF CANADA	\$15,431,185.61
ACE INDEMNITY INSURANCE COMPANY	\$11,853.55
ACE INSURANCE SA-NV	\$17,990,692.00
ACE PROPERTY & CASUALTY INSURANCE COMPANY	\$34,637.00
AIU INSURANCE COMPANY	\$2,240.00
ALLSTATE INSURANCE COMPANY	\$13,300,834.13
AMERICAN ALTERNATIVE INSURANCE CORPORATION	\$8,949,697.81
AMERICAN EMPLOYERS’ INSURANCE COMPANY	\$325,421.23
AMERICAN GUARANTEE AND LIABILITY INSURANCE COMPANY	\$45,075,821.53
AMERICAN HOME ASSURANCE COMPANY	\$106,952,607.60
AMERICAN HOME-CANADA	\$400,468,461.54
AMERICAN INTERNATIONAL SPECIALTY LINES INSURANCE COMPANY	\$15,183,595.31
AMERICAN ZURICH INSURANCE COMPANY	\$2,367,662.26
AMLIN UNDERWRITING, LTD.	\$66,991,142.12
ASSURANCE COMPANY OF AMERICA	\$2,425,967.81
AXA ART INSURANCE CORPORATION	\$14,287,543.00
AXA CORPORATE SOLUTIONS ASSURANCE UK BRANCH	\$64,609,064.00
AXA CORPORATE SOLUTIONS INSURANCE COMPANY	\$72,177,208.00
AXA CORPORATE SOLUTIONS REINSURANCE COMPANY	\$87,681,468.00
AXA GLOBAL RISKS UK, LTD.	\$10,986,624.00
AXA RE	\$102,482,949.00
AXA RE CANADIAN BRANCH	\$21,052,888.00
AXA REINSURANCE UK PLC	\$18,068,229.00
BANKERS STANDARD INSURANCE COMPANY	\$23,250,000.00
BOSTON OLD COLONY INSURANCE COMPANY	\$5,100.00
CHINA AMERICA INSURANCE COMPANY LIMITED	\$3,590,140.08
CHUBB CUSTOM INSURANCE COMPANY	\$612,585.00
CHUBB INDEMNITY INSURANCE COMPANY	\$3,791,622.01
CHUBB INSURANCE COMPANY OF CANADA	\$44,547,557.24
CHUBB INSURANCE COMPANY OF NEW JERSEY	\$410,681.69
CNA CASUALTY OF CALIFORNIA	\$25,771.00
COLONIAL AMERICAN CASUALTY AND SURETY INS. COMPANY	\$21,400.00
COMMERCE AND INDUSTRY INSURANCE COMPANY	\$2,678,408.05
COMMERCE AND INDUSTRY INSURANCE COMPANY OF CANADA	\$400,468,461.54
COMMERCIAL INSURANCE COMPANY OF NEWARK, NJ	\$141,343.00
CONTINENTAL INSURANCE COMPANY	\$542,627.00
CONTINENTAL INSURANCE COMPANY OF NEW JERSEY	\$39,073.00
CRUM & FORSTER INDEMNITY COMPANY	\$44,300.08
FEDERAL INSURANCE COMPANY	\$1,318,199,318.43
FIDELITY AND CASUALTY COMPANY OF NEW YORK	\$79,856.00
FIDELITY AND DEPOSIT COMPANY OF MARYLAND	\$1,636,903.02
GLENS FALLS INSURANCE COMPANY	\$36,239.00

**EXHIBIT “B”
RICO STATEMENT**

Federal Insurance Company, et al. v. al Qaida et al., 03cv6978

Plaintiffs	Total Paid Loss
GRANITE STATE INSURANCE COMPANY	\$348,071.05
GREAT LAKES REINSURANCE U.K. PLC	\$62,682,223.62
GREAT NORTHERN INSURANCE COMPANY	\$601,113,592.16
HISCOX DEDICATED CORPORATE MEMBER, LTD.	\$230,116,847.86
HOMELAND INSURANCE COMPANY OF NEW YORK	\$210,670.75
ILLINOIS NATIONAL INSURANCE COMPANY	\$2,229,043.97
INDEMNITY INSURANCE COMPANY OF NORTH AMERICA	\$7,465,987.17
INSURANCE COMPANY OF NORTH AMERICA	\$78,692.00
INSURANCE COMPANY STATE OF PENNSYLVANIA	\$114,621.84
LEXINGTON INSURANCE COMPANY	\$158,317,791.42
MARYLAND CASUALTY COMPANY	\$448,063.19
NATIONAL BEN FRANKLIN INSURANCE COMPANY OF ILLINOIS	\$6,442.00
NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH	\$26,647,699.78
NEW HAMPSHIRE INSURANCE COMPANY	\$2,260,134.91
NORTH RIVER INSURANCE COMPANY	\$3,405,966.77
NORTHERN INSURANCE COMPANY OF NEW YORK	\$1,319,966.27
ONE BEACON AMERICA INSURANCE COMPANY	\$85,101.50
ONE BEACON INSURANCE COMPANY	\$185,924,621.93
PACIFIC EMPLOYERS	\$4,868,748.19
PACIFIC INDEMNITY COMPANY	\$22,123,590.33
SENECA INSURANCE COMPANY, INC.	\$4,509,258.43
SPS REASSURANCE	\$79,888,622.00
STEADFAST INSURANCE COMPANY	\$394,788.46
THE CAMDEN FIRE INSURANCE ASSOCIATION	\$76,620.00
THE PRINCETON EXCESS & SURPLUS LINES INSURANCE COMPANY	\$3,796,292.50
TIG INSURANCE COMPANY	\$76,211,229.00
TRANSATLANTIC REINSURANCE COMPANY	\$2,205,773.00
UNITED STATES FIRE INSURANCE COMPANY	\$79,258,822.76
VALIANT INSURANCE COMPANY	\$3,500.00
VIGILANT INSURANCE COMPANY	\$42,016,341.86
WESTCHESTER FIRE INSURANCE COMPANY	\$14,079,230.00
WESTCHESTER SURPLUS LINES INSURANCE CO.	\$12,705,000.00
WOBURN INSURANCE LTD	\$8,750,000.00
ZURICH AMERICAN INSURANCE COMPANY	\$828,650,409.08

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case RICO STATEMENT applicable to DR. ABDULLAH BIN SALEH AL-OBAID
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This document relates to:

*Federal Insurance Co. v. al Qaida
03 CV 06978 (RCC)*

RICO STATEMENT APPLICABLE TO DR. ABDULLAH BIN SALEH AL-OBAID

Based on information currently available, and pursuant to the Case Management Order dated June 15, 2004, plaintiffs submit this RICO statement for defendant Dr. Abdullah bin Saleh Al-Obaid.

Given the vastly complicated nature of the conspiracy and other wrongdoing that led to the events of September 11, 2001, much information is presently unavailable to plaintiffs, absent discovery. Plaintiffs therefore reserve the right to amend this RICO statement as information is learned and verified and after discovery is obtained.

1. The unlawful conduct is in violation of 18 U.S.C. § 1962(a), (c) and/or (d).
2. The name of the defendant to whom this RICO statement pertains is Dr. Al-Obaid. The alleged misconduct and basis for liability is set forth in Exhibit "A".
3. Not applicable. All known wrongdoers are named as defendants in this action. Given the vastly complicated nature of the conspiracy and other wrongdoing that led to the events of September 11, 2001, however, much information is unavailable to plaintiffs, and the identities of other wrongdoers may be revealed through discovery. Plaintiffs therefore reserve the right to amend this RICO statement as information is learned and verified and after discovery is obtained.
4. The name of each victim and the manner in which each was injured is indicated on the chart attached hereto as Exhibit "B".
5. (a) list of predicate acts and specific statutes violated:

conspiracy to commit murder	NY CLS Penal § 105.15;
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	NY CLS Penal § 125.25(xi)
conspiracy to commit arson	NY CLS Penal § 105.15; NY CLS Penal § 150.15
fraud with identification documents	18 U.S.C. § 1028
Travel Act	18 U.S.C. § 1952
illegal transactions in monetary instruments	18 U.S.C. § 1956
money laundering	18 U.S.C. § 1957
financial institutions fraud	18 U.S.C. § 1344
mail fraud	18 U.S.C. § 1341
wire fraud	18 U.S.C. § 1343
Providing material support of Terrorism	18 U.S.C. § 2332(b)(g)(5)(B) 18 U.S.C. § 2339A 18 U.S.C. § 2339B 18 U.S.C. § 2339C
Anti-Terrorism Act	18 U.S.C. § 2332b

(b) dates of, the participants in, and a description of the facts surrounding the predicate acts

DATES	PARTICIPANTS	FACTS
early 1990s to 9/11/2001	Dr. Abdullah bin Saleh Al-Obaid	Dr. Al-Obaid conspired to support terrorism and to obfuscate the roles of the various participants and conspirators in the al Qaida movement, which conspiracy culminated in the Attack.
early 1990s to 9/11/2001	Dr. Abdullah bin Saleh Al-Obaid	Dr. Al-Obaid undertook the above-named actions as part of a conspiracy to commit murder and arson, in that he knew that the Enterprise in which he was participating, the al Qaida movement, planned to and would commit acts of deadly aggression against the United States in the near future, using the resources and support each supplied.
early 1990s	Dr. Abdullah bin Saleh Al-	Dr. Al-Obaid agreed to form and associate

to 9/11/2001	Obaid	himself with the Enterprise and agreed to commit more than two predicate acts, <i>i.e.</i> , multiple acts of money laundering, murder and arson, in furtherance of a pattern of racketeering activity in connection with the Enterprise.
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(c) not applicable

(d) No.

(e) No.

(f) The predicate acts form a pattern of racketeering in that they are continuous, and are a part of the Enterprise’s regular way of doing business. Other of the defendants consistently, evenly constantly, laundered money, filed false tax returns, and otherwise impeded and impaired the administration of the tax laws as part of their scheme to conduit money to terrorists, and obfuscate their support of the al Qaida movement.

(g) The predicate acts relate to each other (horizontal relatedness) as part of a common plan because each act of money laundering, technical support and tax evasion allowed certain of the defendants to surreptitiously provide funds to terrorist organizations, including al Qaida, which conspiracy culminated in the Attack.

6.

(a) The enterprise (the “Enterprise” or “the al Qaida movement”) is comprised of the defendants named in the First Amended Complaint, and is a collection of persons, organizations, businesses, and nations associated in fact.

(b) The Enterprise has its origins in the defeat of the Soviets in Afghanistan in the late 1980s, when Osama Bin Laden (“Bin Laden”) formed an organization called “The Foundation” or “al Qaida.” Al Qaida was intended to serve as a foundation upon which to build a global Islamic army. The structure of the Enterprise is an association in fact with common and complex goals that consist of far more than the mere desire to perpetrate the acts of racketeering outlined herein. Rather, the Enterprise utilizes acts of racketeering to further its overall common purposes of: (i) spreading a particularly virulent brand of radical, conservative Islam; (ii) eliminating Western influences in Islamic countries; and (iii) punishing Israel, and the United States for its perceived support of Israel. The al Qaida movement does not feature a centralized hierarchy, because the lack of a centralized hierarchy is essential to the Enterprise’s clandestine nature and its success. Thus, although al Qaida had its own membership roster and a structure of “committees” to guide and oversee such functions as training terrorists, proposing targets, financing operations, and issuing edicts, the committees were not a hierarchical chain of command but were instead a means for coordinating functions and providing material support to operations. Dr. Al-Obaid fit neatly into this framework by raising and providing funds for and otherwise providing material

support for al Qaida and the members of the Enterprise who planned, coordinated and carried out the Attack.

- (c) No.
 - (d) Dr. Al-Obaid is associated with the Enterprise.
 - (e) Dr. Al-Obaid is a member of the Enterprise, and are separate and distinct from the Enterprise.
 - (f) Dr. Al-Obaid intended to further the Attack and adopted the goal of furthering and/or facilitating that criminal endeavor, which criminal activity culminated in the Attack.
7. The pattern of racketeering activity conducted by Dr. Al-Obaid is separate from the existence of the al Qaida movement, but was a necessary component to the Attack.
 8. The Enterprise conducts terrorism all over the world; the racketeering activity conducted by Dr. Al-Obaid furthers and facilitates that activity, which activity culminated in the Attack. The usual and daily activities of the Enterprise includes recruitment, indoctrination, and the provisioning and operation of training camps, all of which activities are furthered and facilitated by the racketeering activities described herein.
 9. The Enterprise benefits by spreading its ideology, by suppressing other forms of Islam, and through the gratification of destroying its perceived enemies.
 10. The Enterprise, and the racketeering activities conducted by Dr. Al-Obaid, relies heavily on the American interstate system of commerce for banking, supplies, communications, and virtually all its essential commercial functions, and in that manner affects interstate commerce. Additionally, the Attack itself affected commerce. See Rasul v. Bush, 124 S. Ct. 2686, No. 03-334, 2004 U.S. LEXIS 4760, * 8 (stating that the Attack “severely damaged the U.S. economy”).
 11. Not applicable.
 12. Not applicable.
 13. The al Qaida movement “employs” certain individuals, only a few of whose identities are known, including defendant Osama bin Laden.
 14. The history of the conspiracy behind the al Qaida movement could, and has, filled many books, but for purposes of the present RICO Statement, the following is offered. From its inception, al Qaida has relied on well-placed financial facilitators and logistical sponsors, including Dr. Al-Obaid, to raise, manage and distribute money and resources for the Enterprise under the guise of legitimate banking business activity. Al Qaida also relied heavily on certain imams at mosques who were willing to divert the *zakat*, the mandatory charitable contributions required of all Muslims.

The funds thus raised were used to, among other things, operate terrorist training camps in the Sudan, Afghanistan and elsewhere, where some recruits were trained in conventional warfare but where the best and most zealous recruits received terrorist training. The curriculum in the camps placed great emphasis on ideological and religious indoctrination. All trainees and other personnel were encouraged to think creatively about ways to commit mass murder.

The camps were able to operate only because of the worldwide network of fundraisers, recruiters, travel facilitators, and document forgers who vetted recruits and helped them get in and out of Afghanistan and the other countries where al Qaida maintained an operational presence. From the ranks of these recruits the nineteen perpetrators of the Attack were selected. None of this would have been possible without the funds and other support supplied by participants and conspirators like Dr. Al-Obaid. Indeed, the Enterprise would not have been successful without the enthusiastic participation of all of the conspirators, including Dr. Al-Obaid. In order to identify nineteen individuals willing, able and competent to carry out the Attack, al Qaida needed to select from a vast pool of recruits and trainees, which pool would not have been available to it without the assistance provided by Dr. Al-Obaid. These participants, with knowledge and intent, agreed to the overall objectives of the conspiracy, and agreed to commit at least two predicate acts and agreed to participate in the conspiracy, either expressly or impliedly. Dr. Al-Obaid also, with knowledge and intent, agreed to and did aid and abet all of the above illegal activities, RICO predicate acts, and RICO violations.

15. As the subrogees of both individual and property claimants, plaintiffs have been harmed in their business and property through the claims that they have paid out or for which they have reserved.
16. Plaintiffs' damages -- injuries, the loss of life and property damage that resulted from defendants' actions -- are direct in that they are not derivative of damage to a third party. Rather the plaintiffs' insureds' assignees were the "reasonably foreseeable victims of a RICO violation" and the "intended victims of the racketeering enterprise," *i.e.*, terrorism, the culmination of which was the Attack.
17. Each defendant is jointly and severally liable for the damages suffered by each plaintiff, as set forth in Exhibit "C".

18.

VI	Torture Victim Protection Act, 28 U.S.C. § 1350
VIII	RICO, 18 U.S.C. § 1962(c), 1962(d)
X	Anti-Terrorism Act, 18 U.S.C. § 2333

19. pendent state claims:

I	Trespass
II	Wrongful Death

III	Survival
IV	Assault & Battery
V	Intentional and Negligent Infliction of Emotional Distress
VII	Conspiracy
IX	Aiding and Abetting
XI	Negligence
XII	Punitive Damages

20. Not applicable

EXHIBIT “A”

RICO STATEMENT

QUESTION # 2

DEFENDANT	MISCONDUCT	BASIS OF LIABILITY
Dr. Abdullah bin Saleh Al-Obaid	<p>Dr. Al-Obaid is the President of the U.S. branch of the Muslim World League (“MWL”). He also served as President of two Virginia corporations, Sana-Bell, Inc. and Sanabel Al Kheer, Inc. Both entities are part of the “SAAR network” (a group of charities so named because of funding provided by Sulaiman Abdul Aziz al Rajhi, and both are alleged to have engaged in fund-raising and money-laundering for al Qaida and bin Ladin. At the same time, he is also employed as the Deputy General Manager of Al Watania Poultry, a substantial Saudi company owned by the al Rajhi family, from 1994 to the present.</p> <p>In addition to his positions in the business world, Al-Obaid has held high leadership roles in numerous charities that operated as conduits for al Qaida financing, including the Muslim World League (“MWL”), Rabita Trust (“Rabita”), International Islamic Relief Organization (“IIRO”), Sanabell, Inc., and Sanabel al-Khair. Dr. Al-Obaid was Secretary-General of MWL and now heads MWL’s U.S. branch. He was vice-chairman of the Board of Trustees of Rabita and president of Sanabell, Inc. and Sanabel al-Khair.</p> <p>Each of these organizations has ties and has provided assistance to al Qaida. Although one might (conceivably) be associated with one such charity-front without taking an active role in diverting funds to al Qaida, Dr. Al-Obaid’s positions with at least five such organizations cannot be a coincidence. The only plausible inference is that Dr. Al-Obaid himself was instrumental in funneling funds from the</p>	1962(a), 1962(c), 1962(d)

	<p>various organizations with which he was affiliated to Osama bin Laden and al Qaida to support their <i>jihad</i> against the United States.</p> <p>The MWL is among the world's largest Islamic charitable organizations, with offices in more than thirty countries. The MWL serves as an umbrella organization for a number of other Islamic charities, commonly referred to as bodies or members of the League, including the International Islamic Relief Organization, the World Assembly of Muslim Youth, al Haramain & al Aqsa Mosque Foundation, Benevolence International Foundation, and the Rabita Trust.</p> <p>The MWL has long operated as a fully integrated component of al Qaida's financial and logistical infrastructure, and provided material support and resources to al Qaida and affiliated foreign terrorist organizations. As described in testimony before the House Committee on Financial Services Subcommittee on Oversight and Investigations in March 2003, "As part of [its] mission over the past two decades, MWL has . . . secretly provided critical financial and organizational assistance to Islamic militants loyal to Al-Qaida and Usama Bin Laden." <i>See</i> Matthew Epstein with Evan F. Kohlmann, "Arabian Gulf Financial Sponsorship of Al-Qaida via U.S.-Based Banks, Corporations and Charities," March 11, 2003, at 2, annexed as Exhibit 3 to the Andrea Bierstein Al-Turki Affirmation and submitted in support of the <i>Burnett</i> Plaintiffs' Memorandum of Law in Opposition to Motions to Dismiss of Defendant Abdullah Bin Abdul Mohsen Al-Turki (June 30, 2004) ("<i>Burnett</i> Plaintiffs' Opposition").</p> <p>According to Epstein and Kohlmann, MWL is one of "three organizations [that] served a critical role in the Arab-Afghan terrorist infrastructure by laundering money originating from bank accounts belonging to Bin Laden and his sympathetic patrons in the Arabian Gulf, providing employment and travel</p>	
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documents to Al-Qaida personnel worldwide,” and helping “to move funds to areas where Al-Qaida was carrying out operations.” *Id.* at 1. Further details of MWL’s role in financing bin Laden are al Qaida are provided in the Epstein and Kohlmann report.

Rabita, which is an arm of MWL, is in reality an Al Qaida front. Its Secretary General, Wael Julaidan, is known to be an al Qaida member and has repeatedly aided and abetted terrorists. The U.S. Treasury Department has described Julaidan as “the head of various non-governmental organizations providing financial and logistical support to the al-Qa’ida network.” In October, 2001, Rabita was designated by President Bush as a “Specially Designated Global Terrorist Entity” (“SDGTE”) and its assets were frozen by the Treasury Department.

Sanabell, Inc. and Sanabel al-Khair, both part of the “SAAR network” (a group of charities so named because of funding provided by Sulaiman Abdul Aziz al-Rajhi), played a substantial role in raising funds for MWL and for the International Islamic Relief Organization (“IIRO”), and then diverting those funds to terrorist causes.

In July 1998, Dr. Al-Obaid wrote to MWL secretary and treasurer Yaqub Mirza and noted that part of the proceeds from Sanabell’s investments were used to establish Sana-Bell, Inc. in the United States. On the Muslim World League’s websites, a list of international branches of the Muslim World League include the same New York and Virginia addresses given for the IIRO, on whose executive committee al-Obaid simultaneously served.

IIRO was associated with other alleged terrorist-financing charities. On October 26, 1996, senior representatives of Benevolence International Foundation, Global Relief Foundation, Holy Land Foundation, International Relief Association, Islamic African Relief Agency, Mercy International – USA, and IIRO met to study the idea of

establishing a council for American Muslim Charities. The first four of these charities are on the U.S. Government's SDGT list and have had their assets frozen.

Dr. Al-Obaid cannot credibly contend that he was unaware that the charities he supported and directed were pervasively involved in the sponsorship of Islamic extremists, including al Qaida. In this regard, it is important to note that the involvement of the Saudi charities was well documented during the years that Dr. Al-Obaid exercised authority over those organizations.

Indeed, MWL and its constituent charities, including IIRO, WAMY and al Haramain, were repeatedly implicated in terrorist and extremist activities between 1990 and September 11, 2001.

Given his supervisory authority over those charities, Dr. Al-Obaid most certainly knew of these reports. In fact, in a 1997 interview published in the MWL's own newspaper, Dr. Al-Obaid himself acknowledged that charges of terrorism sponsorship had been leveled against the Saudi charities, including the MWL, and that those charges were accurate.

"Answering a question on the reports regarding the League's funds being funneled to extremist groups, Dr. al Obeid said, 'this is a closed chapter...It has already been proven that there were people who exploited this situation and misused some funds.'"

See Exhibit 4 to the June 1, 2005 Affirmation of Sean Carter Transmitting Supplemental Evidence in Opposition to all Motions to Dismiss Under the FSIA.

Moreover, as a government official with direct responsibility for the operations of the charities, it is reasonable to assume that Saudi government officials would have conveyed to Dr. Al-Obaid the multiple warnings they

	<p>received regarding the criminal conduct of the Saudi charities. The Saudi government received such warnings from the United States, France, Russia, Pakistan, Egypt, India, the United Nations and other sources, as detailed in Exhibit A to the Federal Plaintiffs' RICO Statement Applicable to World Assembly of Muslim Youth, incorporated herein by reference.</p> <p>Nonetheless, Dr. Al-Obaid continued to use his authority to generously fund and support those organizations. In doing so, Dr. Al-Obaid knowingly provided material support and resources to al Qaida. Absent the material support and sponsorship provided by Dr. Al-Obaid to the Enterprise, al Qaida would have remained a regional extremist organization incapable of conducting large scale terrorist attacks on a global level.</p>	
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