

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

FADI ELSALAMEEN

Plaintiff,

v.

Case No. 16-cv-1976 (ABJ)

BANK OF PALESTINE, P.L.C.

Defendant.

DECLARATION OF RORY E. ADAMS

I, Rory E. Adams, hereby declare as follows:

1. I, Rory E. Adams, am above the age of eighteen, of sound mind, and competent to make this declaration. I have personal knowledge of the facts set forth in this declaration, and they are true and correct.

2. I am an associate in the Washington, DC office of Manatt, Phelps & Phillips, LLP (“Manatt”), counsel of record for Plaintiff Fadi Elsalameen. I am a member in good standing of the Bar of this Court.

3. Manatt filed the Complaint in this matter on October 5, 2015.

4. Promptly after filing the Complaint and receiving the executed Summons in a Civil Action (Dkt. No. 2), Manatt requested that TransPerfect Legal Solutions translate the Complaint, Civil Cover Sheet, and Summons into the Hebrew and Arabic languages.

5. Manatt received the translations referenced in paragraph 4 on October 10, 2016.

6. On October 10, 2016, I sent, by Federal Express, the Complaint, Civil Cover Sheet, Summons, translations, and a Request for Service Abroad of Judicial or Extrajudicial Documents to the Israeli Central Authority designated under the Convention of 15 November

1956 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (the "Hague Convention").

7. On January 30, 2017, I retrieved Federal Express tracking information for the package sent to the Israeli Central Authority. That tracking information shows that the package was delivered on October 13, 2016.

8. The Israeli Central Authority has not informed Manatt that it considers the request to not comply with the provisions of the Hague Convention. The Israeli Central Authority has not specified any objection to the request to Manatt.

9. On February 3, 2017, after submitting the First Status Report to the Court, I sent a letter to the Israeli Central Authority in order to inform the Central Authority that the Court had requested a status report not later than March 20, 2017 and to request that the Central Authority provide undersigned counsel an update regarding the status of service, a copy of which is attached hereto as Exhibit 1.

10. Enclosed with the letter was a self-addressed, prepaid FedEx envelope for the Israeli Central Authority to use in sending return correspondence.

11. The Israeli Central Authority has not responded to my letter of February 3, 2017.

12. I have no reason to believe that the Israeli Central Authority is not continuing to process the request for service under the Hague Contentions.

I declare under penalty of perjury under the laws of the United States and the District of Columbia that the foregoing is true and correct.

Executed: March 16, 2017 at Washington, DC



Rory E. Adams

EXHIBIT 1

203962502.1



Rory E. Adams
Manatt, Phelps & Phillips, LLP
Direct Dial: (202) 585-6614
E-mail: RAdams@manatt.com

February 3, 2017

VIA FEDEX

Legal Assistance to Foreign Countries
Office of the Legal Advisor
Administration of Courts
22 Kanfei Nesharim Street
Jerusalem 95464
State of Israel

**Re: Request for Status Regarding Request for Service Abroad of Judicial or
Extrajudicial Documents**
Elsalameen v. Bank of Palestine, No.: 1:16-cv-01976 (D.D.C.)

Dear Sir or Madam:

In conformity with Article 5 of the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, signed at the Hague, the 15th of November 1965, our office sent to the Israeli Central Authority a Request for Service Abroad of Judicial or Extrajudicial Documents in connection with the above-referenced action pending in the United States District Court for the District of Columbia (the "Court"). We understand that the request and enclosed documents for service arrived at your office on October 13, 2016. For reference, I have enclosed a copy of the Request (without the underlying documents previously provided).

The Court has ordered that we provide it with a status report regarding service of the subject judicial documents not later than March 20, 2017. In order to provide the Court a substantive update, we would greatly appreciate if you could provide us with an update regarding the status of serving the documents on the defendant, Bank of Palestine, P.L.C.

We have enclosed a self-addressed, prepaid FedEx envelope for your use in sending us correspondence. We look forward to any update you are able to provide.

Many thanks in advance.



Legal Assistance to Foreign Countries
February 3, 2017
Page 2

Sincerely,



Rory E. Adams

Enclosure

Case 1:16-cv-01976-ABJ Document 6-6 Filed 02/03/17 Page 1 of 5

**REQUEST
FOR SERVICE ABROAD OF JUDICIAL OR
EXTRAJUDICIAL DOCUMENTS**

**DEMANDE AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ÉTRANGER
D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE**

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, signed at The Hague, the 15th of November 1965.
Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile ou commerciale, signée à La Haye le 15 novembre 1965.

Identity and address of the applicant Identité et adresse du requérant	Address of receiving authority Adresse de l'autorité destinataire
<u>Benjamin G. Chew (D.C. Bar No. 418577)</u> <u>Manatt, Phelps & Phillips LLP</u> <u>1050 Connecticut Avenue, NW, Suite 600</u> <u>Washington, DC 20036</u> <u>United States of America</u>	<u>Legal Assistance to Foreign Countries</u> <u>Office of the Legal Advisor</u> <u>Administration of Courts</u> <u>22 Kanfei Nesharim Street</u> <u>Jerusalem 95464</u> <u>P.O.B. 34142</u> <u>State of Israel</u>

The undersigned applicant has the honour to transmit – In duplicate – the documents listed below and, in conformity with Article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e.:

Le requérant soussigné a l'honneur de faire parvenir – en double exemplaire – à l'autorité destinataire les documents ci-dessous énumérés, en la priant, conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, à savoir :

(Identity and address) (Identité et adresse)	
	<u>Bank of Palestine, P.L.C.</u>
	<u>c/o Hashim Hanif Hashim Shawa, General Manager</u>
	<u>Bank of Palestine Building</u>
	<u>Nazlet Al Mahkamah Street</u>
	<u>Ain Misbah</u>
	<u>Ramallah, Palestinian Authority</u>

<input checked="" type="checkbox"/>	a) In accordance with the provisions of sub-paragraph a) of the first paragraph of Article 5 of the Convention* selon les formes légales (article 5, alinéa premier, lettre a)*
<input type="checkbox"/>	b) In accordance with the following particular method (sub-paragraph b) of the first paragraph of Article 5)*: selon la forme particulière suivante (article 5, alinéa premier, lettre b)* : _____
<input type="checkbox"/>	c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of Article 5)* le cas échéant, par remise simple (article 5, alinéa 2)*

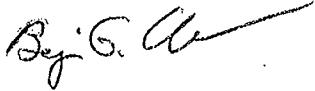
The authority is requested to return or to have returned to the applicant a copy of the documents - and of the annexes* - with the attached certificate.

Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte - et de ses annexes* - avec l'attestation ci-jointe.

List of documents / Énumération des pièces

- Warning
- Summary of the Document to be Served
- Summons
- Complaint
- Civil Cover Sheet
- Translations

* If appropriate / s'il y a lieu

Done at / Fait à <u>Washington, D.C., U.S.A.</u> The / le <u>10</u> day of October 2016	Signature and/or stamp Signature et / ou cachet 
--	--

Case 1:16-cv-01976-ABJ Document 6-6 Filed 02/03/17 Page 3 of 5

WARNING AVERTISSEMENT

Identity and address of the addressee

Identité et adresse du destinataire

Bank of Palestine, P.L.C.

c/o Hashim Hani Hashim Shawa, General Manager

Bank of Palestine Building

Nazlet Al Mahkamah Street

Ain Misbah

Ramallah, Palestinian Authority

IMPORTANT

THE ENCLOSED DOCUMENT IS OF A LEGAL NATURE AND MAY AFFECT YOUR RIGHTS AND OBLIGATIONS. THE 'SUMMARY OF THE DOCUMENT TO BE SERVED' WILL GIVE YOU SOME INFORMATION ABOUT ITS NATURE AND PURPOSE. YOU SHOULD HOWEVER READ THE DOCUMENT ITSELF CAREFULLY. IT MAY BE NECESSARY TO SEEK LEGAL ADVICE.

IF YOUR FINANCIAL RESOURCES ARE INSUFFICIENT YOU SHOULD SEEK INFORMATION ON THE POSSIBILITY OF OBTAINING LEGAL AID OR ADVICE EITHER IN THE COUNTRY WHERE YOU LIVE OR IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED.

ENQUIRIES ABOUT THE AVAILABILITY OF LEGAL AID OR ADVICE IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED MAY BE DIRECTED TO:

TRÈS IMPORTANT

LE DOCUMENT CI-JOINT EST DE NATURE JURIDIQUE ET PEUT AFFECTER VOS DROITS ET OBLIGATIONS. LES « ÉLÉMENTS ESSENTIELS DE L'ACTE » VOUS DONNENT QUELQUES INFORMATIONS SUR SA NATURE ET SON OBJET. IL EST TOUTEFOIS INDISPENSABLE DE LIRE ATTENTIVEMENT LE TEXTE MÊME DU DOCUMENT. IL PEUT ÊTRE NÉCESSAIRE DE DEMANDER UN AVIS JURIDIQUE.

SI VOS RESSOURCES SONT INSUFFISANTES, RENSEIGNEZ-VOUS SUR LA POSSIBILITÉ D'OBTENIR L'ASSISTANCE JUDICIAIRE ET LA CONSULTATION JURIDIQUE, SOIT DANS VOTRE PAYS, SOIT DANS LE PAYS D'ORIGINE DU DOCUMENT.

LES DEMANDES DE RENSEIGNEMENTS SUR LES POSSIBILITÉS D'OBTENIR L'ASSISTANCE JUDICIAIRE OU LA CONSULTATION JURIDIQUE DANS LE PAYS D'ORIGINE DU DOCUMENT PEUVENT ÊTRE ADRESSÉES À :

Bank of Palestine, P.L.C.

c/o Hashim Hani Hashim Shawa, General Manager

Bank of Palestine Building

Nazlet Al Mahkama Street

Ain Misbah

Ramallah, Palestinian Authority

It is recommended that the standard terms in the notice be written in English and French and where appropriate also in the official language, or in one of the official languages of the State in which the document originated. The blanks could be completed either in the language of the State to which the document is to be sent, or in English or French.

Il est recommandé que les mentions imprimées dans cette note soient rédigées en langue française et en langue anglaise et le cas échéant, en outre, dans la langue ou l'une des langues officielles de l'Etat d'origine de l'acte. Les blancs pourraient être remplis, soit dans la langue de l'Etat où le document doit être adressé, soit en langue française, soit en langue anglaise.

SUMMARY OF THE DOCUMENT TO BE SERVED

ÉLÉMENTS ESSENTIELS DE L'ACTE

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, signed at The Hague, the 15th of November 1965 (Article 5, fourth paragraph).

Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile ou commerciale, signée à La Haye le 15 novembre 1965 (article 5, alinéa 4).

Name and address of the requesting authority: Nom et adresse de l'autorité requérante :	<u>Benjamin G. Chew (D.C. Bar No. 418577)</u> <u>Manatt, Phelps & Phillips LLP</u> <u>1050 Connecticut Avenue NW, Suite 600</u> <u>Washington, DC 20036</u> <u>United States of America</u> <u>Note: under Art. 3(1), "any attorney" is a competent forwarding authority within the United States.</u>
Particulars of the parties*: Identité des parties* :	<u>Fadi Elsalameen</u> <u>2856 Arizona Avenue NW</u> <u>Washington, DC 20016</u> <u>United States of America</u>

* If appropriate, identify and address of the person interested in the transmission of the document
 S'il y a lieu, identité et adresse de la personne intéressée à la transmission de l'acte

JUDICIAL DOCUMENT**
ACTE JUDICIAIRE**

Nature and purpose of the document: Nature et objet de l'acte :	<u>The Summons in a Civil Action is a document issued by the Clerk of the Court notifying a defendant that a lawsuit has been filed against it and that it must respond within 21 days of service to avoid judgment by default. The Complaint sets forth Plaintiff Fadi Elsalameen's claims against Defendant Bank of Palestine P.L.C. The Civil Cover Sheet provides general information used by the Clerk of the Court in opening an action.</u>
Nature and purpose of the proceedings and, when appropriate, the amount in dispute: Nature et objet de l'instance, le cas échéant, le montant du litige :	<u>The proceeding is a civil action against Bank of Palestine alleging defamation, conspiracy, and related torts. The amount in dispute is \$102,500,000.00.</u>
Date and Place for entering appearance**: Date et lieu de la comparution** :	<u>Date: Within 21 days of service</u> <u>Place: United States District Court for the District of Columbia, 333 Constitution Avenue N.W., Washington, D.C. 20001, United States of America</u>
Court which has given judgment**: Jurisdiction qui a rendu la décision** :	<u>N/A</u>
Date of judgment**: Date de la décision** :	<u>N/A</u>
Time limits stated in the document**: Indication des délais figurant dans l'acte** :	<u>Response to Complaint due within 21 days of service</u>

** if appropriate / s'il y a lieu

EXTRAJUDICIAL DOCUMENT**
ACTE EXTRAJUDICIAIRE**

Case 1:16-cv-01976-ABJ Document 6-6 Filed 02/03/17 Page 5 of 5

Nature and purpose of the document: Nature et objet de l'acte :	_____
Time-limits stated in the document**: Indication des délais figurant dans l'acte** :	_____

** if appropriate / s'il y a lieu