

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

**In re:**

**TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001**

**03-MDL-170 (GBD)(SN)**

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**WAYNE ABRAHAMS; PHILIP  
ARMACIDA; TIM BRACKEN; DONALD  
BRADLEY; DENNIS BROWNE; SEAN  
BUTLER; WALTER CAIN; MICHAEL  
CAMERON; DARIN CAPUTO; DARRYL  
CARPENTER; JOSEPH CERRATO;  
IDELFONSO CLASS; GERARD  
COLLINS; KEVIN COLLINS; ERIC  
COVO; PETER CULLEN; ELIZABETH  
CURCIO; JAY CURRY; GEORGE  
DARINI; ANDREW DAVIS; VANESSA  
DE DANZINE; PETER DENARDIS;  
JOHN DEPRIMA; CHARLES  
DERIENZO; WILLIAM  
DINKELACKER; GREGORY DOLAN;  
CHRISTOPHER DONOHUE;  
ROSEMARIE DRAZKA; GARY FAVRO;  
KEITH FLINTON; JOHN FRIEDMAN;  
JOHN GALLAGHER; SCOTT  
GASSMAN; DAVID GAYNOR; WESLEY  
GEERHOLT; KEITH GESSNER;  
MATTHEW GILBERT; JOHN GILLEN;  
ROGER HARWOOD; DAWN HEALEY;  
GUYOWEN HOWARD; GEORGE  
JOHANSEN; RALPH JOHNSON;  
KRISTEN JONES; LOUIS KAUFMAN;  
SEAN KELLY; PHILIP KOURIL; IRA  
KUGELMAN; JOSEPH LANE; FRANCIS  
LAURICELLA; JAMIE LEVINE; GARY  
LIVOTI; WANDA LOPEZ; HECTOR  
LORENZO; DONALD LYNCH;  
WILLIAM LYNCH; MARK MAKUTA;  
JOHN MALDONADO; WILLIAM  
MARTINEZ; JAMES MAXWELL; JOHN  
MCCANN; SHIMICKA MEADOWS;  
MANUEL MELO; RANDIN MILLER;  
MICHAEL MOLONEY; JOHN**

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**XX-CV-XXXXX (GBD)(SN)**

**SAUDI ARABIA SHORT FORM  
COMPLAINT AND DEMAND FOR  
TRIAL BY JURY**

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**MOSCHELLA; KAREN MULCAHY-  
NORMILE; DENNIS MURPHY; STEVEN  
OEMCKE; FRANCIS ORLANDO;  
CHRISTOPHER PANETTA;  
CATHLEEN PEREZ; RAUL PEREZ;  
LORI POLLOCK; WILLIAM POPOW;  
HOWARD ROBERTS; NICHOLAS  
ROMANO; DOUGLAS ROSKE; DENNIS  
RUDOLPH; PATRICK RYAN; JAMES  
RYDER; AWILDA SANTANA;  
RICHARD SCHRIEFER; FRANK  
SCORZELLO; FRANK SEABROOK;  
RICHARD SEIBERT; BEATRICE  
SERAVELLO; BRIAN SHEEHAN;  
ANDREW STERN; VINCENT  
STRAFACE; JOSEPH SVERCEL;  
JOSEPH TARANTO; DANIEL  
THOMPSON; STEVEN THORSEN;  
DUWAYNE TINSLEY; CRAIG  
TOMASINO; EDWARD TUFFY; DENNIS  
TVETER; ROBERT WALSH; ROBERT  
WHIPPLE;**

**Plaintiffs,**

**-against-**

**KINGDOM OF SAUDI ARABIA,**

**Defendant.**

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Plaintiffs named herein by and through the undersigned counsel file this Short Form Complaint against Defendant, the Kingdom of Saudi Arabia, arising out of the September 11, 2001 terrorist attacks (“September 11, 2001 Terrorist Attacks”), as permitted and approved by the Court’s Order of May 3, 2017, ECF No. 3543. Each Plaintiff incorporates by reference the specific allegations, as indicated below, of (a) the Consolidated Amended Complaint as to the Kingdom of Saudi Arabia, ECF No. 3463, or (b) the Complaint Against the Kingdom of Saudi

Arabia, Ashton v. Kingdom of Saudi Arabia, No. 17-CV-2003 (GBD)(SN) (S.D.N.Y. Mar. 30, 2017), ECF No. 1.

Upon filing this Saudi Arabia Short Form Complaint, each Plaintiff is deemed to have adopted all factual and jurisdictional allegations of the complaint that has been joined as specified below; all prior filings in connection with that complaint; and all prior Orders and rulings of the Court in connection with that complaint.

**VENUE**

1. Venue in this district is proper pursuant to 28 U.S.C. §§ 1391 (b)(2) and 1391(f)(1), as a substantial part of the events giving rise to the claims asserted herein occurred in this district. Venue is also proper in this district pursuant to 18 U.S.C. § 2334(a).

**JURISDICTION**

2. Jurisdiction is premised on the grounds set forth in the complaints specified below, and further, jurisdiction of this Saudi Arabia Short Form Complaint is premised upon and applicable to all defendants in this action:

- 28 U.S.C. § 1605(a)(5) (non-commercial tort exception)
- 28 U.S.C. § 1605B (Justice Against Sponsors of Terrorism Act)
- 28 U.S.C. § 1330 (actions against foreign states)
- Other (set forth below the basis of any additional ground for jurisdiction and plead such in sufficient detail as per the FRCP): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.

### CAUSES OF ACTION

3. Each Plaintiff hereby adopts and incorporates herein by reference the following factual allegations, jurisdictional allegations, and jury trial demand in the following complaint [check only one complaint] and the following causes of action set forth in that complaint:

- Consolidated Amended Complaint as to the Kingdom of Saudi Arabia, ECF No. 3463 (check all causes of action that apply)**
- COUNT I – Aiding and Abetting and Conspiring with Al Qaeda to Commit the September 11th Attacks upon the United States in violation of 18 U.S.C. § 2333(d) (JASTA).
- COUNT II – Aiding and Abetting and Conspiring with Al Qaeda to Commit the September 11th Attacks upon the United States in violation of 18 U.S.C. § 2333(a).
- COUNT III – Committing Acts of International Terrorism in violation of 18 U.S.C. § 2333.
- COUNT IV – Wrongful Death.
- COUNT VI – Alien Tort Claims Act.
- COUNT VII – Assault and Battery.
- COUNT VIII – Conspiracy.
- COUNT IX – Aiding and Abetting.
- COUNT X – Intentional Infliction of Emotional Distress.
- COUNT XII – Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency § 7.05: Supervising Employees and Agents.
- COUNT XIII – Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency § 7.05: Hiring, Selecting, and Retaining Employees and Agents.
- COUNT XIV – 18 U.S.C. § 1962(a)–(d) – CIVIL RICO.
- COUNT XV – Trespass.
- COUNT XVI – Violations of International Law.

- Complaint Against the Kingdom of Saudi Arabia, Ashton v. Kingdom of Saudi Arabia, No. 17-CV-2003 (GBD)(SN) (S.D.N.Y. Mar. 30, 2017), ECF No. 1 (check all causes of action that apply)**
  - First Cause of Action to Recover Wrongful Death Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)
  - First Cause of Action to Recover Personal Injury Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)
  - Second Cause of Action for Wrongful Death Damages Pursuant to State Tort Law
  - Second Cause of Action for Personal Injury Damages Pursuant to State Tort Law
  - Third Cause of Action for Wrongful Death Damages Pursuant to the Alien Tort Claims Act
  - Third Cause of Action for Personal Injury Damages Pursuant to the Alien Tort Claims Act
- Each Plaintiff asserts the following additional theories and/or Causes of Action against the Kingdom of Saudi Arabia: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**IDENTIFICATION OF PLAINTIFFS**

4. The following allegations and information are alleged on behalf of each individual who is bringing this claim, as indicated on Appendix 1 to this Saudi Arabia Short Form Complaint, herein referred to as “Plaintiffs.”
- a. The citizenship/nationality of each Plaintiff is indicated at Appendix 1 to this Saudi Arabia Short Form Complaint.
  - b. Plaintiff is entitled to recover damages on the causes of action set forth in this Saudi Arabia Short Form Complaint.
  - c. As indicated at Appendix 1, Plaintiff (i) is the estate representative of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; (ii) is the surviving immediate family member of someone who was

killed as a result of the September 11, 2001 Terrorist Attacks; and/or (iii) suffered physical injuries as a result of the September 11, 2001 Terrorist Attacks.

- d. For those plaintiffs with personal injury claims, as indicated in Appendix 1, on or after September 11, 2001, said Plaintiff was present at the Pentagon and/or the World Trade Center site and/or its surroundings and/or lower Manhattan and/or at an area wherein he/she was exposed to toxins as a result of the terrorist attacks and was exposed to toxins from the attacks, and/or was otherwise injured, and/or as otherwise alleged, as stated specifically in Appendix 1.
- e. For those plaintiffs with personal injury and/or wrongful death claims, as indicated in Appendix 1, as a direct, proximate and foreseeable result of Defendant's actions or inactions, Plaintiff or his or her decedent suffered bodily injury and/or death, and consequently economic and other losses, including but not limited to pain and suffering, emotional distress, psychological injuries, and loss of enjoyment of life, and/or as described in the Saudi Arabia Short Form Complaint, and/or as otherwise may be specified in subsequent discovery proceedings, and/or as otherwise alleged in Appendix 1.
  - a. The name, relationship to the injured and/or deceased September 11 victim, residency, citizenship/nationality, and the general nature of the claim for each plaintiff asserting wrongful death and/or solatium claims is listed on the attached Appendix 1, and is incorporated herein as allegations, with all allegations of the related complaints, as specified above, deemed alleged as to each Plaintiff.

#### **IDENTIFICATION OF THE DEFENDANT**

- 5. The only Defendant named in this Saudi Arabia Short Form Complaint is the Kingdom of Saudi Arabia.

#### **NO WAIVER OF OTHER CLAIMS**

- 4. By filing this Saudi Arabia Short Form Complaint, Plaintiff(s) is/are not waiving any right to file suit against any other potential defendants or parties.
- 5. By filing this Saudi Arabia Short Form Complaint, Plaintiff(s) are not opting out of any class that the Court may certify in the future.

#### **JURY DEMAND**

- 6. Each Plaintiff hereby demands a trial by jury as to the claims in this action.

WHEREFORE, Plaintiffs pray for relief and judgment against Defendant as set forth in this Saudi Arabia Short Form Complaint as appropriate.

Dated: December 10, 2018

Respectfully submitted,

/s/ Jodi Westbrook Flowers \_\_\_\_\_

Jodi Westbrook Flowers, Esq.

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*COUNSEL FOR PLAINTIFFS*

**APPENDIX 1**

Each line below is deemed an allegation, incorporating the allegations, language, and references within the Saudi Arabia Short Form Complaint to which this Appendix 1 is appended and shall be referenced as Allegation 1 of Appendix 1 to the Saudi Arabia Short Form Complaint, Allegation 2 of Appendix 1 to the Saudi Arabia Short Form Complaint, etc.

	<b>Plaintiff's Name (alphabetical by last name)</b>	<b>Plaintiff's State of Residency at Filing (or death)</b>	<b>Plaintiff's Citizenship/ Nationality on 9/11/2001</b>	<b>9/11 Decedent's Full Name</b>	<b>Plaintiff's Relationship to 9/11 Decedent</b>	<b>9/11 Decedent's Citizenship/ Nationality on 9/11/2001</b>	<b>Nature of Claim (wrongful death, solatium, personal injury)</b>
1	Abrahams, Wayne	NY	USA				personal injury
2	Armacida, Philip	NY	USA				personal injury
3	Bracken, Tim	NY	USA				personal injury
4	Bradley, Donald	NY	USA				personal injury
5	Browne, Dennis	PA	USA				personal injury
6	Butler, Sean	NY	USA				personal injury
7	Cain, Walter	NY	USA				personal injury
8	Cameron, Michael	NY	USA				personal injury
9	Caputo, Darin	PA	USA				personal injury
10	Carpenter, Darryl	NY	USA				personal injury
11	Cerrato, Joseph	NY	USA				personal injury
12	Class, Idelfonso	NY	USA				personal injury
13	Collins, Gerard	NY	USA				personal injury
14	Collins, Kevin	NY	USA				personal injury



15	Covo, Eric	NY	USA				personal injury
16	Cullen, Peter	NY	USA				personal injury
17	Curcio, Elizabeth	NY	USA				personal injury
18	Curry, Jay	NY	USA				personal injury
19	Darini, George	NY	USA				personal injury
20	Davis, Andrew	NY	USA				personal injury
21	De Danzine, Vanessa	NY	USA				personal injury
22	DeNardis, Peter	NY	USA				personal injury
23	DePrima, John	NY	USA				personal injury
24	DeRienzo, Charles	NY	USA				personal injury
25	Dinkelacker, William	NY	USA				personal injury
26	Dolan, Gregory	NY	USA				personal injury
27	Donohue, Christopher	NY	USA				personal injury
28	Drazka, Rosemarie	NY	USA				personal injury
29	Favro, Gary	NY	USA				personal injury
30	Flinton, Keith	NY	USA				personal injury
31	Friedman, John	NH	USA				personal injury
32	Gallagher, John	NY	USA				personal injury
33	Gassman, Scott	NY	USA				personal injury
34	Gaynor, David	NY	USA				personal injury
35	Geerholt, Wesley	NY	USA				personal injury
36	Gessner, Keith	NY	USA				personal injury
37	Gilbert, Matthew	VA	USA				personal injury

38	Gillen, John	NY	USA				personal injury
39	Harwood, Roger	NY	USA				personal injury
40	Healey, Dawn	NY	USA				personal injury
41	Howard, Guyowen	NY	USA				personal injury
42	Johansen, George	NY	USA				personal injury
43	Johnson, Ralph	NY	USA				personal injury
44	Jones, Kristen	NY	USA				personal injury
45	Kaufman, Louis	NY	USA				personal injury
46	Kelly, Sean	NY	USA				personal injury
47	Kouril, Philip	NY	USA				personal injury
48	Kugelman, Ira	NY	USA				personal injury
49	Lane, Joseph	NY	USA				personal injury
50	Lauricella, Francis	NY	USA				personal injury
51	Levine, Jamie	NY	USA				personal injury
52	Livoti, Gary	NY	USA				personal injury
53	Lopez, Wanda	FL	USA				personal injury
54	Lorenzo, Hector	NY	USA				personal injury
55	Lynch, Donald	NY	USA				personal injury
56	Lynch, William	NY	USA				personal injury
57	Makuta, Mark	NJ	USA				personal injury
58	Maldonado, John	NY	USA				personal injury
59	Martinez, William	NY	USA				personal injury
60	Maxwell, James	NY	USA				personal injury

61	Mccann, John	NY	USA				personal injury
62	Meadows, Shimicka	NY	USA				personal injury
63	Melo, Manuel	NJ	USA				personal injury
64	Miller, Randin	NY	USA				personal injury
65	Moloney, Michael	NY	USA				personal injury
66	Moschella, John	NY	USA				personal injury
67	Mulcahy-Normile, Karen	NY	USA				personal injury
68	Murphy, Dennis	NY	USA				personal injury
69	Oemcke, Steven	NY	USA				personal injury
70	Orlando, Francis	NY	USA				personal injury
71	Panetta, Christopher	NY	USA				personal injury
72	Perez, Cathleen	FL	USA				personal injury
73	Perez, Raul	NY	USA				personal injury
74	Pollock, Lori	NY	USA				personal injury
75	Popow, William	NY	USA				personal injury
76	Roberts, Howard	NC	USA				personal injury
77	Romano, Nicholas	NY	USA				personal injury
78	Roske, Douglas	NY	USA				personal injury
79	Rudolph, Dennis	FL	USA				personal injury
80	Ryan, Patrick	NY	USA				personal injury
81	Ryder, James	NY	USA				personal injury
82	Santana, Awilda	NY	USA				personal injury
83	Schriefer, Richard	NY	USA				personal injury

84	Scorzello, Frank	NY	USA				personal injury
85	Seabrook, Frank	NY	USA				personal injury
86	Seibert, Richard	NY	USA				personal injury
87	Seravello, Beatrice	NY	USA				personal injury
88	Sheehan, Brian	FL	USA				personal injury
89	Stern, Andrew	NY	USA				personal injury
90	Straface, Vincent	NY	USA				personal injury
91	Svercel, Joseph	NY	USA				personal injury
92	Taranto, Joseph	NY	USA				personal injury
93	Thompson, Daniel	NY	USA				personal injury
94	Thorsen, Steven	NY	USA				personal injury
95	Tinsley, Duwayne	NY	USA				personal injury
96	Tomasino, Craig	NY	USA				personal injury
97	Tuffy, Edward	NY	USA				personal injury
98	Tveter, Dennis	NY	USA				personal injury
99	Walsh, Robert	NJ	USA				personal injury
100	Whipple, Robert	FL	USA				personal injury