

DANIELS, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

<i>In re Terrorist Attacks on September 11, 2001</i>	03 MDL 1570 (GBD)(FM) ECF Case
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This document relates to:
Federal Ins. Co., et al. v. Al Qaida, et al., Case No. 03-CV-6978 (S.D.N.Y.) (GBD)(FM)

**STIPULATION AND ORDER OF DISMISSAL OF
ABDULLAH SALIM BAHAMDAN**

WHEREAS the plaintiffs ("*Federal Insurance*") in the above-captioned action, *Federal Ins. Co., et al. v. Al Qaida, et al.*, Case No. 03-CV-6978 (S.D.N.Y.) (GBD)(FM) ("the Action"), filed their Complaint on September 10, 2003, and filed their "First Amended Complaint with Incorporated More Definite Statements, RICO Statements and Rule 15(d) Supplemental Pleadings" on September 30, 2005, which incorporates the allegations made in plaintiffs' RICO Statement Applicable to Abdullah Salim Bahamdan (Dkt. #678) (collectively "*the Federal Insurance Complaints*");

WHEREAS the allegations in the *Federal Insurance Complaints* with respect to Mr. Bahamdan parallel, or are materially identical to, the allegations against The National Commercial Bank ("NCB") in those Complaints and in other complaints filed by other plaintiffs in other actions consolidated in this multi-district litigation, including *Ashton v. Al Qaeda Islamic Army*, 02-CV-6977 (GBD)(FM) and *Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-9849 (GBD)(FM) (collectively "*the Related Cases*");

WHEREAS NCB's Renewed Motion to Dismiss all complaints by all plaintiffs in the actions consolidated in this multi-district litigation (Dkt. ##2110-2115) has been ruled on by the Court in its Opinion and Order dated June 16, 2010 (*In re Terrorist Attacks on Sept. 11, 2001*, --- F. Supp. 2d ---,

2010 WL 2484411 (S.D.N.Y. June 17, 2010) (Dkt. #2252)), and the Court has dismissed all of plaintiffs' complaints against NCB;

WHEREAS the parties hereto wish to avoid, if possible, burdening the Court with additional filings or themselves with unnecessary litigation costs;

IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that:

1. The parties hereto adopt as a binding order in this Action, with regard to Mr. Bahamdan, the Court's Opinion and Order dated June 16, 2010, to the extent that it dismissed NCB from the Action and the Related Cases for lack of personal jurisdiction.

2. Pursuant to F.R.C.P. 41, plaintiffs in the above-referenced Action hereby voluntarily dismiss Abdullah Salim Bahamdan from *Federal Ins. Co., et al. v. Al Qaida, et al.*, Case No. 03-CV-6978 (S.D.N.Y.).

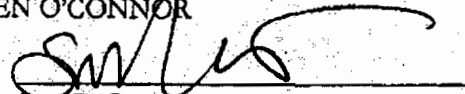
3. In the event the Court's Opinion and Order dated June 16, 2010, dismissing NCB from the Action, is appealed, the parties hereto will adopt as a binding order in this Action, with regard to Mr. Bahamdan, any subsequent rulings by any appellate courts with regard to the dismissal of NCB for lack of personal jurisdiction by that June 16, 2010 Opinion and Order.

Dated: Philadelphia, PA
September 30, 2010

Respectfully submitted.

COZEN O'CONNOR

By:



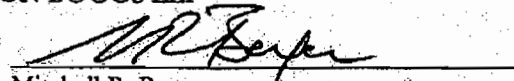
Sean P. Carter
J. Scott Tarbutton
1900 Market Street
Philadelphia, PA 19103
Phone: (215) 665-2000
Fax: (215) 701-2467

Counsel for Plaintiff Federal Insurance Company

Dated: Washington, D.C.
September 30, 2010

PATTON BOGGS LLP

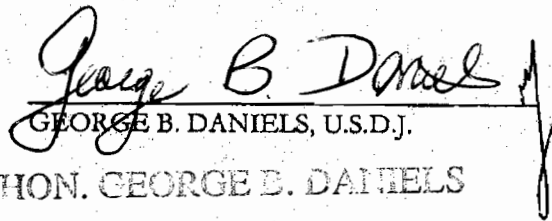
By:



Mitchell R. Berger
Alan T. Dickey
2550 M Street, N.W.
Washington, D.C. 20037
Phone: (202) 457-6000
Fax: (202) 457-6315

*Counsel for Defendant
Abdullah Salim Bahamdan*

SO ORDERED:


GEORGE B. DANIELS, U.S.D.J.
HON. GEORGE B. DANIELS

04 OCT 2010

Dated: _____