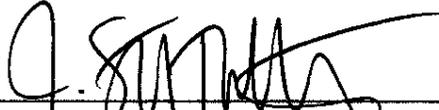




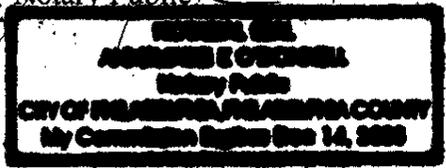
4. Jurisdiction of this Court over defendant Iraq is invoked pursuant to 28 U.S.C. § 1330, as the claims against this defendant fall within the exceptions to immunity set forth at 28 U.S.C. §§ 1605(a)(2), 1605(a)(5) and 1605(a)(7) (Foreign Sovereign Immunities Act).
5. This action was commenced on September 10, 2003 by the filing of the Summons and Complaint. The First Amended Complaint and Summons were filed on March 10, 2004. Defendant Iraq was served with a copy of the First Amended Complaint and Summons, in accordance with the FSIA, as set forth below.
6. Service was effectuated on defendant Iraq through diplomatic channels by the United States Department of State on July 26, 2005. True and correct copies of the Return of Service and supporting U.S. Department of State documents are attached to the Affidavit of Service as Exhibit A.
7. Defendant Iraq has not answered or otherwise responded to the First Amended Complaint and the time for the defendant to answer or otherwise respond to the First Amended Complaint has expired.
8. Plaintiffs request a Clerk's Certificate of Default, which is attached hereto, to provide to Judge Richard C. Casey in connection with a Motion for Default pursuant to F.R.C.P. 55.

WHEREFORE, the Plaintiffs in *Federal Insurance Co. v. al Qaida*, 03-CV-6978 (RCC), respectfully request a Certificate of Default against defendant, the Republic of Iraq.

Dated: Philadelphia, Pennsylvania  
September 29, 2005

  
\_\_\_\_\_  
J. Scott Tarbuton, Esq. (JT-3496)  
COZEN O'CONNOR  
1900 Market Street  
Philadelphia, PA 19103  
Tel: (215) 665-2000

Sworn to before me this 29<sup>th</sup>  
day of September, 2005  
*Chas. Marie O'Donnell*  
Notary Public



PHILA\2352987\1 117430.000

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

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case
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*This document relates to: Federal Insurance Co. v. al Qaida, 03-CV-6978 (RCC)*

**CLERK'S CERTIFICATE OF DEFAULT**

I, J. MICHAEL MCMAHON, Clerk of the United States District Court for the Southern District of New York ("SDNY"), do hereby certify that this action was commenced on September 10, 2003 with the filing of the Summons and Complaint, and the First Amended Complaint and Summons were filed on March 10, 2004. The First Amended Complaint and Summons were served on defendant, the Republic of Iraq, as follows:

Service was effectuated on defendant, the Republic of Iraq, through diplomatic channels by the U.S. Department of State on July 26, 2005. Proof of such service was transmitted to the SDNY Chief Deputy Clerk Joseph LaMura by the U.S. Department of State on August 9, 2005 and was filed by the Plaintiffs on September 29, 2005.

I further certify that the docket entries indicate that defendant, the Republic of Iraq, has not filed an answer or otherwise moved with respect to the First Amended Complaint herein. The default of the aforesaid defendant is hereby noted.

Dated: New York, New York  
September \_\_, 2005

**J. MICHAEL MCMAHON**  
Clerk of the Court

By: \_\_\_\_\_  
Deputy Clerk