

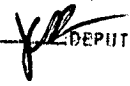
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FILED

2009 APR -1 AM 10: 37

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

5 BURKE O'NEIL LLC
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BY:  DEPUTY

9 Attorneys for Plaintiffs

10 UNITED STATES DISTRICT COURT
11 SOUTHERN DISTRICT OF CALIFORNIA

12 ESTATE OF SABAH SALMAN
HASSOON;
13 HAMZIA UBAID ALWAN;
SAJJAD SABAH SALMAN;
14 MOHAMMED SABAH SALMAN;
ALI SABAH SALMAN;
15 ESTATE OF AZHAR ABDULLAH ALI;
IBTISAM ABBASS JORREY;
16 SAJJAD AZHAR ABDULLAH;
EMAD AZHAR ABDULLAH;
17 SAJAH AZHAR ABDULLAH; and
ESTATE OF NIBRASS MOHAMMED
18 DAWOOD,

CASE NO. **09 CV 0647 L** JMA

COMPLAINT FOR:

- 1. WAR CRIMES
- 2. ASSAULT AND BATTERY
- 3. WRONGFUL DEATH
- 4. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
- 5. NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
- 6. NEGLIGENT HIRING, TRAINING AND SUPERVISION
- 7. TORTIOUS SPOILATION OF EVIDENCE

19 Plaintiffs,

20 v.

DEMAND FOR JURY TRIAL

21 XE, formerly known as BLACKWATER
WORLDWIDE and BLACKWATER LODGE
22 AND TRAINING CENTER, INC.;
US TRAINING CENTER WEST;
23 BLACKWATER SECURITY CONSULTING,
LLC;
24 BLACKWATER ARMOR AND TARGETS,
LLC;
25 BLACKWATER AIRSHIPS, LLC;
BLACKWATER LOGISTICS, LLC;
26 RAVEN DEVELOPMENT GROUP, LLC;
GREYSTONE LIMITED TOTAL
27 INTELLIGENCE SOLUTIONS, LLC;
THE PRINCE GROUP LLC;
28



1 EP INVESTMENTS, LLC; and
2 ERIK PRINCE,

3 _____
4 Defendants.

5 Plaintiffs ESTATE OF SABAH SALMAN HASSOON; HAMZIA UBAID ALWAN;
6 SAJJAD SABAH SALMAN; MOHAMMED SABAH SALMAN; ALI SABAH SALMAN;
7 ESTATE OF AZHAR ABDULLAH ALI; IBTISAM ABBASS JORREY; SAJJAD AZHAR
8 ABDULLAH; EMAD AZHAR ABDULLAH; SAJAH AZHAR ABDULLAH; and
9 ESTATE OF NIBRASS MOHAMMED DAWOOD (hereinafter referred to as "Plaintiffs")
10 hereby allege as follows:

11 **JURISDICTION AND VENUE**

12 1. This Court has original jurisdiction over the subject matter of this action pursuant
13 to 28 U.S.C. Section 1331 (federal question); 28 U.S.C. Section 1332 (diversity jurisdiction);
14 28 U.S.C. Section 1350 (Alien Tort Statute); and 28 U.S.C. Section 1367 (supplemental
15 jurisdiction).

16 2. Venue is proper in this Court pursuant to 28 U.S.C. Section 1391(a)(3) and
17 Section 1391(b)(2).

18 **THE PARTIES**

19 3. Plaintiff is the Estate of Sabah Salman Hassoon. Before being shot by Xe-
20 Blackwater, Sabah Salman Hassoon was a 38-year old father of three who worked as a
21 security guard for the Iraqi Media Network.

22 4. Plaintiff Hamzia Ubaid Alwan is the widow of Sabah Salman Hassoon. She is
23 a 45-year old mother now raising three young children without her husband.

24 5. Plaintiffs Sajjad Sabah Salman, Mohammed Sabah Salman, and Ali Sabah
25 Salman are the three sons forced to grow up without their father. Now 12, 11 and 10 years
26 old, respectively, they have suffered, and continue to suffer greatly, as a result of Xe-
27 Blackwater's misdeeds.

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///

1 6. Plaintiff is the Estate of Azhar Abdullah Ali. Before being shot by Xe-
2 Blackwater, Azhar Abdullah Ali was a 33-year old father of three who worked as a security
3 guard for the Iraqi Media Network.

4 7. Plaintiff Ibtisam Abbass Jorrey is the widow of Azhar Abdullah Ali. She is a
5 29-year old mother now raising three young children without her husband.

6 8. Plaintiffs Sajjad Azhar Abdullah; Emad Azhar Abdullah; and Sajah Azhar
7 Abdullah are the three children forced to grow up without their father. Now 9, 7 and 4 years
8 old, respectively, they have suffered, and continue to suffer greatly, as a result of Xe-
9 Blackwater's misdeeds.

10 9. Plaintiff is the Estate of Nibrass Mohammed Dawood. Before being shot by
11 Xe-Blackwater, Nibrass Mohammed Dawood was a 25-year old who worked as a security
12 guard for the Iraqi Media Network.

13 10. Defendant Erik Price is a resident of McLean, Virginia, with business offices at
14 1650 Tysons Boulevard, McLean, Virginia 22102, who personally and wholly owns holding
15 companies known as The Prince Group and EP Investments LLC. Mr. Price, through these
16 holding companies, owns and controls the various Xe-Blackwater entities, as well as entities
17 known as Greystone and Total Intelligence.

18 11. Defendant The Prince Group LLC is a holding company located at 1650
19 Tysons Boulevard, McLean, Virginia 22102.

20 12. Defendant EP Investments, LLC, is a holding company managed by The
21 Prince Group LLC. EP Investments, LLC is located at 1650 Tysons Boulevard, McLean,
22 Virginia 22102.

23 13. Defendant Erik Prince, acting through a web of companies operating under the
24 "Xe" or "Blackwater" or "Falcon" or "Greystone" or "Total Intelligence" names, earns
25 billions of dollars providing mercenaries (known as "shooters") for hire. The various Xe-
26 Blackwater, Greystone and The Prince Group corporate entities were formed merely to
27 reduce legal exposures and do not operate as individual and independent companies outside
28 the control of Erik Prince. Erik Prince personally controls all the various entities.

1 14. Defendants Xe, Blackwater Worldwide, Blackwater Lodge and Training
2 Center, Inc., Blackwater Target Systems, Blackwater Security Consulting and Raven
3 Development Group are all located at 850 Puddin Ridge Road, Moyock, North Carolina
4 27958.

5 15. Defendant Greystone Ltd. and Total Intelligence Solutions LLP are companies
6 through which Erik Prince conducts his mercenary business. Greystone Ltd. and Total
7 Intelligence Solutions LLP are located at 1650 Tysons Boulevard, McLean, Virginia 22102.

8 16. Defendant U.S. Training Center, a subsidiary of Xe- Blackwater, operates U.S.
9 Training Center Southwest. This 66,000 square foot training center provides military, law
10 enforcement and private citizen firearms and specialty course training. U.S. Training Center
11 Southwest was formed and does business in this District at 7685 Siempre Viva Road, San
12 Diego, California. It had previously conducted business in this District at 5590 Ruffin Road,
13 San Diego, California.

14 **COMPLAINT**

15 17. On February 7, 2007, heavily-armed Xe-Blackwater employees shot and killed
16 three (3) men working as security guards at the rear gate of the Iraqi Media Network
17 compound in central Baghdad -- Sabah Salman Hassoon, Azhar Abdullah Ali, and Nibrass
18 Mohammed Dawood. The Xe-Blackwater employees had no reason to shot these three men.

19 18. Approximately twenty (20) Xe-Blackwater employees witnessed the crimes.
20 Blackwater-Xe supervisors learned of the killings shortly after they occurred. Yet Xe-
21 Blackwater did nothing to report the shootings. Instead, Xe-Blackwater acted, and continues
22 to act, in conspiracy with the shooters, to evade any accountability whatsoever.

23 19. Xe-Blackwater's bad acts include, among other things, refusing to identify the
24 shooters to Iraqi authorities and destroying documents and other evidence relating to this and
25 other Xe-Blackwater shootings.

26 20. This action seeks damages sufficient to stop Xe, formerly Blackwater, in all of
27 its various corporate incarnations, from continuing its lawless behavior. These companies
28 (including an Xe-Blackwater company called Falcon, which continues to operate in Iraq), are

1 all component parts of a single private company wholly owned and personally controlled by
2 a man named Erik Prince. Xe-Blackwater's unjustified killings of Sabah Salman Hassoon,
3 Azhar Abdullah Ali, and Nibrass Mohammed Dawood are but one of a staggering number of
4 senseless deaths that directly resulted from Xe-Blackwater's misconduct.

5 **THE XE-BLACKWATER IRAQI MEDIA NETWORK MURDERS**

6 21. Xe-Blackwater provides armed forces to protect Department of State personnel
7 in Iraq. These mobile armed forces that accompany diplomats and others in need of
8 protection are consistently referred to by Xe-Blackwater as "shooters."

9 22. Xe - Blackwater earned more than two billion dollars from the United States.
10 The United States paid Xe - Blackwater these substantial sums based on Xe - Blackwater's
11 misrepresentations that it was a legitimate company able to conduct itself in a lawful manner.
12 But in fact, Xe - Blackwater operates extra-legally, providing heavily-armed mercenaries
13 who flout the laws of this nation and the host nation, Iraq.

14 23. On February 7, 2007, approximately twenty (20) Xe-Blackwater employees in
15 four SUVs escorted a U.S. diplomat to a meeting at the Iraqi Justice Ministry outside the
16 Green Zone. During the meeting, Blackwater shooters took up positions on the Justice
17 Ministry's roof.

18 24. Across the street from the Iraqi Justice Ministry sits the compound of the Iraqi
19 Media Network, a state-owned and operated enterprise, which operates newspapers, radio
20 stations and the al-Iraqiya television station. (The United States provides assistance to this
21 network.) The rear gate to the Iraqi Media Network compound sits across the street from the
22 Iraqi Justice Ministry. A traffic circle known as King Faisal Square separates the two
23 compounds.

24 25. The three (3) deceased were guards for Iraqi Media Network, and were
25 manning their guard stations on February 7, 2007.

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1 26. Xe-Blackwater shooters located on the roof across the street opened fire on
2 Nibrass Mohammed Dawood, who was stationed on a balcony overlooking gate. The Xe-
3 Blackwater shooters hit him, and he fell to the balcony floor. Xe-Blackwater shooters had no
4 reason to shoot him.

5 27. Several other guards heard the shot and saw Nibrass Mohammed Dawood fall.
6 As they ran to his side to assist him, they too came under fire from the Xe-Blackwater
7 shooters.

8 28. Azhar Abdullah Ali and Sabah Salman Hassoon were among those who ran to
9 assist Nibrass. Xe-Blackwater shooters shot them both as they were assisting Nibrass.

10 29. The Iraqi Army commander at the site, Captain Ahmed Thamir Abood,
11 received a phone call from the Justice Ministry telling him that the shots were coming from
12 the Americans stationed on the roof of the Ministry.

13 30. Captain Abood rushed toward the Justice Ministry, where he confronted the
14 Xe-Blackwater shooters as they were preparing to leave. Captain Abdood questioned them
15 about the shootings.

16 31. Xe-Blackwater personnel refused to identify who was in charge or to answer
17 Captain Abood's questions. They joked among themselves, giving contradictory statements
18 regarding to whom the Captain should speak. Instead of answering questions posed by the
19 Iraqi military captain, Xe-Blackwater shooters loaded up their vehicles, released smoke
20 grenades and sped off toward the Green Zone.

21 32. The families later discovered from Iraqi police reports that Xe-Blackwater had
22 been involved in the shootings, and that the shootings were described as "an act of
23 terrorism."

24 33. Xe-Blackwater failed to conduct any investigation whatsoever into the
25 shootings.

26 34. Instead, Xe-Blackwater conspired with the shooters to protect their identities
27 from discovery and to evade any accountability.

28 ///.

1 **XE – BLACKWATER’S PATTERN AND PRACTICE OF ILLEGAL ACTIVITY**

2 35. Blackwater’s shootings of Nibrass Mohammed Dawood, Azhar Abdullah Ali
3 and Sabah Salman Hassoon were neither the first nor the last time Xe-Blackwater shot and
4 killed innocents for no reason.

5 36. Xe - Blackwater has a pattern and practice of recklessness in the use of deadly
6 force. Xe - Blackwater has created and fostered a corporate culture in which excessive and
7 unnecessary use of deadly force by its employees is not investigated or punished in any way.

8 37. Xe - Blackwater routinely sends heavily-armed “shooters” into the streets of
9 Baghdad with the knowledge that some of those “shooters” are chemically influenced by
10 steroids and other judgment-altering substances.

11 38. Xe-Blackwater routinely gives weapons to men known to be alcoholics or drug
12 users. Xe-Blackwater fails to prevent its employees from carrying their weapons when they
13 are imbibing alcohol or using drugs.

14 39. Xe – Blackwater management refused to fire or discipline mercenaries who
15 murdered innocent Iraqis. Mercenaries known to have committed “bad shoots” (*i.e.* murder)
16 would not even be placed on the “do not use” list. Instead, Xe – Blackwater would continue
17 to rehire and deploy mercenaries known to have killed innocents for no reason. Plaintiffs
18 will show at trial a litany of illegal shootings around the globe by Xe-Blackwater.

19 40. Xe-Blackwater repeated engages in illegal conduct. Xe – Blackwater engages
20 in conduct that violates the laws governing the use and sale of firearms. Xe-Blackwater fails
21 to track or monitor its weaponry and ammunition as is required by law.

22 41. Plaintiffs will show at trial that Xe – Blackwater hired and continues to hire
23 former military officials known to have been involved in human rights abuses in Latin
24 America and elsewhere. Although Xe – Blackwater tries to pass itself off as a company using
25 retired American military, the company actually recruits mercenaries from the Philippines,
26 Chile, Nepal, Colombia, Ecuador, El Salvador, Honduras, Panama, Peru, Bulgaria, Poland,
27 Romania, Jordan and perhaps South Africa. Xe - Blackwater hires and deploys to Iraq

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1 foreign nationals without regard for the fact that they were forbidden by the laws of their
2 country from serving as mercenaries.

3 42. Given its status as a mercenary or quasi-mercenary organization, Xe –
4 Blackwater violates the law by seeking and accepting work from the United States
5 government. The Anti-Pinkerton Act, 5 U.S.C. § 1803, prohibits the United States from
6 doing business with “[a]n individual employed by the Pinkerton Detective Agency, or
7 similar organization.” The legislative history of the Act makes it clear that a “similar
8 organization” means any mercenary or quasi-mercenary organization.

9 **XE-BLACKWATER’S DESTRUCTION OF EVIDENCE**

10 43. Xe – Blackwater captured much of the illegal conduct on videotape and
11 audiotape. Reasonable discovery will show that Xe-Blackwater generated documents that
12 revealed the identities of the shooters in the February 7, 2007 incident. Reasonable
13 discovery will show that Xe – Blackwater intentionally destroyed evidence relating to this
14 incident.

15 44. Reasonable discovery will show that on or about March 18, 2008, Defendants’
16 high-level executives Messrs. Gary Jackson and Dave Jackson met with others at Xe-
17 Blackwater (then called Blackwater) to discuss ongoing Department of Justice investigations
18 and other legal troubles. Reasonable discovery will show that after that meeting, Xe-
19 Blackwater employees began to destroy documents and other evidence relating to the events
20 at issue in this and other legal proceedings.

21 **DAMAGES**

22 45. Defendants are liable for killing Nibrass Mohammed Dawood, Azhar Abdullah
23 Ali and Sabah Salman Hassoon. Defendants are liable for the pain and suffering caused to
24 Nibrass Mohammed Dawood, Azhar Abdullah Ali and Sabah Salman Hassoon, as well as
25 the pain and suffering and loss of consortium caused to the family members of these victims.

26 46. Defendants are liable for the physical and mental injuries caused to all
27 Plaintiffs.

28 ///

1 47. Plaintiffs seeks compensatory and punitive damages in an amount for each
2 individual in excess of the jurisdictional amount set forth in 28 U.S.C. § 1332. Plaintiffs also
3 seek any and all additional remedies (such as attorneys' fees) available under law and equity.

4 **COUNT ONE – WAR CRIMES**

5 48. All preceding paragraphs are hereby incorporated by reference as if fully set
6 forth herein.

7 49. Defendants' acts were deliberate, willful, intentional, wanton, malicious and
8 oppressive and constitute war crimes.

9 50. Defendants' acts took place during a period of armed conflict.

10 51. Defendants committed war crimes against Nibrass Mohammed Dawood, Azhar
11 Abdullah Ali and Sabah Salman Hassoon, and others.

12 52. Defendants are liable for their conduct that constitutes war crimes.

13 53. Defendants' misconduct caused grave and foreseeable injuries to Plaintiffs.

14 **COUNT TWO – ASSAULT AND BATTERY**

15 54. All preceding paragraphs are hereby incorporated by reference as if fully set
16 forth herein.

17 55. Defendants unlawfully intended to and did inflict immediate injury upon
18 Plaintiffs.

19 56. Defendants intentionally assaulted, battered, and made other offensive
20 contacts; and aided and abetted the assaulting, battering and offensively contacting of the
21 Plaintiffs.

22 57. Plaintiffs did not consent to the offensive contacts. Plaintiffs feared for their
23 personal safety and felt threatened by Defendants' actions.

24 58. Defendants committed the assaults and batteries.

25 59. Defendants' acts caused grave and foreseeable damages to Plaintiffs.

26 **COUNT THREE – WRONGFUL DEATH**

27 60. All preceding paragraphs are hereby incorporated by reference as if fully set
28 forth herein.

1 61. Defendants' wrongful acts and omissions caused the death of Plaintiffs.

2 62. Defendants set the conditions, directly and/or indirectly facilitated, ordered,
3 acquiesced, confirmed, ratified and/or conspired with others to act in the manner that led to
4 the wrongful deaths.

5 63. The Estate Plaintiffs are the duly appointed personal representative of Nibrass
6 Mohammed Dawood, Azhar Abdullah Ali and Sabah Salman Hassoon, respectively.

7 64. The deaths of Nibrass Mohammed Dawood, Azhar Abdullah Ali and Sabah
8 Salman Hassoon were the foreseeable result of Defendants' wrongful acts and omissions.

9 **COUNT FOUR – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

10 65. All preceding paragraphs are hereby incorporated by reference as if fully set
11 forth herein.

12 66. Defendants intentionally inflicted severe emotional distress by way of extreme
13 and outrageous conduct on Plaintiffs and their family members.

14 67. Defendants set the conditions, directly and/or indirectly facilitated, ordered,
15 acquiesced, confirmed, ratified and/or conspired with others to inflict emotional distress on
16 Plaintiffs.

17 68. Defendants' acts caused grave and foreseeable injuries to Plaintiffs and his
18 family members.

19 **COUNT FIVE – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

20 69. All preceding paragraphs are hereby incorporated by reference as if fully set
21 forth herein.

22 70. Defendants negligently inflicted severe emotional distress on Plaintiffs.

23 71. Defendants breached a duty to Plaintiffs.

24 72. Defendants' negligence directly and foreseeably harmed Plaintiffs.

25 **COUNT SIX – NEGLIGENT HIRING, TRAINING AND SUPERVISION**

26 73. All preceding paragraphs are hereby incorporated by reference as if fully set
27 forth herein.

28 ///

- 1 74. Defendants acted negligently and directly harmed Plaintiffs by:
- 2 (a) failing to take the appropriate steps in hiring proper personnel to
- 3 perform services;
- 4 (b) failing to properly screen personnel before their hiring;
- 5 (c) failing to train personnel properly;
- 6 (d) failing to investigate allegations of wrongdoing;
- 7 (e) failing to reprimand for wrongful actions;
- 8 (f) failing to adequately monitor for and stop illegal substance abuse; and
- 9 (g) negligently permitting repeated lawlessness by employees.

10 75. Defendants' negligence directly and foreseeably harmed Plaintiffs.

11 **COUNT SEVEN – TORTIOUS SPOILATION OF EVIDENCE**

12 76. All preceding paragraphs are hereby incorporated by reference as if fully set

13 forth herein.

14 77. Defendants had a legal duty to preserve evidence relating to unauthorized uses

15 of force.

16 78. Defendants intentionally destroyed that evidence to prevent detection of its

17 wrongdoing.

18 79. Defendants' destruction of evidence significantly impaired Plaintiffs' ability to

19 prove certain facts in this action.

20 80. Defendants' intent in destroying the evidence was to lessen the risk that they

21 would be found liable by a jury hearing this action.

22 81. Defendants' intentional destruction of evidence harmed and continues to harm

23 the Plaintiffs.

24 **PRAYERS AND DAMAGES**

25 82. Plaintiffs, acting when necessary through the Estates, are entitled to any and all

26 remedies available to them as a result of the conduct alleged herein, including, but not

27 limited to:

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1 (a) compensatory damages for death, physical, mental and economic
2 injuries;

3 (b) punitive damages in an amount sufficient to strip Defendants of all of
4 the revenue and profits earned from their pattern of constant misconduct and callous
5 disregard for human life; and

6 (c) any attorneys' fees and costs permitted by law.

7 DATED: March 31, 2009

OLIVA & ASSOCIATES, ALC

8
9
10 By: 

Joseph L. Oliva, Esq.
Michael S. Faircloth, Esq.

11
12 BURKE O'NEIL LLC
Susan L. Burke (Pro Hac Vice motion pending)
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16 Attorneys or Plaintiffs,
ESTATE OF SABAH SALMAN HASSOON;
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SALMAN; MOHAMMED SABAH SALMAN;
18 ALI SABAH SALMAN; ESTATE OF AZHAR
ABDULLAH ALI; IBTISAM ABBASS
19 JORREY; SAJJAD AZHAR ABDULLAH;
EMAD AZHAR ABDULLAH; SAJAH AZHAR
20 ABDULLAH; AND ESTATE OF
NIBRASS MOHAMMED DAWOOD

21
22 DEMAND FOR JURY TRIAL

23 Plaintiffs hereby demand a jury trial as provided by Rule 38(a) of the Federal Rule of
24 Civil Procedure.

25 OLIVA & ASSOCIATES, ALC

26
27 By: 

Joseph L. Oliva, Esq.
Michael S. Faircloth, Esq.

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SALMAN; MOHAMMED SABAH SALMAN;
ALI SABAH SALMAN; ESTATE OF AZHAR
ABDULLAH ALI; IBTISAM ABBASS
JORREY; SAJJAD AZHAR ABDULLAH;
EMAD AZHAR ABDULLAH; SAJAH AZHAR
ABDULLAH; AND ESTATE OF
NIBRASS MOHAMMED DAWOOD

CIVIL COVER SHEET

ORIGINAL

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 THE SECOND PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

ESTATE OF SABAH SALMAN HASSOON;
HAMZIA UBAID ALWAN;
SAJJAD SABAH SALMAN;

[SEE ATTACHED LIST]

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF IRAQ
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

XE, formerly known as BLACKWATER
WORLDWIDE and BLACKWATER LODGE
TRAINING CENTER, INC. US TRAINING CENTER
WEST;
[SEE ATTACHED LIST]

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT FAIRFAX, VA
(IN U.S. PLAINTIFF CASES ONLY)

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

ATTORNEYS (IF KNOWN)

'09CV 0647 L

JMA

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
OLIVA & ASSOCIATES, ALC
11770 Bernardo Plaza Court
Suite 350
San Diego, CA 92128
(858) 385-0491

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)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PT | DEF | | PT | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)
28 USC Section 1350 (Aliens' action for tort).
This action involves claims in tort by aliens committed in violation of the laws of the nations or a treaty of the United States.

V. NATURE OF SUIT (PLACE AN 'X' IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 382 Personal Injury - Medical Malpractice	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reappointment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 385 Personal Injury - Product Liability	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 388 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	PROPERTY RIGHTS	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability	PERSONAL PROPERTY	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 450 Commerce/ICC Rates/etc.
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 650 Airline Regs.	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 660 Occupational Safety/Health	SOCIAL SECURITY	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 385 Property Damage Product Liability	LABOR	<input type="checkbox"/> 861 HIA (13958)	<input type="checkbox"/> 850 Securities/Commodities/Exchange
<input type="checkbox"/> 160 Stockholders' Suits	<input checked="" type="checkbox"/> 360 Other Personal Injury		<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 190 Other Contract		PRISONER PETITIONS	<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 881 Agricultural Acts
<input type="checkbox"/> 195 Contract Product Liability		HABEAS CORPUS:	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 882 Economic Stabilization Act
	REAL PROPERTY	<input type="checkbox"/> 510 Motion to Vacate Sentence	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 865 RS1 (405(g))	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 535 General	<input type="checkbox"/> 790 Other Labor Litigation	FEDERAL TAX SUITS	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 540 Death Penalty	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 550 Civil Rights		<input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 555 Prison Conditions			<input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 440 Other Civil Rights				<input type="checkbox"/> 990 Other Statutory Actions
<input type="checkbox"/> 290 All Other Real Property					

VI. ORIGIN

(PLACE AN 'X' IN ONE BOX ONLY)

- 1 Original Proceeding
- 2 Removal from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION DEMAND \$ UNDER F.R.C.P. 23

CHECK YES only if demanded in complaint:
JURY DEMAND: YES NO

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE WHALEN / BURNS / HUFF

Docket Number 09cv0561 / 09cv0626 / 09cv0631

DATE

SIGNATURE OF ATTORNEY OF RECORD

MARCH 31, 2009

MICHAEL S. FAIRCLOTH, ESQ.

ATTACHMENT TO CIVIL COVER SHEET

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ADDITIONAL PLAINTIFFS:

MOHAMMED SABAH SALMAN;
ALI SABAH SALMAN;
ESTATE OF AZHAR ABDULLAH ALI;
IBTISAM ABBASS JORREY;
SAJJAD AZHAR ABDULLAH;
EMAD AZHAR ABDULLAH;
SAJAH AZHAR ABDULLAH; and
ESTATE OF NIBRASS MOHAMMED DAWOOD,

ATTACHMENT TO CIVIL COVER SHEET

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ADDITIONAL DEFENDANTS:

- BLACKWATER SECURITY CONSULTING, LLC;
- BLACKWATER ARMOR AND TARGETS, LLC;
- BLACKWATER AIRSHIPS, LLC;
- BLACKWATER LOGISTICS, LLC;
- RAVEN DEVELOPMENT GROUP, LLC;
- GREYSTONE LIMITED TOTAL INTELLIGENCE SOLUTIONS, LLC;
- THE PRINCE GROUP LLC;
- EP INVESTMENTS, LLC; and
- ERIK PRINCE,

**UNITED STATES
DISTRICT COURT**
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

161549 - SR

**April 01, 2009
10:43:27**

Civ Fil Non-Pris

USAO #: 09CV0647

Judge.: M. JAMES LORENZ

Amount.: \$350.00 CK

Check#: BC#9960

Total-> \$350.00

**FROM: ESTATE OF SABAH, ET AL V. XE
CIVIL FILING**