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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TAMARA FIELDS, on behalf of herself and as
a representative of the ESTATE OF LLOYD
FIELDS, JR., HEATHER CREACH, on behalf
of herself and as a representative of the ESTATE
OF JAMES DAMON CREACH, J.C. (1), a
minor, and J.C. (2), a minor,

Plaintiffs,

v.

TWITTER, INC.,

Defendant.

Case No. 3:16-cv-00213-WHO

SECOND AMENDED COMPLAINT

JURY TRIAL DEMANDED

1 Plaintiffs Tamara Fields, Heather Creach, J.C. (1) and J.C. (2) (“Plaintiffs”), by and through
2 their attorneys, allege the following against Defendant Twitter, Inc. (“Twitter” or “Defendant”):

3 **NATURE OF ACTION**

4 1. For years, Twitter knowingly and recklessly provided ISIS with accounts on its
5 social network. Through this provision of material support, Twitter enabled ISIS to acquire the
6 resources needed to carry out numerous terrorist attacks. One of these terrorist attacks took place
7 on November 9, 2015 when an ISIS operative in Amman, Jordan shot and killed Lloyd “Carl”
8 Fields, Jr. and James Damon Creach.

9 **PARTIES**

10 2. Plaintiff Tamara Fields is a citizen of the United States domiciled in the State of
11 Florida. She brings this lawsuit on behalf of herself and as a representative of the estate of her
12 husband Lloyd “Carl” Fields, Jr., also a U.S. citizen.

13 3. Plaintiff Heather Creach is a citizen of the United States domiciled in the State of
14 Virginia. She brings this lawsuit on behalf of herself and as a representative of the estate of her
15 husband James Damon Creach.

16 4. Plaintiff J.C. (1), a minor represented by his legal guardian Heather Creach, is a
17 citizen of the United States domiciled in the State of Virginia. He is the son of James Damon
18 Creach.

19 5. Plaintiff J.C. (2), a minor represented by his legal guardian Heather Creach, is a
20 citizen of the United States domiciled in the State of Virginia. He is the son of James Damon
21 Creach.

22 6. Defendant Twitter is a publicly traded U.S. company incorporated in Delaware, with
23 its principal place of business at 1355 Market Street, Suite 900, San Francisco, California 94103.

24 **JURISDICTION AND VENUE**

25 7. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §
26 1331 and 18 U.S.C. § 2333(a) as a civil action brought by a citizen of the United States injured by
27 reason of an act of international terrorism and the estate, survivor, or heir of a United States citizen
28 injured by reason of an act of international terrorism.

1 wielded increasing territorial power, applying brutal, terrifying violence to attain its military and
2 political goals, including summary executions, mass beheadings, amputations, shootings and
3 crucifixions, which it applies to anyone it considers an “unbeliever,” a “combatant” or a “prisoner
4 of war.”

5 17. The United Nations and international NGOs have condemned ISIS for war crimes
6 and ethnic cleansing, and more than 60 countries are currently fighting to defeat ISIS and prevent
7 its expansion.

8 18. On December 17, 2004, the United States designated ISIS as a Foreign Terrorist
9 Organization (“FTO”) under Section 219 of the Immigration and Nationality Act, as amended.

10 **B. Twitter Knew That ISIS Was Using Its Social Network But Did Nothing**

11 19. For years, the media has reported on the ISIS’s use of Twitter and Twitter’s refusal
12 to take any meaningful action to stop it.

13 20. In December 2011, the New York Times reported that the terrorist group al-
14 Shabaab, “best known for chopping off hands and starving their own people, just opened a Twitter
15 account.”

16 21. That same month, terrorism experts cautioned that “Twitter terrorism” was part of
17 “an emerging trend” and that several branches of al Qaeda were using Twitter.

18 22. On August 18, 2013, USA Today reported on “the Twitter feed of pro-Islamic State
19 of Iraq and the Levant (ISIS).”

20 23. On October 14, 2013, the BBC issued a report on “The Sympatic,” “one of the most
21 important spokesmen of the Islamic State of Iraq and the Levant on the social contact website
22 Twitter.”

23 24. On October 31, 2013, Agence France-Presse reported on an ISIS accounts on
24 Twitter.

25 25. On June 19, 2014, CNN reported on ISIS’s use of Twitter. The next day, Seth
26 Jones, Associate Director at International Security and Defense Policy Center, stated in an
27 interview on CNN that Twitter was widely used by terrorist groups like ISIS.

28 26. In September 2014, Time Magazine quoted terrorism expert Rita Katz, who

1 observed that, “[f]or several years, ISIS followers have been hijacking Twitter . . . with very little
2 to no interference at all. . . . Twitter’s lack of action has resulted in a strong, and massive pro-ISIS
3 presence on their social media platform.”

4 27. Throughout this period, both the U.S. government and the public at large have urged
5 Twitter to stop providing its services to terrorists.

6 28. In December 2011, an Israeli law group threatened to file suit against Twitter for
7 allowing terrorist groups like Hezbollah to use its social network in violation of U.S. anti-terrorism
8 laws.

9 29. In December 2012, several members of Congress wrote to FBI Director Robert
10 Mueller asking the Bureau to demand that the Twitter block the accounts of various terrorist
11 groups.

12 30. In a committee hearing held on August 2, 2012, Rep. Ted Poe, chair of the House
13 Foreign Affairs Subcommittee on Terrorism, lamented that “when it comes to a terrorist using
14 Twitter, Twitter has not shut down or suspended a single account.” “Terrorists are using Twitter,”
15 Rep. Poe added, and “[i]t seems like it’s a violation of the law.” In 2015, Rep. Poe again reported
16 that Twitter had consistently failed to respond sufficiently to pleas to shut down clear incitements
17 to violence by terrorists.

18 31. Recently, former Secretary of State Hillary Clinton has urged Twitter to become
19 more aggressive in preventing ISIS from using its network. “Resolve means depriving jihadists of
20 virtual territory, just as we work to deprive them of actual territory,” she told one audience.

21 32. On January 7, 2016, White House officials announced that they would hold high-
22 level discussions with Twitter and other social media companies to encourage them “to do more to
23 block terrorists” from using their services. “The primary purpose is for government officials to
24 press the biggest Internet firms to take a more proactive approach to countering terrorist messages
25 and recruitment online. . . . That issue has long vexed U.S. counterterrorism officials . . . [b]ut the
26 companies have resisted some requests by law-enforcement leaders to take action”

27 33. Despite these appeals, Twitter long refused to take meaningful steps to kick ISIS off
28 of its social network.

1 34. In a January 2011 blog post entitled “The tweets Must Flow,” Twitter co-founder
2 Biz Stone and Twitter General Counsel Alex Macgillivray wrote: “We don’t always agree with the
3 things people choose to tweet, but we keep the information flowing irrespective of any view we
4 may have about the content.”

5 35. On June 20, 2014, Twitter founder Biz Stone, responding to media questions about
6 ISIS’s use of Twitter to publicize its acts of terrorism, said, “[i]f you want to create a platform that
7 allows for the freedom of expression for hundreds of millions of people around the world, you
8 really have to take the good with the bad.”

9 36. In September 2014, Twitter spokesperson Nu Wexler reiterated Twitter’s hands-off
10 approach, telling the press, “Twitter users around the world send approximately 500 million tweets
11 each day, and we do not monitor them proactively.” “The Twitter Rules” reiterated that Twitter
12 “do[es] not actively monitor and will not censor user content, except in exceptional
13 circumstances.” In February 2015, Twitter confirmed that it does not proactively monitor content,
14 and that it reviews only that content which is reported by other users as violative of its rules.

15 37. Technology experts agree that Twitter could and should be doing more to stop ISIS
16 from using its social network. “When Twitter says, ‘We can’t do this,’ I don’t believe that,” said
17 Hany Farid, chairman of the computer science department at Dartmouth College. Mr. Farid, who
18 co-developed a child pornography tracking system with Microsoft, says that the same technology
19 could be applied to terror content, so long as companies were motivated to do so. “There’s no
20 fundamental technology or engineering limitation,” he said. “This is a business or policy decision.
21 Unless the companies have decided that they just can’t be bothered.”

22 38. According to Rita Katz, the director of SITE Intelligence Group, “Twitter is not
23 doing enough. With the technology Twitter has, they can immediately stop these accounts.”

24 39. Even when an ISIS-linked account is reported and shut down, Twitter does nothing
25 to stop it from springing right back up. According to the New York Times, the Twitter account of
26 the pro-ISIS group Asawitiri Media has had 335 accounts. When its account @TurMedia333 was
27 shut down, it started @TurMedia334. When that was shut down, it started @TurMedia335. This
28 “naming convention—adding one digit to a new account after the last one is suspended—does not

1 seem as if it would require artificial intelligence to spot.” Each of these accounts also used the
2 same user photograph of a bearded man’s face over and over again.

3 40. Recently, Twitter has finally started to take some action to keep ISIS off of its social
4 network. Earlier this year, Twitter changed its rules to prohibit “threats of violence . . . including
5 threatening or promoting terrorism.” And just this month, Twitter announced that that it has
6 suspended 235,000 accounts since February for promoting terrorism, something that it previously
7 refused to do. Still, to this day, Twitter permits groups designated by the U.S. government as
8 Foreign Terrorist Organizations to maintain official accounts, including Hamas (@hamasinfo and
9 @HamasInfoEn) and Hizbollah (@almanarnews).

10 **III. TWITTER PROXIMATELY CAUSED PLAINTIFFS’ INJURIES**

11 41. Without Twitter, the explosive growth of ISIS over the last few years into the most-
12 feared terrorist group in the world would not have been possible. According to the Brookings
13 Institution, ISIS “has exploited social media, most notoriously Twitter, to send its propaganda and
14 messaging out to the world and to draw in people vulnerable to radicalization.” Using Twitter,
15 “ISIS has been able to exert an outsized impact on how the world perceives it, by disseminating
16 images of graphic violence (including the beheading of Western journalists and aid workers) . . .
17 while using social media to attract new recruits and inspire lone actor attacks.” According to FBI
18 Director James Comey, ISIS has perfected its use of Twitter to inspire small-scale individual
19 attacks, “to crowdsource terrorism” and “to sell murder.”

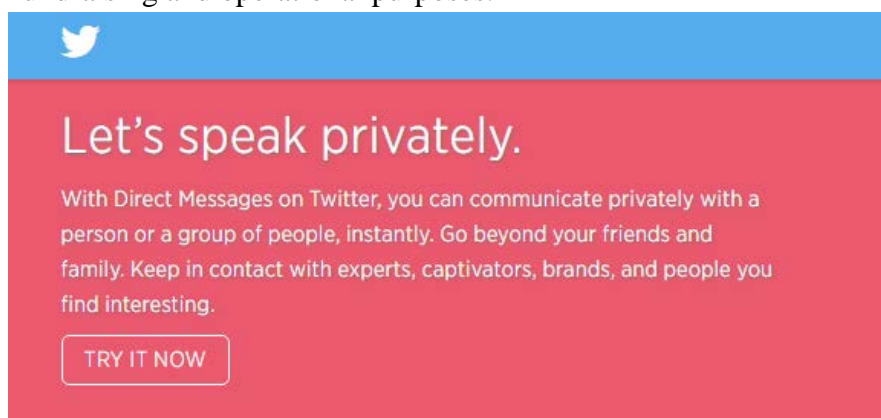
20 **A. ISIS Used Twitter To Recruit New Members**

21 42. One of ISIS’s primary uses of Twitter is as a recruitment platform, particularly to
22 draw fighters from Western countries.

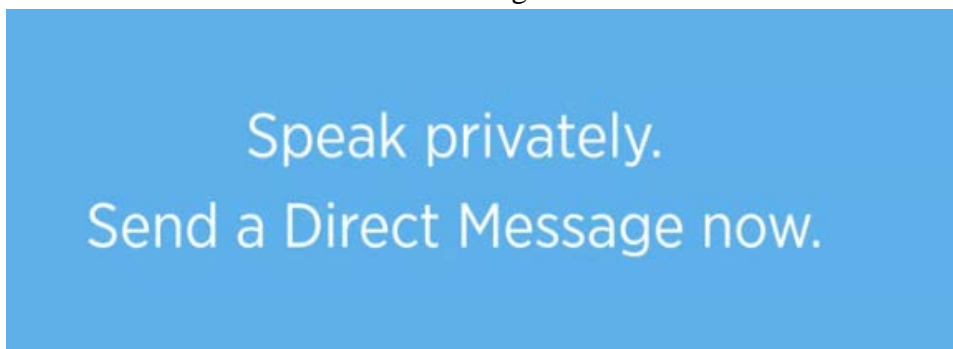
23 43. ISIS reaches potential recruits by maintaining accounts on Twitter so that
24 individuals across the globe may reach out to them directly. After first contact, potential recruits
25 and ISIS recruiters often communicate via Twitter’s Direct Messaging capabilities. As described
26 by Defendant, “Direct Messages are the private side of Twitter. . . . Communicate quickly and
27 privately with one person or many. Direct Messages support text, photos, links, emoji and Tweets,
28 so you can make your point however you please. . . . Have a private conversation with anyone on

1 Twitter, even a friend of a friend. Direct messages can only be seen between the people included.”

2 44. These Direct Messages are “extensively monitored by [ISIS’s] emirs and
3 supervisors of the recruiting unit.” According to FBI Director James Comey, “[o]ne of the
4 challenges in facing this hydra-headed monster is that if (ISIS) finds someone online, someone
5 who might be willing to travel or kill in place they will begin a twitter direct messaging contact.”
6 Indeed, according to the Brookings Institution, some ISIS members “use Twitter purely for private
7 messaging or covert signaling.” ISIS has also been known to use Twitter’s Direct Messaging
8 capabilities for fundraising and operational purposes.



15 45. Twitter’s Direct Messaging capabilities also permit ISIS operatives to receive
16 private communications without ever issuing a single tweet. Through its Direct Messaging tool,
17 Twitter enables ISIS members to receive private Direct Messages from potential recruits, terrorist
18 financiers and other terrorists with operational and intelligence information. Giving ISIS the
19 capability to send and receive Direct Messages in this manner is no different than handing it a
20 satellite phone, walkie-talkies or the use of a mail drop, all of which terrorists use for private
21 communications in order to further their extremist agendas.



28 46. In addition to individual recruitment, ISIS members use Twitter to post instructional

1 guidelines and promotional videos, referred to as “mujatweets.”

2 47. For example, in June 2014, ISIS fighters tweeted guidelines in English targeting
3 Westerners and instructing them on how to travel to the Middle East to join its fight.

4 48. That same month, ISIS posted a recruitment video on various social media sites.
5 Although YouTube removed the video from its site, the link remained available for download from
6 Twitter. The video was further promoted through retweets by accounts associated with ISIS.

7 49. ISIS also posted its notorious promotional training video, “Flames of War,” narrated
8 in English, in September 2014. The video was widely distributed on Twitter through ISIS
9 sympathizers.

10 50. After joining ISIS, new recruits become propaganda tools themselves, using Twitter
11 to advertise their membership and terrorist activities.

12 51. For example, in May 2013, a British citizen who publicly identified himself as an
13 ISIS supporter tweeted about his touch-down in Turkey before crossing the border into Syria to
14 join ISIS in the fight against the Syrian regime. And in December 2013, the first Saudi Arabian
15 female suicide bomber to join ISIS in Syria tweeted her intent to become a martyr for the ISIS
16 cause, as she embarked for Syria.

17 52. Through its use of Twitter, ISIS has recruited more than 30,000 foreign recruits over
18 the last year, including some 4,500 Westerners and 250 Americans.

19 **B. ISIS Used Twitter To Fundraise**

20 53. ISIS has also used Twitter to raise funds for its terrorist activities.

21 54. According to David Cohen, the U.S. Treasury Department’s Under Secretary for
22 Terrorism and Financial Intelligence, “[y]ou see these appeals on Twitter in particular from, you
23 know, well-know[n] terrorist financiers . . . and they’re quite explicit that these are to be made to
24 ISIL for their military campaign.”

25 55. The Financial Action Task Force confirms that “individuals associated with ISIL
26 have called for donations via Twitter and have asked the donors to contact them.” These tweets
27 even promote “donation tiers.” One ISIS-linked cleric with the Twitter account @Jahd_bmalk, for
28 instance, sought donations for weapons with the slogan “Participate in Jihad with your Money.”

1 The account tweeted that “if 50 dinars is donated, equivalent to 50 sniper rounds, one will receive a
 2 ‘silver status.’ Likewise, if 100 dinars is donated, which buys eight mortar rounds, the contributor
 3 will earn the title of ‘gold status donor.’” According to various tweets from the account, over
 4 26,000 Saudi Riyals (almost \$7,000) were donated.



Fundraising Images from ISIS Twitter Accounts

56. A similar Twitter campaign in the spring of 2014 asked followers to “support the Mujahideen with financial contribution via the following reliable accounts,” and provided contact information for how to make the requested donations.

57. In its other Twitter fundraising campaigns, ISIS has posted photographs of cash, gold bars and luxury cars that it received from donors, as well as weapons purchased with the proceeds.



Donations to ISIS Publicized on Twitter

C. ISIS Used Twitter To Spread Propaganda

58. ISIS has also used Twitter to spread propaganda and incite fear by posting graphic

1 photos and videos of its terrorist feats.

2 59. Through Twitter, ISIS disseminates its official media publications as well as posts
3 about real-time atrocities and threats to its perceived enemies.

4 60. In October 2013, ISIS posted a video of a prison break at the Abu Ghraib prison in
5 Iraq, and its subsequent execution of Iraqi army officers.

6 61. In November 2013, an ISIS-affiliated user reported on Twitter that ISIS had killed a
7 man it mistakenly believed to be Shiite. Another post by an ISIS account purported to depict Abu
8 Dahr, identified as the “suicide bomber that attacked the Iranian embassy.”

9 62. In December 2013, an ISIS-affiliated user tweeted pictures of what it described as
10 the killing of an Iraqi cameraman.

11 63. In June 2014, ISIS tweeted a picture of an Iraqi police chief, sitting with his severed
12 head perched on his legs. The accompanying tweet read: “This is our ball . . . it has skin on it.”
13 ISIS then hashtagged the tweet with the handle #WorldCup so that the image popped up on the
14 feeds of millions following the soccer challenge in Brazil.

15 64. On July 25, 2014, ISIS members tweeted photos of the beheading of around 75
16 Syrian soldiers who had been captured during the Syrian conflict.

17 65. In August 2014, an Australian member of ISIS tweeted a photo of his seven-year-
18 old son holding the decapitated head of a Syrian soldier.

19 66. Also in August 2014, ISIS member Abu Musaab Hafid al-Baghdadi posted photos
20 on his Twitter account showing an ISIS militant beheading a blindfolded captured Lebanese Army
21 Sergeant Ali al-Sayyed.

22 67. That same month, ISIS supporters tweeted over 14,000 tweets threatening
23 Americans under the hashtags #WaronWhites and #AMessagefromISIS to US, including posting
24 gruesome photos of dead and seriously injured Allied soldiers. Some of the photos depicted U.S.
25 marines hung from bridges in Fallujah, human heads on spikes and the twin towers in flames
26 following the 9/11 attacks. Other messages included direct threats to attack U.S. embassies around
27 the world, and to kill all Americans “wherever you are.”

28 68. In February 2015, ISIS launched a campaign on Twitter crowdsourcing suggestions

1 for how to kill a captured Jordanian pilot, Maaz al-Kassasbeh. The campaign bore the hashtag
2 #SuggestAWayToKillTheJordanianPilotPig. Proposals included feeding al-Kassasbeh to
3 crocodiles, cutting him up with a chainsaw, impalement and even disfigurement using acupuncture
4 needles dipped in acid before having his head cut off. A second hashtag labelled
5 #WeAllWantToSlaughterMoaz, which advocated carrying even more brutal execution ideas, was
6 retweeted over 11,000 times. Eventually, based on suggestions from its Twitter followers, ISIS
7 burned al-Kassasbeh alive in a cage before running him over with a bulldozer. ISIS tweeted out a
8 22-minute snuff film of the killing in which al-Kassasbeh is engulfed in a massive ball of fire and
9 his anguished screams can be clearly heard. “The insurgents let him burn for several minutes, until
10 his skin is charred black, before an excavator dumps a load of concrete and sand on top of the cage
11 to both extinguish the fire and finish off the grisly killing.” The film, entitled “Healing the
12 Believers’ Chests,” was produced by ISIS’s official Al Furqan Media Foundation and distributed
13 via a Twitter account known as a source for ISIS propaganda.

14 69. Various ISIS accounts have also tweeted pictures and videos of the beheadings of
15 Americans James Foley, Steven Sotloff and Peter Kassig.

16 70. To keep its membership informed, in April 2014, ISIS created an Arabic-language
17 app called “The Dawn of Glad Tidings,” or “The Dawn,” which posted tweets to thousands of
18 users’ accounts, the content of which was controlled by ISIS’s social-media operation. The tweets
19 include hashtags, links, and images related to ISIS’s activities. By June 2014, the app reached a
20 high of 40,000 tweets in one day as ISIS captured Mosul, Iraq.

21 71. ISIS has also used Twitter to coordinate hashtag campaigns, whereby it enlisted
22 thousands of members to repetitively tweet hashtags at certain times of day so that they would
23 trend on Twitter and be exposed to a wider number of users. One such campaign, dubbed a
24 “Twitter storm,” took place on June 8, 2014, and led to a surge in followers.

25 **D. ISIS Killed Lloyd “Carl” Fields, Jr. and James Damon Creach**

26 72. Lloyd “Carl” Fields, Jr. travelled to Jordan on June 12, 2015 as a government
27 contractor through DynCorp International. His trip to Jordan was only supposed to last two weeks,
28 but problems with his Israeli work visa kept him there longer.



Lloyd “Carl” Fields, Jr.

73. James Damon Creach arrived in Jordan on October 15, 2015 where he was working through the government contractor DECO, Inc. Mr. Creach was scheduled to return home to Florida on December 5, 2015.



James Damon Creach and Family

74. While in Jordan, Carl and Damon were assigned to the International Police Training Center (“IPTC”) in the Muwaqqar district of southeast Amman, Jordan—a facility run and funded in part by the U.S. State Department. There, they both used their years of experience as police officers to train law enforcement personnel from Jordan, Iraq and the Palestinian Territories in basic police and security skills. Carl had previously served as a Deputy Sheriff in Calcasieu Parish, Louisiana, and as a police advisor in both Iraq and Afghanistan. Damon was a graduate of the

1 Virginia Beach Policy Academy, a former police officer in the Virginia Police Department and had
2 trained police officers in Afghanistan, Kenya and other locations.



10
11

**Entrance to the International Police Training
Center in Amman, Jordan**

12 75. Carl and his wife Tamara considered his assignment to Jordan a safe one because
13 Jordan is a U.S. ally and it has not experienced the levels of terrorism and unrest that have spread
14 throughout the Middle East in recent years. Carl's mission was so safe, in fact, that he was not
15 issued a weapon to carry with him.

16 76. Damon and his wife Heather also believed that his trip to Jordan did not involve any
17 great danger. On the day of the attack in which he was killed, Damon was not armed, he was not
18 wearing armor or protective gear and his vehicle was not armored.

19 77. One of the men studying at the IPTC was 28-year old Jordanian police captain
20 Anwar Abu Zaid.



28

Anwar Abu Zaid

1 78. On November 9, 2015, Abu Zaid arrived at IPTC smuggling a Kalashnikov assault
2 rifle with 120 bullets and two handguns in his car. As an officer, he was not searched as he
3 entered. After the noontime prayer, Abu Zaid shot a truck that was moving through the facility,
4 killing Damon. Abu Zaid then entered the facility's cafeteria where he killed an additional four
5 people eating lunch, including Carl.

6 79. According to FBI investigators, Zaid did not know either Carl or Damon; he
7 targeted them simply because they were U.S. citizens.

8 80. ISIS claimed responsibility for the attack in a statement issued through their al-
9 Battar Media Foundation: "Yes . . . we kill the Americans in Amman," the terror group said. A
10 few weeks later, ISIS reiterated this claim in its Dabiq Magazine, Issue 12: "And on '9 November
11 2015,' Anwar Abu Zeid—after repenting from his former occupation—attacked the American
12 crusaders and their apostate allies, killing two American crusaders, two Jordanian apostates, and
13 one South African crusader. These are the deeds of those upon the methodology of the revived
14 Khilāfah. They will not let its enemies enjoy rest until enemy blood is spilled in revenge for the
15 religion and the Ummah."

16 81. According to Israeli military intelligence, Abu Zaid was a graduate of al-Mutah
17 University in al-Karak, Jordan where he was part of a clandestine ISIS terror cell. That same cell
18 was responsible for a suicide attack near Mosul, Iraq in 2015 and a shooting at the Sarona Market
19 in Tel Aviv, Israel earlier this year.

20 82. On the day of the attack killing Carl and Damon, Tamara saw that she missed a call
21 from the U.S. embassy and she knew that something was wrong. Tamara called back and, when
22 she eventually got through, she was told that Carl had been killed. The murder of her husband Carl
23 by an ISIS operative has caused her severe mental anguish, extreme emotional pain and suffering,
24 and the loss of her husband's society, companionship, comfort, advice and counsel.

25 83. That same day, Heather was notified by her husband's company DECO that Damon
26 had been killed. She later received a call from the U.S. Embassy in Jordan confirming his death.
27 Heather was then tasked with telling her children that their father was dead. The murder of their
28 husband and father Damon by an ISIS operative has caused Heather, J.C. (1) and J.C. (2) severe

1 mental anguish, extreme emotional pain and suffering, and the loss of Damon’s society,
2 companionship, comfort, advice and counsel.

3 **COUNT I**
4 **CIVIL LIABILITY UNDER 18 U.S.C. § 2333(a) AGAINST ALL**
5 **DEFENDANTS FOR VIOLATIONS OF 18 U.S.C. § 2339A**
6 **CONSTITUTING ACTS OF INTERNATIONAL TERRORISM**

7 84. Plaintiffs repeat and re-allege each and every allegation of the foregoing paragraphs
8 as if fully set forth herein.

9 85. The services and support that Defendant purposefully, knowingly or with willful
10 blindness provided to ISIS constitute material support to the preparation and carrying out of acts of
11 international terrorism, including the attack in which Lloyd Fields, Jr. and James Damon Creach
12 were killed.

13 86. Defendant’s provision of material support to ISIS was a proximate cause of the
14 injury inflicted on Plaintiffs.

15 87. By virtue of its violations of 18 U.S.C. § 2339A, Defendant is liable pursuant to 18
16 U.S.C. § 2333 for any and all damages that Plaintiffs have sustained.

17 **COUNT II**
18 **CIVIL LIABILITY UNDER 18 U.S.C. § 2333(a) AGAINST ALL**
19 **DEFENDANTS FOR VIOLATIONS OF 18 U.S.C. § 2339B**
20 **CONSTITUTING ACTS OF INTERNATIONAL TERRORISM**

21 88. Plaintiffs repeat and re-allege each and every allegation of the foregoing paragraphs
22 as if fully set forth herein.

23 89. The services and support that Defendant purposefully, knowingly or with willful
24 blindness provided to ISIS constitute material support to a Foreign Terrorist Organization (“FTO”)
25 in violation of 18 U.S.C. § 2339B.

26 90. Defendant’s provision of material support to ISIS was a proximate cause of the
27 injury inflicted on Plaintiffs.

28 91. By virtue of its violations of 18 U.S.C. § 2339B, Defendant is liable pursuant to 18
U.S.C. § 2333 for any and all damages that Plaintiffs have sustained.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs request that the Court:

- i. Accept jurisdiction over this action;
- ii. Enter judgment against Defendant and in favor of Plaintiffs for compensatory damages in an amount to be determined at trial;
- iii. Enter judgment against Defendant and in favor of Plaintiffs for treble damages pursuant to 18 U.S.C. § 2333;
- iv. Enter judgment against Defendant and in favor of Plaintiffs for any and all costs sustained in connection with the prosecution of this action, including attorneys' fees, pursuant to 18 U.S.C. § 2333;
- v. Order any equitable relief to which Plaintiffs might be entitled;
- vi. Enter an Order declaring that Defendant has violated, and is continuing to violate, the Anti-Terrorism Act, 18 U.S.C. § 2331 *et seq.*; and
- vii. Grant such other and further relief as justice requires.

DEMAND FOR TRIAL BY JURY

Plaintiffs demand a trial by jury of all issues so triable.

Dated: August 30, 2016

BURSOR & FISHER, P.A.

By: /s/ L. Timothy Fisher
L. Timothy Fisher

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Attorneys for Plaintiffs