

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JOHN DOE, in his capacity)
as the executor of the Estate of)
JANE DOE, in his personal capacity,)
and as the personal representative of)
JANE DOE)
)
Plaintiff,)
)
v.)
)
OSAMA BIN LADEN, *et al.*,)
)
Defendants.)
_____)

Case No. 01-2516 (RWR)

**AFFIDAVIT REQUESTING ENTRY OF DEFAULT
AGAINST CERTAIN DEFENDANTS**

I, James F. Peterson, being duly sworn according to law, hereby depose and say:

1. I am counsel for Plaintiff in the above-captioned matter.
2. Plaintiff initiated this action on December 4, 2001.
3. By Order dated May 27, 2003, this Court granted Plaintiff's Motion for Service by Publication, ordering Plaintiff to serve defendants Osama Bin-Laden, Al Qaeda, and the Taliban by publishing an approved Legal Notice for three weeks in *Al-Quds Al-Arabi* (in Arabic) and placing the Legal Notice and the Complaint (in English and Arabic) on the Internet at <http://www.judicialwatchinc.org>.
3. Plaintiff published the approved Legal Notice in *Al-Quds Al-Arabi* on June 14, June 16, and June 24, 2003. *See* Affidavit of Service of Original Process Upon Certain Defendants (filed

on July 16, 2003; Docket Entry No. 21). The Legal Notice was placed on the Internet on July 2, 2003, at <http://www.judicialwatchinc.org>. *See id.*

4. Despite having been served in this matter pursuant to the Court's Order, no appearance has been entered by defendants Osama Bin-Laden, Al Qaeda, or the Taliban, no responsive pleadings have been filed or served upon counsel for Plaintiff; no motions for any extension of time have been filed with or granted by this Court.

5. The time for filing a response to the Complaint has expired. Pursuant to Fed. R. Civ. P. 4 and 28 U.S.C. § 1608, defendants' respective responses to Plaintiff's Complaint were due on or before September 2, 2003.

6. For all the above reasons, the Clerk is requested to enter a Default against defendants Osama Bin-Laden, Al Qaeda, and the Taliban.

I declare under penalty of perjury, 28 U.S.C. § 1746, that the foregoing is true and correct.
Executed on September 3, 2003, in Washington, D.C.

/s/ James F. Peterson
James F. Peterson, Esq.

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RULE 55(a) DEFAULT OF CERTAIN DEFENDANTS

It appearing that Defendants Osama Bin Laden, Al Qaeda, and the Taliban have failed to plead or otherwise defend this action though duly served with summons and copy of the complaint pursuant to the May 27, 2003, Order of this Court, and an affidavit on behalf of Plaintiff having been filed, it is this _____ day of _____, 2003, declared that defendants Osama Bin-Laden, Al Qaeda, and the Taliban are in default.

Nancy M. Mayer-Whittington, Clerk

By: _____
Deputy Clerk