UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

| | |
|---|---|
| AIDA ELZAGALLY, as the wife of MSADDEK TUNALLI, deceased | ) |
| AYAH TUNALLI, as the daughter of MSADDEK TUNALLI, deceased | ) |
| ALAA TUNALLI, as the daughter of MSSADDEK TUNALLI, deceased | ) |
| ABDULHAMEED TUNALLI, as the son of MSSADDEK TUNALLI, deceased | ) |
| ABDULRRAUF TUNALLI, as the son of MSSADDEK TUNALLI, deceased | ) |
| MUHAMMAD TUNALLI, as the son of MSSADDEK TUNALLI, deceased | ) |
| ABDULADEEM TUNALI, as the son of MSSADDEK TUNALLI, deceased | ) |
| MAIS AHMED MAYOUF, as the daughter of MUFIDA SASI ABU GASIAH, deceased | ) |
| ABDULHAMEED AL-HARRAMAH, as the father of AYMAN AL-HARRAMAH, deceased | ) |
| Plaintiffs | ) |
| KHALIFA HAFTAR, individually last known address in Libya | ) |
| Defendant | ) |

**COMPLAINT**

COME NOW Plaintiffs Aida Elzagally, Ayah Tunalli, Alaa Tunalli, Abdulhameed Tunalli, Abdulrrauf Tunalli, Muhammad Tunalli, Abduladeem Tunalli, Mais Ahmed Mayouf,

and Abdulhameed Al-Harramah on behalf of themselves and makes these allegations based on information and belief against Khalifa Haftar, a warlord in the Republic of Libya, and the Defendant and stated as follows:

## INTRODUCTION

1. In 2015, Defendant Khalifa Haftar, an American Citizen, left his home in Northern Virginia for Libya and formed the Libyan National Army ("LNA"). He appointed himself "Field Marshall."
2. Since that time, Defendant Haftar has waged indiscriminate war against the people of Libya. He has killed numerous men, women and children through bombings, and has tortured others.
3. Plaintiffs' family members were killed when Defendant Haftar was engaged in indiscriminate bombing of civilians.

## JURISDICTION

4. Jurisdiction is proper under 28 USC § 1331 and 1332. Defendant is a United States Citizen and resides in Commonwealth of Virginia and Plaintiffs are citizens of the Republic of Libya.
5. Jurisdiction is proper because this is a federal question under 28 USC § 1350, Alien Tort Claims Act and Torture Victim Protections Act P.L. 102-256, 106 Stat 73, reprinted 28 USCA § 1350 note.
6. Venue is proper under 28 USC § 1391(b)(1).

## PARTIES

7. Plaintiff Aida Elzagally is the wife of Msaddek Tunalli, deceased, and is a resident of the Republic of Libya.

8. Plaintiff Abdulhameed Tunalli is the son of Msaddek Tunalli, deceased, and is a resident of the Republic of Libya
9. Plaintiff Ayah Tunalli is the daughter of Msaddek Tunalli, deceased, and is a resident of the Republic of Libya
10. Plaintiff Alaa Tunalli is the daughter of Msaddek Tunalli, deceased, and is a resident of the Republic of Libya.
11. Plaintiff Abdulrrauf Tunalli is the son of Msaddek Tunalli, deceased, and is a resident of the Republic of Libya.
12. Plaintiff Muhammad Tunalli is the son of Msaddek Tunalli, deceased, and is a resident of the Republic of Libya.
13. Plaintiff Abduladeem Tunalli is the son of Msaddek Tunalli, deceased, and is a resident of the Republic of Libya
14. Plaintiff Mais Ahmed Mayouf is the daughter of Mufida Sasi Abu Gasiah, deceased, and is a resident of the Republic of Libya.
15. Plaintiff Abdulhameed Al-Harramah is the father of Ayman Al-Harramah, deceased, and is a resident of the Republic of Libya.
16. Defendant Khalifa Haftar is a citizen of the United States of America and of the Commonwealth of Virginia.

FACTUAL ALLEGATIONS

17. Upon information and belief Defendant Haftar is a citizen of the United States of America.
18. Upon information and belief, Defendant Haftar owns a home and resides in or around McLean, Virginia.

19. In 1969, Haftar was a cadet and was a participant in the coup led by Colonel Muammar Ghaddafi to overthrow the government of the King of Libya.
20. From then, Haftar was a close ally of Ghaddafi. At times Haftar referred to Ghadaffi as his father.
21. Eventually, Haftar was a senior military leader in the Libyan Army under Ghadaffi.
22. In or around 2015, Defendant Haftar left the United States and went to Libya.
23. In Libya, Haftar raised a militia of various soldiers, some from outside Libya, whose only interest was either money or destructions.
24. Upon information and belief, a lot of forces of Haftar were former fighters of ISIS, Taliban or fought in the Syrian civil war.
25. Haftar formed the Libyan National Army ("LNA") and declared himself Field Marshall and head of the Army.
26. Through the LNA, Haftar, through force, captured most of Eastern Libya.
27. Then the Government of Libya officially appointed Haftar head of all its armed forces.
28. Haftar, since 2015, has been marching to Tripoli and has been killing and bombing civilians.
29. Haftar's forces have been killing innocent women and children without any regard for human life. (Exhibit 1)
30. Haftar's forces specifically target civilian neighborhoods and hospitals. (Exhibit 2).
31. Haftar's forces show extreme brutality and then celebrate killing civilians. (Exhibit 3).

32. Upon information and belief, Haftar's forces, on his orders, have killed over one thousand (1000) people.

MSADDEK TUNALLI

33. On April 4, 2019, Msaddek Tunalli was evacuating women and children from an area being indiscriminately bombed by Haftar's forces in the in the Ayan Zarah District.
34. Haftar's forces were randomly shelling the entire area.
35. At approximately 4:45pm, one of the mortars fell on Msaddek Tunalli, killing him.
36. The medical examiner stated that Msaddek Tunalli's death is a result of multiple infliction wounds to the head, shoulders, stomach, and arms, which resulted in severe skull damage and sever damage to the brain and internal bleeding in the brain. The weapons used were multiple artillery rounds and mortar shells. The heart, lungs and stomach were severely punctured with internal bleeding as well, which resulted in loss of oxygen to the brain and suffocation. The right elbow was fractured. The angle of penetration was from the back, from the right side of the brain and from the back side of the arms, while the angle of exit was from the stomach area.
37. The medical examiner stated that Msaddek Tunalli's body was free of alcohol or any other poisonous substances.
38. The medical examiner found two shrapnel fragments in the front side of Msaddek Tunalli's lungs and has preserved them.
39. The indiscriminate shelling was not necessary on behalf of Haftar.
40. The indiscriminate shelling was the direct cause of Msaddek Tunalli's death.

41. Msaddek Tunalli was a husband to Plaintiff Aida Elzagally and a father to six children: Plaintiffs Ayah Tunalli, Alaa Tunalli, Abdulhameed Tunalli, Adbulrrauf Tunalli, Muhammad Tunalli, and Adbuladeem Tunalli.
42. The Plaintiffs named above are not left without a husband and father and the only financial support.
43. Plaintiffs Ayah Tunalli, Alaa Tunalli, Abdulhameed Tunalli, Adbulrrauf Tunalli, Muhammad Tunalli, and Adbuladeem Tunalli are severely traumatized by the loss of their father.
44. Due to the loss of her father, Ayah Tunalli is psychologically unstable and having nightmares.

MUFIDA SASI ABU GASIAH

45. On April 16, 2019, Haftar and his forces launched missiles into the civilian neighborhood of Hay Alintassar in Trippoli in which Mufida Sasi Abu Gasiah, her mother, sister, and young daughter lived.
46. Defendant knew that there were numerous civilians living in this neighborhood. He knew that there were women and children present.
47. Yet without any regard for human life, Defendant Haftar still launched missiles into the Hay Alintassar, Trippoli.
48. Mufida Sasi Abu Gasiah, along with her mother, sister, and young daughter, lived on Tariq Al Matar road in the neighborhood of Hay Alintassar, Trippoli.
49. Mufida Sasi Abu Gasiah, her mother and sister were all killed by the missile strike on April 16, 2019.

50. Plaintiff Mais Ahmed Mayouf was the only survivor of the brutal attack. She was taken to the hospital for observations but was then released.

51. Plaintiff Mais Ahmed Mayouf suffers from severe emotional trauma. She suffers from severe depression and refuses to eat or engage in any social activities.

52. Plaintiff Mais Ahmed Mayouf father took her on vacation in hopes of helping her recover, but she would hardly leave the hotel room and would not go to any restaurant to eat. Her father had to bring the food to her room.

53. It is clear that Plaintiff Mais Ahmed Mayouf will suffer long term effects from the bombing.

DR. AYMAN AL-HARRAMAH

54. Plaintiff Abdulhameed Al-Harramah's son, Dr. Ayman Al-Harramah, was always dedicated and committed to humanitarian work. He worked alongside the Children's Hospital as a member of many civil society organizations related to humanitarian activities.

55. He and his colleagues founded the "All Doctors Foundation" before the revolution of 2011. It provided a variety of services, including the distribution of recordings of additional lectures that medical students and other students were unable to attend or have no material resources.

56. On April 6, 2019, in the Spring Valley area, also known in Arabic as "Wady Al-Rabii", Dr. Ayman al-Harramah was doing his work providing medical care and saving lives in a civilian field hospital when Defendant Haftar indiscriminately bombed the hospital, killing Dr. Ayman al-Harramah.

57. Plaintiff Abdulhameed Al-Harramah is grief stricken about the loss of his son.

58. Haftar had a duty not to kill people by indiscriminately bombing areas where civilians were present.

59. Purposely bombing a hospital is in complete violation of all laws of war, and a violation of Article 27 of the Hague Conventions, Article 5 of the Ninth Hague Convention.

60. Haftar's army also committed acts of international terrorism on the civilian population of Libya by torturing them, bombing their houses and kicking them out of the house.

61. At all times, Haftar was acting under color of authority as the military head of the Libyan forces.

62. Haftar was officially appointed head of the forces by the Assembly of Libya.

63. Haftar's actions are against the Laws of Nation and United Nations regulations, Geneva Convetion and the Article 7, Crimes Against Humanity, of the Rome Statute of the International Criminal Court of Justice.

COUNT 1
ALIEN TORT CLAIMS ACT

64. Plaintiffs incorporate herein the averments of paragraphs 1-63 as though fully set forth herein.

65. As set forth above, Defendant Haftar caused the deaths of the class members through and by acts of international terrorism. The terrorist activities committed by Defendant Haftar constitute a violation of the laws of nations prohibiting torture, mass murder, indiscriminate destruction of civilian property and genocide.

66. As a result of Defendant Haftar's violation of the laws of nations, Plaintiffs suffered damage as set forth in the paragraphs above and fully incorporated herein.

67. Under 28 USC § 1350, the family members, heirs, and survivors of the Decedents who were aliens at the time of Decedents deaths are entitled to damages they sustained through the Defendant's actions.

68. Plaintiffs have been damaged in the amount of $25,000,000 by the barbaric actions of the Defendant.

COUNT II

TORTURE VICTIM PROTECTION ACT

69. Plaintiffs incorporate herein the averments of paragraphs 1-68 as though fully set forth herein.

70. The actions of the Defendant as set forth in the paragraphs above constitute torture and extrajudicial killing under the Torture Victim Protection Act, Public Law 102-246, 106 Stat. 73 (28 USCA § 1350 note).

71. Defendant, in carrying out this torture and extrajudicial killing, was acting under apparent or actual the color of authority as he was appointed head of the military forces of Libya.

72. As a result of Defendant's barbaric torture and extrajudicial killings, Plaintiffs suffered damages as set forth in the paragraphs above and incorporated herein.

73. Plaintiffs have been damaged in the amount of $25,000,000 because of the barbaric and illegal actions of Defendant.

COUNT FOUR
WRONGFUL DEATH

74. Plaintiff incorporate herein the averments of paragraphs 1-73 as though fully set forth herein.

75. The Plaintiffs are family members who survived the Decedents, as such they are entitled to recover for damages for wrongful death caused by the actions of the Defendant.

76. The injuries and deaths suffered by the Decedents, and the resulting consequences of those deaths faced by the family members, were directly caused by the reckless and intentional actions, omissions of the tortious conduct of the Defendant.

77. As a direct and proximate result of Defendant's unlawful actions, Plaintiffs are deprived of future financial support of the decedents, their aid and comfort. The children of the Decedents are deprived of growing up with a parent.

78. As a direct and proximate result of Defendant's barbaric and deliberate actions, Plaintiffs were damaged in the amount of $25,000,000.

COUNT V
INTENTIONAL AFFLICTION OF EMOTION DISTRESS

79. Plaintiff incorporate herein the averments of paragraphs 1-78 as though fully set forth herein.

80. Defendant knew that indiscriminately bombing where civilians were present would cause grave psychological damage to the Plaintiffs. Defendant knew that there would be deaths and that there would be grieving family members.

81. Defendant was aware that some family members would see their loved ones die right in front of them, causing grave and continuing psychological damage.

82. Defendant's intentional and deliberately brutal actions were the direct and proximate cause of permanent severe emotional distress suffered by the Plaintiffs.

83. As a direct and proximate result of the Defendant's actions, Plaintiffs are damage in the amount of $25,000,000.

COUNT VI
SURVIVAL

84. Plaintiff incorporate herein the averments of paragraphs 1-84 as though fully set forth herein.

85. Plaintiffs bring this action for damages suffered by the Decedents caused by the Defendant's vicious actions and conduct. As a result of the Defendant's intentional actions, Decedents were fearful of an assault, causing apprehension that an unwanted physical or offensive conduct was about to occur.

86. As a result of the Defendant's intentional actions, Decedents suffered a battery, an unwanted physical or offensive conduct.

87. Defendant's intentional actions inflicted upon the Decedents suffered severe emotional distress and extreme fear.

88. As a result of Defendant's intentional actions and omissions, Decedents suffered damages of assault, battery, intentional infliction of severe emotion distress, loss of life, loss of enjoyment, loss of companionship and other damages stated in the above paragraphs and incorporated herein.

89. As a result of the unlawful and barbaric actions of the Defendant, Plaintiff demand judgment of $25,000,000.

COUNT VII
PUNITIVE DAMAGES

90. Plaintiff incorporate herein the averments of paragraphs 1-89 as though fully set forth herein.

91. Defendant carried out his actions in a malicious, outrageous and willful manner without any regard for human life.

92. Defendant knew that his actions were malicious, outrageous, willful and without any regard for human life.

93. As a result of Defendant's malicious, outrageous, willful actions without any regard for human life, Defendant is liable for punitive damages.

94. Plaintiffs demand One Hundred Million Dollars ($100,000,000) as punitive judgment against the Defendant.

WHEREFORE, Plaintiff pray that this court:

1. Enter Judgment against the Defendant on all counts.
2. Enter a judgment of Twenty-Five Million Dollars, $25,000,000 as compensatory damages.
3. Enter a judgment of One Hundred Million Dollars, $100,000,000 as punitive damages.
4. Award all court costs and reasonable attorney's fees and any other relief the court deems appropriate.

Respectfully Submitted,

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202-318-5331 (fax)
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*Counsel for Plaintiffs*

JS 44 (Rev. 02/19)

# CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

**I. (a) PLAINTIFFS** Aida Elzagally, Ayah Tunalli, Alaa Tunalli, Abdulhameed Tunalli, Abdulrrauf Tunalli, Muhammad Tunalli, Abduladeem Tunalli and Mais Ahmed Mayouf,Abdulhammed Al Hammara

**(b)** County of Residence of First Listed Plaintiff Republic of Libya
*(EXCEPT IN U.S. PLAINTIFF CASES)*

**(c)** Attorneys *(Firm Name, Address, and Telephone Number)*
Gill Law Firm, Faisal Gill, 1155 F Street NW Suite 1050
Washinbton, DC 20005; 202-570-8223

**DEFENDANTS**
Khalifa Haftar

County of Residence of First Listed Defendant Fairfax
*(IN U.S. PLAINTIFF CASES ONLY)*

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

## II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ❒ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question *(U.S. Government Not a Party)*
- ❒ 2 U.S. Government Defendant
- ❒ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

## III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*
*(For Diversity Cases Only)*

| | PTF | DEF | | PTF | DEF |
|---|---|---|---|---|---|
| Citizen of This State | ❒ 1 | ☒ 1 | Incorporated *or* Principal Place of Business In This State | ❒ 4 | ❒ 4 |
| Citizen of Another State | ❒ 2 | ❒ 2 | Incorporated *and* Principal Place of Business In Another State | ❒ 5 | ❒ 5 |
| Citizen or Subject of a Foreign Country | ☒ 3 | ❒ 3 | Foreign Nation | ❒ 6 | ❒ 6 |

## IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

**CONTRACT**
- ❒ 110 Insurance
- ❒ 120 Marine
- ❒ 130 Miller Act
- ❒ 140 Negotiable Instrument
- ❒ 150 Recovery of Overpayment & Enforcement of Judgment
- ❒ 151 Medicare Act
- ❒ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ❒ 153 Recovery of Overpayment of Veteran's Benefits
- ❒ 160 Stockholders' Suits
- ❒ 190 Other Contract
- ❒ 195 Contract Product Liability
- ❒ 196 Franchise

**REAL PROPERTY**
- ❒ 210 Land Condemnation
- ❒ 220 Foreclosure
- ❒ 230 Rent Lease & Ejectment
- ❒ 240 Torts to Land
- ❒ 245 Tort Product Liability
- ❒ 290 All Other Real Property

**TORTS**

**PERSONAL INJURY**
- ❒ 310 Airplane
- ❒ 315 Airplane Product Liability
- ❒ 320 Assault, Libel & Slander
- ❒ 330 Federal Employers' Liability
- ❒ 340 Marine
- ❒ 345 Marine Product Liability
- ❒ 350 Motor Vehicle
- ❒ 355 Motor Vehicle Product Liability
- ☒ 360 Other Personal Injury
- ❒ 362 Personal Injury - Medical Malpractice

**PERSONAL INJURY**
- ❒ 365 Personal Injury - Product Liability
- ❒ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ❒ 368 Asbestos Personal Injury Product Liability

**PERSONAL PROPERTY**
- ❒ 370 Other Fraud
- ❒ 371 Truth in Lending
- ❒ 380 Other Personal Property Damage
- ❒ 385 Property Damage Product Liability

**CIVIL RIGHTS**
- ❒ 440 Other Civil Rights
- ❒ 441 Voting
- ❒ 442 Employment
- ❒ 443 Housing/ Accommodations
- ❒ 445 Amer. w/Disabilities - Employment
- ❒ 446 Amer. w/Disabilities - Other
- ❒ 448 Education

**PRISONER PETITIONS**

**Habeas Corpus:**
- ❒ 463 Alien Detainee
- ❒ 510 Motions to Vacate Sentence
- ❒ 530 General
- ❒ 535 Death Penalty

**Other:**
- ❒ 540 Mandamus & Other
- ❒ 550 Civil Rights
- ❒ 555 Prison Condition
- ❒ 560 Civil Detainee - Conditions of Confinement

**FORFEITURE/PENALTY**
- ❒ 625 Drug Related Seizure of Property 21 USC 881
- ❒ 690 Other

**LABOR**
- ❒ 710 Fair Labor Standards Act
- ❒ 720 Labor/Management Relations
- ❒ 740 Railway Labor Act
- ❒ 751 Family and Medical Leave Act
- ❒ 790 Other Labor Litigation
- ❒ 791 Employee Retirement Income Security Act

**IMMIGRATION**
- ❒ 462 Naturalization Application
- ❒ 465 Other Immigration Actions

**BANKRUPTCY**
- ❒ 422 Appeal 28 USC 158
- ❒ 423 Withdrawal 28 USC 157

**PROPERTY RIGHTS**
- ❒ 820 Copyrights
- ❒ 830 Patent
- ❒ 835 Patent - Abbreviated New Drug Application
- ❒ 840 Trademark

**SOCIAL SECURITY**
- ❒ 861 HIA (1395ff)
- ❒ 862 Black Lung (923)
- ❒ 863 DIWC/DIWW (405(g))
- ❒ 864 SSID Title XVI
- ❒ 865 RSI (405(g))

**FEDERAL TAX SUITS**
- ❒ 870 Taxes (U.S. Plaintiff or Defendant)
- ❒ 871 IRS—Third Party 26 USC 7609

**OTHER STATUTES**
- ❒ 375 False Claims Act
- ❒ 376 Qui Tam (31 USC 3729(a))
- ❒ 400 State Reapportionment
- ❒ 410 Antitrust
- ❒ 430 Banks and Banking
- ❒ 450 Commerce
- ❒ 460 Deportation
- ❒ 470 Racketeer Influenced and Corrupt Organizations
- ❒ 480 Consumer Credit
- ❒ 485 Telephone Consumer Protection Act
- ❒ 490 Cable/Sat TV
- ❒ 850 Securities/Commodities/ Exchange
- ❒ 890 Other Statutory Actions
- ❒ 891 Agricultural Acts
- ❒ 893 Environmental Matters
- ❒ 895 Freedom of Information Act
- ❒ 896 Arbitration
- ❒ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ❒ 950 Constitutionality of State Statutes

## V. ORIGIN *(Place an "X" in One Box Only)*

- ☒ 1 Original Proceeding
- ❒ 2 Removed from State Court
- ❒ 3 Remanded from Appellate Court
- ❒ 4 Reinstated or Reopened
- ❒ 5 Transferred from Another District *(specify)*
- ❒ 6 Multidistrict Litigation - Transfer
- ❒ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing ***(Do not cite jurisdictional statutes unless diversity)***:
28 USC § 1850; Public Law 102-246, 106 Stat. 73 (28 USCA § 1350 note)

Brief description of cause:
Defendant indiscriminately killed relatives of Plainitffs in violation of laws of nations and treaties.

## VII. REQUESTED IN COMPLAINT:

❒ CHECK IF THIS IS A **CLASS ACTION** UNDER RULE 23, F.R.Cv.P.

**DEMAND $**

CHECK YES only if demanded in complaint:
**JURY DEMAND:** ☒ Yes ❒ No

## VIII. RELATED CASE(S) IF ANY

*(See instructions):* JUDGE _____ DOCKET NUMBER _____

DATE

SIGNATURE OF ATTORNEY OF RECORD

**FOR OFFICE USE ONLY**

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

# INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

**I.(a)** **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

**(b)** **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

**(c)** **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

**II.** **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below**; NOTE: federal question actions take precedence over diversity cases.**)

**III.** **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

**IV.** **Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: Nature of Suit Code Descriptions.

**V.** **Origin.** Place an "X" in one of the seven boxes.
Original Proceedings. (1) Cases which originate in the United States district courts.
Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. **PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statue.

**VI.** **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service

**VII.** **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

**VIII.** **Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

# EXHIBIT 1

عبر الهاتف: تقي الدين الشلوي
مراسل النبأ - درنة

Exclusive
#نبأ_الناس
عبر الهاتف : حسام النويصري
رئيس مجلس درنة المحلي

5

# EXHIBIT 2

FMSC
Field Medicine &Support Center

# EXHIBIT 3

DEFFIANT