

INTRODUCTION/SUMMARY
CYCLE OF TRESPASS, DEMOLITION, AND CONVERSION

For the past 40 years, every President from Ford to Obama and their State Department spokespersons have all articulated a public policy which: (a) condemned settlement¹ expansion in East Jerusalem (“EJ”) and the Occupied Palestinian Territories (“OPT²”) and the violence that settler theft of private property necessarily entailed; and (b) recognized that both the Hague Convention and the Fourth Geneva Convention (“GCIV/Hague”) principles governed the settlers’ activities. Rotating members of Israel’s High Court of Justice (“HCJ”)³ for 40 years, senior government officials, a special prosecutor, and a Defense Minister have similarly condemned the settlers’ theft of private Palestinian property, have threatened criminal prosecution over settlement activity, and have also recognized that GCIV/Hague principles govern their activities. Defendants named herein are domiciled in America or Israel and thus knew that: (a) each country’s criminal laws; (b) the UN Charter and international convention principles they adopted—GCIV and Hague; and (c) their respective public policies prohibited theft of private property, arms trafficking, ethnic cleansing, and wholesale violence, including malicious destruction of property.

As explained *infra*, due to the massive funding provided by U.S. tax-exempt entities⁴ and their donors⁵ to a number of settlements in the OPT, Defendants herein have been able to carry out

¹ The term “settlements” includes all Israeli civilian communities built on lands occupied or otherwise administered by Israel during its second occupation (post-1967 Six-Day War), including the settlements which are coconspirators with the Defendants named in this lawsuit, specifically, but not necessarily limited to, Ariel, Beit HaArava, Bet El, Efrat, Halamish, Har Homa, Kiryat Arba, Karnei Shomron, Nokdim, and Ofra.

² The term “OPT”, includes, as context requires, EJ, the West Bank, Gaza, and other Palestinian territory.

³ The Supreme Court of Israel is known as the “High Court of Justice” when it convenes on matters of first instance and matters related to the OPT. For the purposes of this lawsuit, the terms “Supreme Court of Israel” and “High Court of Justice (and its abbreviation ‘HCJ’)” are interchangeable.

⁴ The term “tax-exempt entities” or simply “entities” includes, but is not limited to, Defendants American Friends of Ariel (“AFA”), American Friends of Bet El Yeshiva (“AFBEY”), American Friends of Har Homa (“AFHH”), American Friends of Ulpana Ofra (“AFUO”), Christian Friends of Israeli Communities (“CFOIC”), Efrat Development Foundation (“EDF”), Falic Family Foundation (“FFF”), Friends of Israel Defense Forces (“FIDF”), Gush Etzion Foundation (“GEF”), Karnei Shomron Foundation (“KSF”), and The Hebron Fund (“HF”).

⁵ The term “donors” includes, but is not limited to, Defendants Adelson, Braman, Falic Family, Gilbert, Hagee, Moskowitz, and Saban.

a very successful civil conspiracy, the goals of which were the expulsion of all non-Jews from OPT and the creation of new segregated “Jewish-only” cities and villages.⁶ These Defendants have: (a) financed, encouraged, and deliberately collaborated with settlement officials (including security coordinators) in the commission of wholesale violence,⁷ knowing that would result in massive ethnic cleansing of the Palestinian population; and (b) after forcibly expelling at least 400,000 Palestinians from the OPT, built for “Jewish-only” settlers some 56,000 new homes and apartments, 187 shopping centers,⁸ and an extensive highway complex linking up all settlements in the OPT.

In the process, they and their Israel-based coconspirators have deprived the Plaintiffs and their relatives of fundamental human rights as guaranteed under UN Charter principles, U.S. and Israeli law, Israel’s Declaration of State Establishment (“Declaration”), and Customary International Law (see Exhibit A).⁹ The Lieber Code, GCIV’s predecessor, is just one example thereof which guarantees such rights under U.S. law. It was signed into law by Abraham Lincoln in 1863, and prohibits murder, arson, and wanton violence during a military occupation under penalty of death. That criminal conduct, for the last 30 years, has been: (a) financed by U.S. tax-exempt entities and

⁶ See, e.g. <http://www.nevetzof-halamish.co.il/page.asp?pageID=39> (the settlement of Halamish requires potential residents from “all colors of the religious/secular rainbow” to submit an application and obtain approval from an “absorption committee” prior to being allowed to move there).

⁷ The term “wholesale violence” shall hereinafter mean: murder, mayhem, physical assaults, looting, pillaging, destruction of agricultural property and homes, needless civilian deaths, war crimes, crimes against humanity, and genocide.

⁸ As of 2009. See <http://www.haaretz.com/settlements-have-cost-israel-17-billion-study-finds-1.265190>. The Court will see herein that many media, government, and research sources have been cited in the footnotes to this Complaint. These footnotes are not exhaustive, as the Plaintiffs expect to further substantiate the claims herein through discovery. The sources cited are simply intended to assist the Court in finding *prima facie* plausibility per *Iqbal*.

⁹ For example the Lieber Code signed by President Abraham Lincoln in 1863 condemns, *inter alia*, murder, arson, and wanton violence—conduct which occurs in the OPT on a daily basis. See [Our Harsh Logic: Israeli Soldiers' Testimonies from the Occupied Territories, 2000-2010](#), Breaking the Silence (hereinafter “Our Harsh Logic”) (an IDF commander tells young soldiers “I want to see bodies full of bullets” p. 79). The Lieber Code strictly prohibits wanton violence under penalty of death, and the Israeli army’s war manual also condemns wanton violence. The term *wanton*, per West’s law dictionary, implies a reckless disregard for the consequences of one’s behavior. A wanton act is one done in heedless disregard for the life, limbs, health, safety, reputation, or property rights of another individual. See *wanton*. (n.d.) *West’s Encyclopedia of U.S. Law, edition 2*. (2008) <http://legaldictionary.thefreedictionary.com/wanton>.

donors; and (b) engaged in by armed settler militia, their security coordinators, and Israeli army/G4S personnel. A specific example of the criminal activity funded by the U.S. tax-exempt entities and their donors is armed settlers trained in the use of sniper scopes engaging in live target practice against Palestinian farmers and maliciously wounding them while trying to access their olive groves, i.e., wanton and heedless disregard for human life.

The conspiracy starts with the donors making extraordinary tax-deductible contributions (approximately \$1 billion every year) to “pass-through” tax-exempt entities, a.k.a., funnels. (See Exhibit B, Cycle of Trespass, Demolition, and Conversion). 24 hours later, the entities transfer the contributions to various settlements to: (a) hire full-time security coordinators whose job is to train settler militia in military tactics so that they can terrorize their Palestinian neighbors; (b) arm the settlers and have the security coordinator train them in the use of automatic weapons and sniper scopes; (c) establish and operate sniper schools; (d) fund the violent expulsion of Palestinians; (e) encourage the theft and destruction of private Palestinian property; and (f) transform the original hilltop tent encampments into vibrant “Jewish-only” gated communities with state-of-the-art facilities accessible by “Jewish-only” highways.

The U.S. donors/entities intended that their financial assistance (international wire transfers) sent to various settlements would be used for major settlement expansion activity, ethnic cleansing, wholesale violence, and theft and malicious destruction of property. Based on the banking protocol “Know Your Customer”, Israeli banks Bank Leumi (“BL”) and Bank Hapoalim (“BH”) officials knew exactly what the proceeds of the international wire transfers would be used for, i.e., wholesale violence directed at Palestinian homeowners living near the settlements. These criminal activities violate U.S. public policy and numerous federal statutes like money laundering, Customary

International Law¹⁰ principles (Exhibit A) and Israel's own 1948 Declaration (basically a restatement of UN Charter principles), Israel's Anti-Nazi Law (see paragraph below), and its 1992 Basic Law on Human Dignity and Liberty ("BLHDL" statute). Israel's Declaration protects all "inhabitants" of the OPT i.e., Palestinians, not just members of the Jewish faith.

This criminal activity also violates the Law of Nations (U.S. Constitution Art. I Sec. 8 Cl. 10) because it constitutes war crimes, crimes against humanity, and genocide under Nuremberg Principle VI and the Genocide Convention (hereinafter "comprehensive war crimes"). The donors/entities have violated Customary International Law principles by intentionally funding ethnic cleansing, wholesale violence, and theft and malicious destruction of private Palestinian property. They also violated: (a) at least five separate U.S. Department of the Treasury ("Treasury") tax-exemption regulations (e.g., failing to retain control over funds once sent overseas); (b) eight federal criminal statutes (e.g., money laundering, perjury, defrauding the IRS, and funding terrorist activity abroad); (c) Israel's money laundering statute; (d) its Nazi and Nazi Collaborators Punishment Law of 1950 ("Anti-Nazi Law"), Israel's version of the Nuremberg Principles;¹¹ (e) its clearly-defined anti-settlement public policy; and (f) its own Declaration and BLHDL.

The Declaration and BLHDL are still part of Israeli law, and were specifically enacted to protect, respectively, all "inhabitants" and "persons", not just Jewish citizens, from infringement of basic civil liberties. Thus, since Palestinians are inhabitants of the OPT, they have the right to peacefully occupy their homes, raise their families, send their children to school unmolested, have access to medical care facilities, and access and harvest their 400-year-old olive groves. The U.S.

¹⁰ The terms "Customary International Law" and "Law of Nations" are interchangeable herein. See *Filartiga v. Pena-Irala*, 630 F.2d 876 (1980).

¹¹ Given the fact that Israel has adopted its own version of the Nuremberg principles, the conduct condemned in the Nuremberg Indictment of the Nationalist Socialist Government of Germany parallels the conduct of the IDF/G4S and armed settlers in the OPT, i.e., they "endeavored to obliterate the former national character of these territories. In pursuance of their plans, the defendants forcibly deported (Palestinian) inhabitants who were predominantly non-German (non-Jewish) and replaced them by thousands of German (Jewish-only) colonists." See Nuremberg Indictment of the Nationalist Socialist Government (International Military Tribunal, vol. 1, p. 63).

donors/entities and their Israel-based coconspirators intended to and have deprived Palestinians of these basic human rights, which are enjoyed by “Jewish-only” settlers every day who live peacefully in gated communities built on private property protected by recorded “Jewish-only” land covenants, Hewlett Packard and Motorola (“HP/Motorola”) sophisticated security systems, and G4S (a private security firm which has been operating in the OPT for 30 years) personnel on a 24/7 basis.

As shown herein, the laundered funds have been knowingly sent overseas by U.S. tax-exempt entities, and have enabled armed settlers, with help from Defendant G4S personnel and Israeli army (a.k.a. the Israel Defense Force or “IDF”) reservists to threaten and intimidate the local Palestinian population on a daily basis. They have convinced at least 400,000¹² of them to abandon their homes and their 400-year-old olive trees. The annual funding is extraordinary, e.g., \$1 billion every year¹³ with \$104 million going to the Israeli army in 2014.¹⁴ The U.S. donors/entities knew and intended that increased financial assistance would promote wholesale violence directed at the local Palestinian population and therefore accelerate settlement expansion. They knew that motivated armed settlers, who coveted their Palestinian neighbors’ property, would be able to, with their substantial financial assistance, sufficiently terrorize the local Palestinian population (poisoning water wells, slaughtering livestock, live target practice) and convince them to abandon their homes and olive groves.

As detailed herein, the settler militia forces did an excellent job after being trained by security coordinators in military tactics. Proof thereof is that at least 400,000, perhaps 500,000 Palestinians have literally been forced out of their villages since 1967.¹⁵ As the causation-chain diagrams below confirm, each one of the Plaintiffs named herein can trace the cause of his damages from violent

¹² See “Israelis Excel at Camouflaging the Expulsion of Palestinians” Haaretz, Oct. 20, 2014.

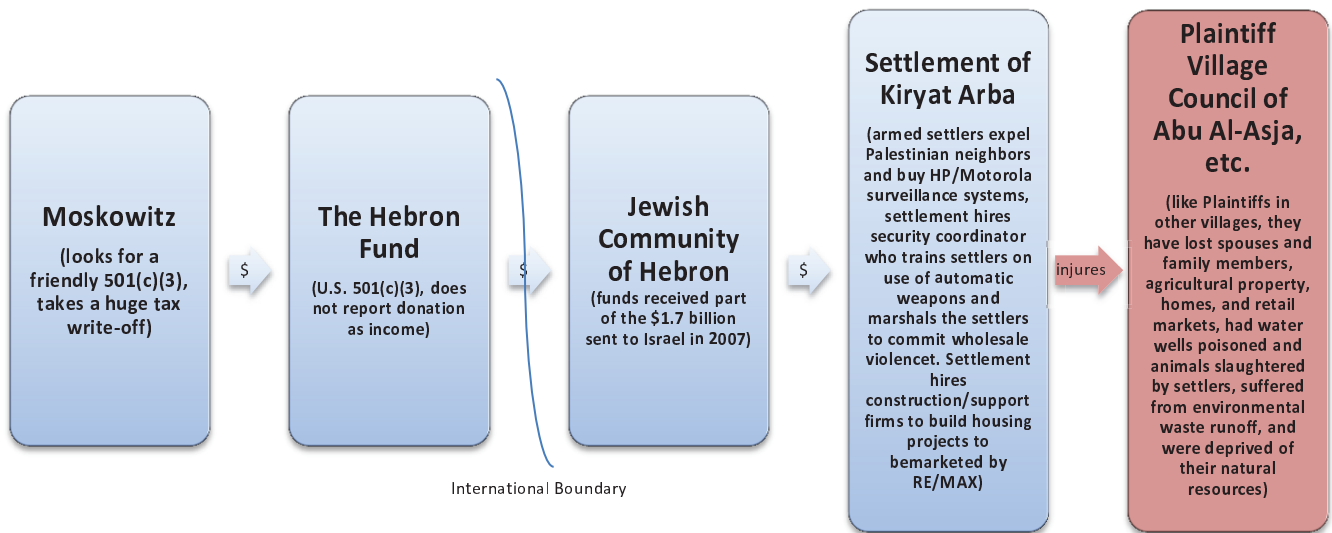
¹³ See “The New Philanthropy: American Jewish Giving to Israeli Organizations,” Eric Fleisch, Theodore Sasson April 2012 p. 9.

¹⁴ See para. 213.

¹⁵ See “Israelis Excel at Camouflaging the Expulsion of Palestinians” Haaretz, Oct. 20, 2014.

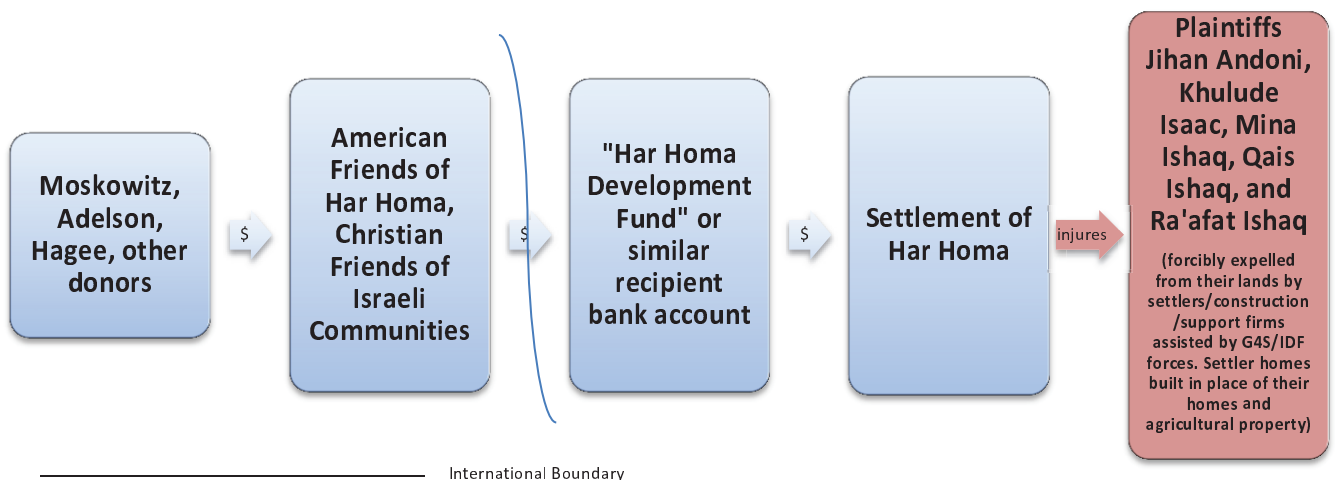
settlers in nearby settlements back through Israel-based settlements and their bank accounts to U.S. 501(c)(3) entities and wealthy U.S. donors.¹⁶ Plaintiffs' expert is still preparing a complete database of all the criminal activities engaged in, for example, see Exhibit D (settler activities in Hebron) and that document will be produced in discovery. For the Court's edification, two illustrative causation-chain diagrams are depicted below:

CAUSAL CHAIN OF DAMAGES FOR VILLAGE COUNCIL OF ABU AL-ASJA', ETC.



And similarly:

CAUSAL CHAIN OF DAMAGES FOR HAR HOMA PLAINTIFFS



¹⁶ See, e.g., *Ahmad et al. v. Christian Friends of Israeli Communities et al.*, 13-cv-3376 (SDNY 2014).

Since the U.S. donors/entities named herein have sent “clean” money abroad for the purpose of committing specified unlawful activities including arms trafficking, they and all other members in the causal chain have committed money laundering. *See* U.S.C. 1956(a)(2). Besides funding rampant criminal activity in the OPT including ethnic cleansing which the entities characterize on their annual 990 forms as either “charitable” or “educational” in nature, they have: (a) financed and promoted religiously- and racially-discriminatory practices, i.e., funding “Jewish-only” highways, shopping malls, housing projects, and schools; (b) violated numerous other 501(c)(3) tax-exemption regulations, e.g. funding of theft and destruction of private property, which the host country, Israel, deems to be illegal; and (c) as already noted, violated at least eight federal criminal statutes, including the federal perjury statute. They committed perjury because when they were applying initially for tax-exempt status, entity officials never informed the IRS that they would be using contributions from donors to establish a settler militia unit or funding the purchase of military hardware, including sniper scopes, guard dogs¹⁷, bulletproof vests, and night-vision goggles. Tax-exempt entity officials and their accountants could face substantial jail time, because each violation of the federal perjury statute alone carries a five-year prison sentence and a substantial fine.

Co-Conspirator Defendant Elliott Abrams (“Abrams”), for the last 25 years, has encouraged and been aware of the wholesale violence that the donors and tax-exempt entities have funded,¹⁸ arguing that settlement expansion is a myth. In fulfilling his role as the settlements’ paid self-appointed U.S. spokesperson, he has received substantial book royalties, speaking fees, paid trips to Israel and Europe, and lucrative consulting fee contracts, all engaged in to promote the settlement

¹⁷ <https://electronicintifada.net/blogs/adri-nieuwhof/israel-using-dutch-dogs-terrorize-palestinians>.

¹⁸ *The Israel Lobby and U.S. Foreign Policy*, John J. Mearsheimer and Stephen M. Walt, 2007 (hereinafter “Israel Lobby”) p. 167. *See also* Elliot Abrams, *Faith or Fear: How Jews Can Survive in a Christian America* (New York: Simon & Schuster, 1997), 181.

enterprise. He has advocated and justified continued settlement growth, which necessarily meant the theft of more private Palestinian property.

He has engaged in numerous overt acts (meetings, email exchanges, and telephone calls with donors, Israeli Prime Minister staff members like Dov Weissglas, Yoram Turbowitz, and Shalom Turgeman, and tax-exempt entity officials¹⁹), including some in this jurisdiction (he is a featured speaker at AIPAC events and attends Israeli embassy events, has given congressional testimony for at least 20 years condemning Palestinian violence, and has entertained Israeli Prime Ministers during visits to Washington, DC), all activities engaged in to achieve the primary goal of the conspiracy, i.e., expel all non-Jews from the OPT. He has: (a) met with or spoken to aides to former Prime Ministers Sharon (e.g., Dov Weissglas), Barak, and Olmert in New York, Washington, D.C., Europe (Rome meetings with Sharon), and Israel; and (b) consistently condemned Palestinian violence, arguing disingenuously that the settlements have not really expanded, nor do they frustrate U.S. foreign policy objectives.²⁰ His goal in engaging in all of these activities is to convince the American people and Congress that Palestinian farmers are the root cause of violence in the Middle East, a complete fabrication. He has largely achieved that goal, as a recent House of Representatives resolution confirmed.²¹

Defendant tax-exempt entities have all deliberately engaged in funding the settlers' criminal activities and have abused their tax-exempt status because they function as "pass-throughs"²² by literally holding onto donor funds for 24 hours. In the case of FFF and FIDF, they even directly

¹⁹ Israel Lobby 217, 218, 223, 224, 228.

²⁰ The Israel Lobby and U.S. Foreign Policy, John J. Mearsheimer and Stephen M. Walt, 2007 (hereinafter "Israel Lobby") p. 167. See also Elliot Abrams, Faith or Fear: How Jews Can Survive in a Christian America (New York: Simon & Schuster, 1997), 181.

²¹ See Oct. 22, 2015 congressional hearing, "Words Have Consequences: Palestinian Authority Incitement to Violence," <http://foreignaffairs.house.gov/hearing/hearing-words-have-consequences-palestinian-authority-incitement-violence>, and resulting resolution, <https://www.congress.gov/bill/114th-congress/house-resolution/293>.

²² See Hope Hamashige, Paul Lieberman, and Mary Curtius, "Bingo King Aids Israeli Right Wing," Los Angeles Times, May 9, 1996, http://articles.latimes.com/1996-05-09/news/mn-2155_1_bingo-hall.

fund the Israeli army and the criminal activities that its personnel have engaged in. For example, as revealed in *Our Harsh Logic*, IDF commanders repeatedly told young, impressionable recruits that promotion was dependent on the number of Palestinians that they kill.²³ Their role in the conspiracy was to solicit and accept financial contributions destined to be transferred to “Jewish-only” settlements or the Israeli army to promote arms trafficking, wholesale violence, and settlement expansion. The presence of at least 700,000 new settlers and 56,000 new expensive apartments and homes for “Jewish-only” settlers²⁴ is prima facie evidence that the settlement enterprise has been a very successful undertaking as a result of massive U.S. tax-exempt funding (\$1 billion per year).

The laundered funds have also enabled international construction/support firms to trespass on private Palestinian property and convert it to their own profitable use. These firms are listed in the parties section and are U.K., U.S., French, German, Israeli, and Swedish international conglomerates. They all built on private Palestinian property, with U.S. tax-exempt entity funding, concert halls, yeshivas, hotels, desalination plants, solid waste facilities, cement factories, quarries, and urban/suburban transportation links like the Jerusalem transit system (hereinafter “settlement improvements”).²⁵ All corporate defendants herein have encouraged and condoned the demolition and confiscation of 49,000 Palestinian homes, for a simple reason—concern about their bottom line and windfall profits. More demolitions mean more housing developments and infrastructure improvements (e.g., “Jewish-only” highways) to build, more sales opportunities and brokerage commissions for RE/MAX, more orders for Motorola and HP computer software and security devices, more orders for concrete and cement products to be provided by Readymix and Heidelberg, more demolition and truck hauling business for Volvo, more mortgage financing business for BL/BH, and more profits for all players to share in. The profits are substantial, as detailed *infra*.

²³ *Our Harsh Logic* p. 288.

²⁴ See <http://www.haaretz.com/settlements-have-cost-israel-17-billion-study-finds-1.265190>.

²⁵ See *Id.*

RE/MAX had an important role to play in fulfilling the goals of the conspiracy. As shown in Exhibit B, it has knowingly incentivized, encouraged and rewarded its co-conspirators by engaging in a 20 to 30-year successful marketing campaign in America and Israel to sell “old Arab houses” and new homes in gated first-class communities.²⁶ Thus, RE/MAX has financially rewarded its coconspirators for the aggravated and ongoing trespasses that they have encouraged, funded, or committed by seizing, occupying, and building permanent structures on private Palestinian property for “Jewish-only” settlers. Thus, like its coconspirators, RE/MAX has been instrumental in transforming original hilltop tent encampments into vibrant first-class cities and villages, and made a fortune doing so. Home-building activity itself, for example, was and still is a very lucrative endeavor, i.e., as of 2009, RE/MAX, BL/BH, and participating housing developers had grossed (based on RE/MAX property values) a total of \$9.45 billion for building selling 26,000 new homes in the OPT.

Funding coming from U.S. tax-exempt-entities also enabled Defendant G4S’s personnel to assist the IDF forces by providing the necessary manpower so that armed settlers (assisted by IDF personnel) could threaten and intimidate the Palestinian population on a daily basis, force their expulsion, and steal their adjacent property. They also help demolish Palestinian homes and burn down olive groves because the construction/support firms needed vacant space for suitable construction sites to build on. For at least 25 years, G4S has relieved IDF soldiers of various security responsibilities, allowing them to, *inter alia*, concentrate on ethnic cleansing activity with armed settlers. They guard OPT checkpoints, access portals in the separation wall,²⁷ refugee camps, retail

²⁶ <https://electronicintifada.net/content/why-colorado-firm-selling-apartments-israels-illegal-settlements/14029>.

²⁷ A separation barrier built by the Israeli government in the West Bank or along the 1949 Armistice Line known as the “Green Line”. Upon completion, its total length will be about 430 miles and separate about 9.4% of the West Bank and 23,000 Palestinians from the bulk of that territory. See <http://www.unrwa.org/newsroom/features/barrier-monitoring-unit?id=908>.

shops and settler homes, and also oversee Israel's vast prison complex.²⁸ They make sure, with the aid of HP/Motorola's sophisticated tracking devices and thermal imaging systems, that armed settlers scanning the settlement perimeters can visualize from 2,300 feet out any and all intruders like Palestinian farmers, and proceed to physically assault them, threatening to kill them if they return.²⁹ That is not an idle gesture because many Palestinian farmers have been murdered simply for trying to access their olive groves, which, through no fault of their own, are now located in expanded settlements or designated military zones which are off limits to all Palestinians.

G4S personnel have also collaborated in the arrest and incarceration of homeowners, i.e., "political prisoners" so that IDF soldiers can destroy or condemn their homes, claiming they have been abandoned.³⁰ For this reason, few Palestinians venture out of their homes overnight, knowing that their homes: (a) will not be there when they come back because they have been demolished; or (b) will be occupied by Jewish settlers when they return, protected by IDF/G4S personnel; or (c) have been cited for demolition in their absence based on false affidavits and fictitious security rationales.³¹ They have good reason to be concerned—at least 49,000 Palestinian homes have been demolished or confiscated since the second occupation started in 1967.³²

Over the past 30 years, the construction/support firms and their subsidiaries have played a vital role in the conspiracy. With U.S. donor/entity funding, they have committed, encouraged, or collaborated in aggravated and ongoing trespasses on private Palestinian property and converted those properties to their own profitable use and enjoyment. Evidence thereof is the fact that as of 2009 they had built the majority of, if not all, of the 56,000 new apartments and houses and 187

²⁸ See <http://www.whoprofits.org/company/g4s-israel-hashmira> and "Corporate Complicity in Israeli Detention: G4S" by Addameer, available at <http://www.addameer.org/userfiles/Factsheet15April.pdf>.

²⁹ <http://www.whoprofits.org/company/hewlett-packard-hp>.

³⁰ *Palestine Inside Out: An Everyday Occupation*, Saree Makdisi, 2008 (hereinafter "Palestine Inside Out") Kindle location 4208, 4214.

³¹ Palestine Inside out Kindle location 4206. See also <http://imeu.org/article/elad-the-jewish-national-fund-the-us-taxpayer-subsidized-judaization-of-sil>.

³² See <http://icahd.org/> putting the specific number at 48,488 as of Nov. 9, 2015.

shopping centers.³³ The original hilltop settlements, with six tents and two outhouses, are now fully-populated gated communities occupied by “Jewish-only” residents who have easy access to Ariel’s university, first-class medical centers, paved superhighways, waste treatment facilities, interconnecting bridges and tunnels, and express bus services linking the “Jewish-only” settlements.³⁴ *How did that happen?* Settlement officials, during the last 40 years, have made repeated trips to America, during which they solicited and received billions of dollars in tax-deductible financial assistance, transferred into their Israeli bank accounts by U.S.-based BL/BH bankers.

As already stated, these improvements constitute aggravated and ongoing trespasses and illegal conversions of private property under U.S., Israeli, and international law (See Count III). The lost rental value associated with these rental and commercial properties is, based on current RE/MAX listings, estimated at \$4 billion,³⁵ and is part of the \$34.5 billion in damages claimed herein. As for the infrastructure improvements like “Jewish-only” highways, access ramps, tunnels, and the Tovlan waste facility,³⁶ they are now worth approximately \$5 billion, which amount is also part of the \$34.5 billion in damages claimed herein.

Wealthy American donors like Moskowitz, Adelson, Hagee, and the Falic Family are co-conspirators as well because they have advocated and funded ethnic cleansing, wholesale violence and settlement expansion. They have, like their coconspirators, also engaged in money laundering, see 18 U.S.C. § 1956(a)(2),³⁷ by transferring clean funds abroad to promote arms trafficking, wholesale violence and ethnic cleansing. Defendants Moskowitz and Adelson have been obsessed with expanding the Zionist state, and have each contributed millions of dollars to fund the violent

³³ See <http://www.haaretz.com/settlements-have-cost-israel-17-billion-study-finds-1.265190>.

³⁴ Palestine Inside Out Kindle Location 2101.

³⁵ See FN 26.

³⁶ See <https://electronicintifada.net/blogs/adri-nieuwhof/veolia-remains-active-garbage-dump-israeli-settlers>.

³⁷ Defendants Gilbert, Braman, Saban, and Ellison have not been named in the conspiracy described herein, but are named as Defendants in Counts II and IV for intentionally funding the commission of war crimes by making significant contributions to the Israeli army, whose soldiers have been engaging in ethnic cleansing and war crimes for the past 30 years, see *generally* Our Harsh Logic.

expulsion of the Palestinian population,³⁸ taking substantial illegal tax deductions, *desirous of having the U.S. taxpayer fund their political agenda*. They knew and intended, like their U.S. tax-exempt entity official partners, that their “charitable” contributions would result in wholesale violence being inflicted on the local Palestinian population to accomplish settlement expansion, and therefore more ethnic cleansing.

Ethnic cleansing of Palestinians from their homeland is nothing new. According to Israeli historian Beni Morris, “A Jewish state would not have come into being without the uprooting of 700,000 Palestinians. It was necessary... to cleanse the hinterlands, borders, main roads, [and] villages [of all non-Jews].”³⁹ This is the identical sentiment shared by all Defendants herein—*they are intentionally and literally cleansing East Jerusalem and the occupied territories of all non-Jews*. The disappearance of 49,000 Palestinian homes and 400,000 acres of olive groves⁴⁰ is proof positive thereof,⁴¹ as is the fact that 56,000 new “Jewish-only” apartments and homes now dot the OPT landscape.⁴² Thus, the settlement-expansion activity and ethnic cleansing encouraged and justified by Defendant Abrams and funded by BL/BH, U.S. donors/entities have obviously achieved remarkable results.

HP/Motorola, with U.S. donors/entities’ funding, have also been instrumental in promoting arms trafficking, settlement expansion, wholesale violence, and ethnic cleansing. Their sophisticated surveillance systems and equipment have protected, for at least 30 years, the armed settlers and their security coordinators who have knowingly ordered and committed violent criminal activities like murder, arson, and malicious destruction of private property. And, they have assisted IDF/G4S

³⁸ “Tax-Exempt Funds Aid West Bank Settlements,” NY Times July 5, 2010. *See also* <http://lajewsforpeace.org/Essays/Settlements/Funders.pdf>.

³⁹ Palestine Inside Out Kindle Location 4763.

⁴⁰ *See* <http://icahd.org/>.

⁴¹ *See also* Israel Lobby p. 96 (“There is not a single place built in this country that did not have a former Arab population.” That was an admission by former Israeli Defense Minister Moshe Dayan in Walid Khalidi *All That Remains: the Palestinian Villages Occupied and Depopulated by Israel in 1948* p. xxxi). p. 96 BY 1962, Israel owned almost 93% of the land inside its pre-1967 borders. To achieve this outcome, 531 Arab villages were destroyed and 11 urban neighborhoods emptied of their inhabitants.

⁴² <http://www.haaretz.com/settlements-have-cost-israel-17-billion-study-finds-1.265190>.

personnel in confining the Palestinian population to scattered isolated pockets of real estate, i.e., open-air prisons.⁴³ By doing so, they have ensured the safety of the settler population, a major selling point made by RE/MAX agents when marketing new homes in expanded settlements.⁴⁴

HP/Motorola officials, like all corporate defendant officials named herein, spent considerable time in the OPT, and therefore knew that: (a) the settlers were religious extremists dedicated to Zionist expansion; (b) they and their security coordinators despised their Palestinian neighbors and coveted their property; and (c) the settlers, once armed and trained in the use of automatic weapons and sniper scopes, would eagerly inflict serious physical injury, for example, malicious wounding, on Palestinian farmers, and more than likely kill them or simply let them bleed out.

BL/BH, co-conspirators/Defendants, have also played a significant role in achieving the conspiracy's goals. Their U.S.-based Israeli bank branches have, for at least 30 years, perhaps 40, received funds from U.S. donors/entities, knowing those funds would be used to intentionally promote wholesale violence and the expansion of the Zionist state (in the case of BL, as recited in its 2013 annual report⁴⁵). U.S.-based BL/BH officials knew, simply by following "Know Your Customer" banking regulations that these funds would be transferred to OPT settlements to: (a) arm the settler militia; (b) expel the local Palestinian population, with force if necessary; and (c) result in settlement expansion and wholesale violence.⁴⁶ Like the donors/entities, BL/BH officials have also engaged in illicit money-laundering activity and income tax fraud. In the case of BL, it is no stranger to income tax fraud, having paid \$400 million in 2014 to stay a U.S. Justice Department criminal

⁴³ <http://www.whoprofits.org/company/g4s-israel-hashmira>.

⁴⁴ See FN above. See also "Palestine Today is an Open-Air Prison," <http://www.washingtonpost.com/wp-dyn/content/article/2009/01/30/AR2009013002809.html>.

⁴⁵ See http://english.leumi.co.il/static-files/10/LeumiEnglish/Financial_Statements/LeumiProfile2013_1.pdf?lang=en, p. 12. On file with the Plaintiffs.

⁴⁶ The banks knew, for example, that as early as 2004 that members of Breaking the Silence had confessed to committing atrocities in the OPT. As Haggai Matar stated, none of Breaking the Silence's allegations have proven to be wrong. <http://972mag.com/why-do-so-many-israelis-hate-breaking-the-silence/114763/>.

prosecution premised on a criminal conspiracy to defraud the IRS.⁴⁷ The bank was hiding assets and income sources which belonged to U.S. taxpayers trying to evade their income-tax obligations. At all relevant times herein, BL/BH officials were not performing routine banking services to promote legitimate business purposes for their tax-exempt entity customers. They were, just like all corporate Defendant officials named herein, instead ensuring that their customers' settlement-expansion agenda would be realized, even though that meant wholesale violence would be directed against the local Palestinian population (malicious wounding) and result in further ethnic cleansing.

Where real properties have been referenced herein, Palestinian ownership thereof has been conceded by the Israeli government, former Prime Minister Sharon, or by senior IDF officials. For example, senior IDF officials have conceded that they have been confiscating private Palestinian property based on alleged "security purposes" for at least 40 years. And the Israeli government itself has published a comprehensive database in 2009⁴⁸ (herein referred to as the Spiegel Database) wherein it admitted that many settlements had been built on private Palestinian property. So with respect to those particular settlements, there is no property ownership issue. With respect to all other property claims herein, the Israeli government recognizes Palestinian claims to private property under the Ottoman Land Code, Jordanian property law, and the British Land Ordinance of 1928. Consistent with those property codes, Plaintiffs' expert will identify the families who own the property on which now sit numerous shopping malls, housing projects, hotels, schools, factories, and industrial parks in the different settlements. Members of those families are the Plaintiffs named herein entitled to recover damages from donors/entities whose funding made all this possible.

There are Defendants named in Count V herein, e.g., Israel Chemicals Ltd. and Ahava – Dead Sea Laboratories, who have no material relationship with the US tax-exempt entities and donors. They have, however, much like the construction/support firms, made enormous profits by

⁴⁷ See *U.S. v. Bank Leumi Le-Israel B.M. et al*, 2:14-cr-00731-UA (C.D. Cal. 2014) Docket entry 24 Filed 12/23/14.

⁴⁸ <http://www.haaretz.com/secret-israeli-database-reveals-full-extent-of-illegal-settlement-1.266936>.

exploiting Dead Sea minerals and other natural resources owned by Palestinian property owners named herein. For example, they have operated quarries or extracted valuable minerals from Palestinian-owned property for 30-40 years, and are still profiting from those operations. ICL, in fact, has an illegal monopoly on the extraction and exploitation of Dead Sea minerals as a result of racist and discriminatory licensing policies adhered to by area military commanders.

As a point of clarification, the Plaintiffs are not: (a) challenging IDF confiscations; (b) asking this Court to determine if OPT settlements are illegal; or (c) if Palestinians have a right to return to their homeland. The Court should find, however, that murder is still murder, and ethnic cleansing is still ethnic cleansing. It should also find, given compelling evidence like the book *Our Harsh Logic* which details the heinous war crimes committed by IDF personnel in the OPT (*see* Count II, War Crimes), that aggravated and ongoing trespass, arson, war crimes, and massive ethnic cleansing have been and are today a daily occurrence in the OPT—activity encouraged by Abrams and financed by BL/BH, U.S. tax-exempt entities, and their donors.⁴⁹ One example of that heinous criminal activity is an IDF commander’s order that “I want to see Palestinians’ bodies full of bullets.”⁵⁰ Young, impressionable recruits fresh out of high school⁵¹ religiously adhered to that order, to the detriment of many Palestinian families, including some of the Plaintiffs identified herein.

The Plaintiffs are asking for an award of \$34.5 billion based on the following categories of damages: (a) back rent owed by BL, the conglomerates, and the settlements; (b) loss of loved ones including spouse, siblings and/or children; (c) loss of factories, retail markets, hotels, travel agencies, etc. (RICO business damages, *see* Count VI); (d) infrastructure improvements destroyed in Gaza; (e) infrastructure destroyed in the OPT; (f) theft of 8,750 acres in connection with the separation wall

⁴⁹ In the Silwan area of Jerusalem, Abu Tayeh neighborhood, local residents constantly hear the sounds of grenades, merchants closing shops, locals ready any moment to flee, broken window, and children screaming. Dozens of demolition orders have been issued against homes, residences, and commercial properties. Even the only mosque in the neighborhood is under threat of being demolished. *See* <http://silwanic.net/?=silwan>.

⁵⁰ *Our Harsh Logic* p. 79.

⁵¹ <http://www.wrmea.org/2016-march-april/israeli-settlements-come-at-a-high-price.html>.

and the construction of 794 miles of bypass roads;⁵² (g) counseling services for thousands of traumatized Palestinian children; (h) destruction of fertile agricultural properties (e.g., 900,000 olive trees⁵³); and (i) destruction of 49,000 homes, which in some cases had been lived in for centuries by the families of Palestinian farmers.

Finally, this case is about U.S. individuals and tax-exempt entities intent on: (a) taking criminal advantage of the U.S. tax code by taking significant illegal tax write-offs and not reporting billions of dollars in contributions as income; and (b) encouraging and funding wholesale violence and arms trafficking abroad and comprehensive war crimes in order to advance their own political agenda—getting rid of all non-Jews in the OPT. The causes of action are: (1) Civil Conspiracy; (2) Aggravated and Ongoing Trespass; (3) War Crimes, Crimes Against Humanity, and Genocide; (4) Racketeer Influenced Corrupt Organizations Act Violations Under 18 U.S.C. § 1962(c); and (5) War Crime of Pillage. Plaintiffs hereby request that a jury hear and determine all of the factual issues herein, including the identity of all U.S. citizens, not just Defendants Abrams, Adelson, Braman, Ellison, Gilbert, Hagee, Moskowitz, and Saban, who either encouraged or funded the gruesome criminal activities described in *Our Harsh Logic* (e.g. aiming for the eyes in order to “take out an eye” and promotions being contingent on number of Palestinians murdered⁵⁴) which activities were purposefully engaged in by armed and angry settlers and IDF/G4S personnel for at least the past 30 years.

JURISDICTION

1. 28 U.S.C. § 1331 is invoked on behalf of all Plaintiffs against all Defendants excluding Ahava, Nordstrom, and ICL in connection with Count IV, Racketeer Influenced and Corrupt Organizations Act (RICO) violation under 18 U.S.C. 1962(c).

⁵² Palestine Inside Out Kindle location 614.

⁵³ <http://www.counterpunch.org/2015/11/03/palestinian-olive-trees-destroying-a-symbol-of-life/>.

⁵⁴ Our Harsh Logic pp. 102, 288.