

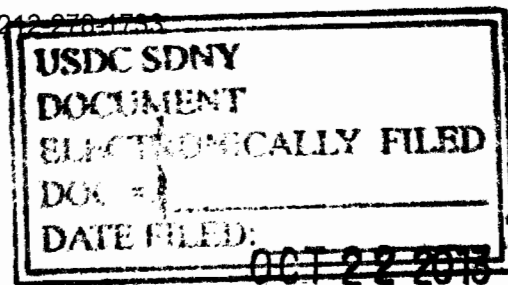
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By Hand Delivery

October 17, 2013

Honorable George B. Daniels  
United States District Court for the  
Southern District of New York  
Daniel Patrick Moynihan United  
States Courthouse  
500 Pearl Street, Room 630  
New York, NY 10007-1312

SO ORDERED:

*George B. Daniels*  
George B. Daniels, U.S.D.J.

Dated:

OCT 22 2013

Re: *In Re Terrorist Attacks on September 11, 2001,*  
03-MD-1570 (S.D.N.Y.) (GBD) (FM) (relates to Estate of John P.  
O'Neill, Sr., et al. v. Kingdom of Saudi Arabia, et al., No. 04-CV-  
1922 (GBD) (FM))

Dear Judge Daniels:

I represent the plaintiffs in the *O'Neill* litigations and serve on the Plaintiffs' Executive Committee for Personal Injury and Death Claims.

On November 2, 2004, my former colleague Gina M. MacNeill delivered a letter to Clerk of the Court J. Michael McMahon concerning service of the Complaint in this action<sup>1</sup> on the Syrian Arab Republic ("Syria") and the Republic of Sudan ("Sudan"). Ms. MacNeill requested that the Clerk serve the Complaint on Syria and Sudan pursuant to the Foreign Sovereign Immunities Act, 28 U.S.C. §§ 1608 *et seq.* ("FSIA"). A copy of Ms. MacNeill's letter is enclosed herewith as Exhibit A. Specifically, Ms. MacNeill requested that the Clerk serve the Complaint pursuant to 28 U.S.C. § 1608(a)(3).

Subsection (a)(3) provides for service "...to be addressed and dispatched by the clerk of the court to the head of the ministry of foreign affairs of the foreign state concerned." The Clerk served the Complaint and accompanying documents on Syria and Sudan in accordance with subsection (a)(3) on November 10, 2004. However, in the Certificate of Mailing filed by the Clerk the same day, the wrong subsection number of the FSIA was listed. The Certificate listed subsection (a)(4), which concerns service

<sup>1</sup> There are three *O'Neill* litigations as part of this multi-district litigation. This letter only applies to the above-referenced litigation, 04-cv-1922.

New York, NY ■ Ventura, CA ■ Stamford, CT ■ Washington, DC ■ Newark, NJ ■ Philadelphia, PA

nydocs1-1010821.1

**Anderson Kill & Olick, P.C.**


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via the U.S. Secretary of State, rather than subsection (a)(3). A copy of the inaccurate Certificate of Mailing, entry number 548 on the 03-MD-1570 docket, is enclosed herewith as Exhibit B.

We respectfully request that the Court issue an order correcting the error in the original Certificate of Mailing.

If Your Honor has any questions concerning this correspondence, please do not hesitate to contact me.

Respectfully submitted,



Jerry S. Goldman

Enclosures

cc: Magistrate Judge Frank Maas (by Hand Delivery)  
All Counsel (*via email*)