

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the Southern District of Florida

LARA SAMAHA and ELIE SAMAHA

Plaintiff(s)

v.

GEBRAN BASSIL, SALIM JREISSATI, DANY MACARON, MAJED BOUEZ, and AHMAD SASSINE

Defendant(s)

Civil Action No. 17-24206-CIV-MARTINEZ-OTAZO-

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) GEBRAN BASSIL Free Patriotic Movement Center Mirna Chalouhi Sin El Fil, Lebanon

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

T. Omar Malone TEIN MALONE, P.L.L.C. 3400 Ponce de Leon Blvd. Coral Gables, Florida 33134 (305) 442-1101

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date:

4/18/2024

CLERK OF COURT

Angela E. Noble

Signature of Clerk or Deputy Clerk

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for the
Southern District of Florida

LARA SAMAHA and ELIE SAMAHA

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v.

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DANY MACARON, MAJED BOUEZ, and
AHMAD SASSINE

Defendant(s)

Civil Action No. 17-24206-CIV-MARTINEZ-OTAZO-

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) AHMAD SASSINE
Internal Security Forces Headquarter
Ibrahim Khoury Barracks, Adib Isaac Street
Achrafieh, Beirut, Lebanon

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

T. Omar Malone
TEIN MALONE, P.L.L.C.
3400 Ponce de Leon Blvd.
Coral Gables, Florida 33134
(305) 442-1101

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Civil Action No. 17-24206-CIV-MARTINEZ-OTAZO-

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) DANY MACARON Naoum Labaki Street, Hersch Tabet Sin El Fil, Lebanon

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

T. Omar Malone TEIN MALONE, P.L.L.C. 3400 Ponce de Leon Blvd. Coral Gables, Florida 33134 (305) 442-1101

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Angela E. Noble

Date:

4/18/2024

Signature of Clerk or Deputy Clerk

Handwritten signature of Angela E. Noble

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Defendant(s)

Civil Action No. 17-24206-CIV-MARTINEZ-OTAZO-

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) SALIM JREISSATI 981, Street No. 18, Hazmieh, Mar Takla, Lebanon P.O. Box 179 Hazmieh

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

T. Omar Malone TEIN MALONE, P.L.L.C. 3400 Ponce de Leon Blvd. Coral Gables, Florida 33134 (305) 442-1101

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date:

4/18/2024

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Defendant(s)

Civil Action No. 17-24206-CIV-MARTINEZ-OTAZO-

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) MAJED BOUEZ
Boueiz Law Firm
Anwar Street, Kassouf Plaza, 3rd Floor
Jdeideh Metn, Lebanon

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

T. Omar Malone
TEIN MALONE, P.L.L.C.
3400 Ponce de Leon Blvd.
Coral Gables, Florida 33134
(305) 442-1101

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CLERK OF COURT Angela E. Noble
Signature of Clerk or Deputy Clerk

Date: 4/18/2020

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 17-24206-CIV-MARTINEZ-OTAZO-REYES

LARA SAMAHA and ELIE SAMAHA,

Plaintiffs,

v.

GEBRAN BASSIL,  
SALIM JREISSATI,  
DANY MACARON  
MAJED BOUEZ, and  
AHMAD SASSINE,

Defendants.

JURY TRIAL DEMANDED

**PLAINTIFFS' AMENDED SUPPLEMENTAL COMPLAINT**

## NATURE OF ACTION

1. In April 2019, Defendants contacted Plaintiffs Lara and Elie Samaha in Florida and fraudulently lured them from their home in Miami to Beirut, Lebanon. After arriving in Beirut, the Samahas were kidnapped and tortured at Defendants' behest for the specific purpose of obstructing justice in this Court. The Samahas were held captive and subjected to repeated physical and psychological torture in an effort to coerce them to dismiss this lawsuit, which had been pending since 2017 (the "U.S. Lawsuit"). Plaintiffs seek redress for the torture they suffered pursuant to the Alien Tort Statute ("ATS") and the Torture Victim Protection Act of 1991 ("TVPA").

2. Mrs. Samaha brought the U.S. Lawsuit in 2017 because she was the victim of a scheme by politically connected family members to steal millions of dollars that she is entitled to inherit from her father and aunt. Government officials in Lebanon, including Defendant Salim Jreissati, stymied her efforts to obtain her rightful inheritance. Lara Samaha accordingly named Jreissati as a defendant, together with the family members who were part of the scheme.

3. To protect Jreissati, Defendant Gebran Bassil, a leading Lebanese political figure, worked to ensure the dismissal of the U.S. Lawsuit. Bassil engineered and directed a plan to lure the Samahas from Florida to Lebanon in the guise of seeking to resolve the inheritance dispute. Upon arriving in Beirut for a purported "settlement meeting," Mrs. Samaha was immediately and unlawfully detained and transported to an underground military prison without access to light, food, water, or medication. Mr. Samaha was subsequently taken into custody as well. Over the next ten days, Defendants subjected Plaintiffs "to kidnapping, harsh interrogation, and cruel torture-like tactics . . . with the sole intention of forcing [Mrs. Samaha] to dismiss the Amended Complaint that was filed before this Court." May 27, 2020 Order Adopting Magistrate Judge's Report and Recommendation [ECF No. 140], at 2 ("May 2020 Order"). At one point, Mrs. Samaha

was forced to remove all of her clothing, and later, she was forced to listen as other prisoners were tortured just steps away. Defendants threatened her with a range of extrajudicial punishments, including death, unless she abandoned her efforts to seek justice in this Court.

4. After days of illegal detention in inhumane conditions, without any formal charges, while under constant threat of physical harm and possible death, the Samahas finally acceded to Defendants' extortion and dismissed the U.S. Lawsuit. As the Court has found, this dismissal was "the product of duress and coercion." May 2020 Order at 2. Only after the U.S. Lawsuit was dismissed and Defendants had extorted a letter releasing the Samahas' claims were the Samahas released from captivity. The Samahas continue to suffer from the physical harm and the severe mental trauma that Defendants inflicted.

5. Defendants conspired and acted in concert, together and with others not named as parties in this action, to torture Plaintiffs for the purpose of extorting dismissal of the U.S. Lawsuit and are thus jointly liable to the Samahas under the ATS and the TVPA. Torture specifically violates the law of nations within the meaning of the ATS, as well as the TVPA. In 1984, the United Nations General Assembly promulgated the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("Torture Convention"), to which an overwhelming majority of countries are parties. The Torture Convention is part of the law of nations for ATS purposes. Under the Torture Convention, it is an offense to inflict severe physical or mental pain or suffering on a person for purposes of intimidation. Defendants, acting in concert, engaged in such torture here in an effort to intimidate and coerce Mrs. Samaha into abandoning a United States property interest: the U.S. Lawsuit.

## PARTIES

### A. Plaintiffs

6. At all times relevant to the allegations in this Complaint, Plaintiff Lara Samaha (“Mrs. Samaha”), also known as Lara George Mansour, was a citizen of Lebanon, a United States permanent resident, and a resident of Florida.

7. At all times relevant to the allegations in this Complaint, Plaintiff Elie Samaha (“Mr. Samaha”) was a United States citizen and a resident of Florida. Mr. Samaha was born in Lebanon, where he resided until 1982, when he moved to the United States.

### B. Defendants

8. Gebran Bassil is a Member of the Lebanese Parliament. He is the leader of the Free Patriotic Movement (“FPM”) political party in Lebanon, Lebanon’s dominant political party at all times relevant to this Complaint. As head of the FPM, Bassil is a close ally of Hezbollah and of Michel Aoun, the Lebanese President at the time of the Samahas’ kidnapping and torture, and has for many years exerted significant control over the Lebanese judiciary, ministers of various governmental departments, and other government posts. Bassil has a deep network within the Lebanese political structure and previously held numerous governmental posts, including Minister of Telecommunications, Minister of Energy and Water, and Minister of Foreign Affairs and Emigrants. Pursuant to Executive Order 138118 and the Global Magnisky Human Rights Accountability Act, the Treasury Department has sanctioned Bassil, recognizing that he is “at the forefront of corruption in Lebanon.”

9. Salim Jreissati is a Lebanese politician and a member of the Free Patriotic Movement. As a member of the FPM, he is loyal to Bassil. Between December 2016 and January 2019, Jreissati served as Lebanon’s Minister of Justice. As Minister of Justice, Jreissati developed

deep connections within the law enforcement community and judicial system of Lebanon. Between January 2019 and January 2020, Jreissati served as Minister for Presidential Affairs.

10. Majed Bouez is a Lebanese attorney who serves as Bassil's personal lawyer. In addition, Bouez represents Bassil's party, the FPM, and its members. Acting on behalf of Bassil and Jreissati, Bouez contacted the Samahas in Florida and made fraudulent representations in a successful effort to lure them from their home in Miami to Lebanon so that they could be kidnapped and tortured. Bouez acknowledged to Mr. Samaha that, at the direction of Bassil and Jreissati, he tricked Plaintiffs to leave Florida to come to Lebanon under the false pretense of a settlement conference. In addition, Bouez, took various steps as described below to effectuate Defendants' scheme to torture the Samahas to extort the dismissal of the U.S. Lawsuit and thereby obstruct justice in this Court.

11. Dany Macaron is a relative of Bassil and a Lebanese attorney who represented the politically connected members of Mrs. Samaha's family in Lebanon who stole Mrs. Samaha's rightful inheritance. In that role, and with full knowledge that the Samahas had been kidnapped and tortured, Macaron took various steps as described below to effectuate Defendants' scheme to extort dismissal of the U.S. Lawsuit and thereby obstruct justice in this Court.

12. Ahmad Sassine is the Captain of Lebanon's Internal Security Forces Directorate. At the direction of Bassil and Jreissati, Sassine held the Samahas captive, interrogated them, and helped effectuate their torture. To advance Defendants' scheme to torture the Samahas to extort the dismissal of the U.S. Lawsuit and thereby obstruct justice in this Court, Sassine held the Samahas in inhumane conditions and refused to release them until Mrs. Samaha dismissed the U.S. Lawsuit.

### JURISDICTION AND VENUE

13. This Court has jurisdiction over the Samahas' ATS and TVPA claims pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1350. The Court has supplemental jurisdiction over Plaintiffs' fraud and civil conspiracy claims pursuant to 28 U.S.C. § 1367.

14. Venue is proper in this District pursuant to 28 U.S.C. § 1391. Defendant Bouez, in pursuance of Defendants' conspiracy and at the specific direction of Bassil and Jreissati, communicated with the Samahas in this District to lure them to leave this District so that Defendants could torture the Samahas to extort the dismissal of the U.S. Lawsuit filed in this District. Pursuant to 28 U.S.C. § 1391(b)(1)-(2), there is no other district in which venue is proper.

15. This Court has specific personal jurisdiction over Defendants because the Samahas' claims are based, *inter alia*, on Defendants' purposeful acts to reach out to the Samahas in Florida, to lure them from their home in this District, and then to deprive Mrs. Samaha of property sited in this District: the U.S. Lawsuit. Defendants were aware of the U.S. Lawsuit and their conduct was purposefully directed at coercing Mrs. Samaha to abandon that property interest sited in this District. Moreover, by kidnapping and torturing the Samahas, Defendants intended to and did obstruct justice in this Court by extorting the dismissal of the U.S. Lawsuit.

16. At the direction of Bassil and Jreissati, Defendant Bouez purposefully directed communications to the Samahas and their counsel in Florida. His specific purpose in making these communications was to effectuate Defendants' scheme to obstruct justice in this Court by extorting dismissal of the U.S. Lawsuit through kidnapping and torture.

17. Bouez acted as an agent of Bassil and Jreissati in making these communications. As noted, Bouez was and is a lawyer for Bassil and the political party he heads. Bassil has repeatedly acknowledged, including in the Samahas' presence, that Bouez is the lawyer for Bassil and his political party and acts at his (Bassil's) direction and on his (Bassil's) behalf. As further

noted, Bouez himself acknowledged to Mr. Samaha that he was acting at Bassil's and Jreissati's direction when he contacted the Samahas in Florida to fraudulently lure them from Miami to Beirut for a purported "settlement conference."

18. Macaron also acted as Bassil's and Jreissati's agent when he contacted the Samahas' lawyer, Lorne Berkeley, in Florida as part of Defendants' scheme to kidnap and torture the Samahas. On April 8, 2019, Macaron, acting at the direction of Bassil and Jreissati, sent Mr. Berkeley conditions upon which Jreissati and others would allow the Samahas' kidnapping and torture to cease.

19. Even if Bouez and Macaron had not made purposeful communications to the Samahas and their lawyer in Florida at Bassil's and Jreissati's direction to effectuate Defendants' scheme, the Court still would have specific personal jurisdiction over all Defendants because the entire purpose of Defendants' scheme was to deprive the Samahas of a property interest sited in this District and to obstruct justice in this Court by extorting dismissal of the U.S. Lawsuit. As described herein, each of the Defendants took actions directed at obstructing justice in this Court by extorting the dismissal of the U.S. Lawsuit. This includes Sassine, who held the Samahas captive in inhumane conditions and interrogated them for the purpose of extorting dismissal of the U.S. Lawsuit.

20. The Court also has personal jurisdiction over each Defendant, because Defendants conspired together and committed overt acts in Florida in furtherance of the conspiracy—including communications into Florida to lure the Samahas from Florida to Lebanon and communications into Florida to convey Defendants' ransom demands.

21. Adjudication of the Samahas' claims in Florida is appropriate because the claims cannot be fairly adjudicated in Lebanon. Defendants control the outcome of any claims that the

Samahas could assert in Lebanon. Defendants have substantial influence over judicial functions in Lebanon. In particular, Bassil, as the leader of the dominant political party and a Hezbollah ally, exercises significant control over the country's judiciary.

22. Due to Defendants' significant influence over Lebanese judicial functions, Lebanese courts do not provide an adequate forum to adjudicate the Samahas' claims, which are based on Defendants' misconduct, including through abuse of the Lebanese legal system.<sup>1</sup> A system subject to the control of Defendants cannot fairly adjudicate the Samahas' claims, especially where Defendants have already demonstrated their ability to maneuver the outcome of Lebanese judicial proceedings to their own benefit.

23. The Samahas' inability to obtain relief in Lebanon is exacerbated by the fact that political corruption and bribery is notorious in Lebanon. According to Transparency International's Corruption Perceptions Index, Lebanon is more corrupt than over 135 other countries, including Brazil, Russia, Iran, and Kazakhstan.

24. Corruption and bribery have specifically blocked the Samahas' efforts to obtain redress in Lebanon. Bassil and Jreissati exert substantial control over military, political, and judicial functions in the country. The Samahas have repeatedly raised issues concerning this conduct with the Lebanese authorities, and have repeatedly been ignored.

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<sup>1</sup> Lebanon is a country characterized by the United States as one that has a legal structure that provides for the prosecution and punishment of officials who committed human rights abuses but, nevertheless, a country where enforcement remains a problem, and government officials enjoy a measure of impunity for human rights abuses. U.S. Dep't of State, Bur. of Democracy, Human Rights, and Labor, *Country Reports on Human Practices* (2018); *see also* Declaration of Dr. Michael Rubin [ECF No. 242-2].

## FACTUAL ALLEGATIONS

### **A. Defendants Kidnap and Torture the Samahas to Extort Dismissal of the U.S. Lawsuit.**

25. In early 2019, Defendants, acting in concert, undertook a plan to induce the Samahas to leave their home in Miami to travel to Lebanon, where Defendants planned to kidnap and torture them. Defendants did so with the intention and effect of coercing the dismissal of the U.S. Lawsuit pending in this Court.

#### **i. Mrs. Samaha Tries to Obtain Her Lawful Inheritance.**

26. Mrs. Samaha's father and aunt left her their estates worth tens of millions of dollars. However, she never received her inheritance because politically connected family members conspired to fraudulently deprive her of it. To obtain what was rightfully hers, Mrs. Samaha filed a lawsuit in Lebanon, but her family members bribed Defendant Jreissati over \$500,000 U.S. dollars to use his political power to obstruct Mrs. Samaha's efforts. As a result, despite her entitlement to a significant inheritance, Mrs. Samaha's attempts to obtain that inheritance through the Lebanese judicial system were fruitless. After repeated failures, Mrs. Samaha commenced litigation in this Court.

27. On November 17, 2017, Mrs. Samaha filed the U.S. Lawsuit, asserting claims against her family members and Lebanese officials who conspired with them, including Jreissati, to defraud Mrs. Samaha of her rightful inheritance. [*See* ECF No. 1].

28. In January 2018, Jreissati became increasingly frustrated by Mrs. Samaha's pursuit of the U.S. Lawsuit, in which he was named as a defendant. Jreissati expressed his concern regarding the U.S. Lawsuit to other Lebanese officials, including Bassil.

29. In or around January 2018, the Samahas met with Bassil and his wife, Chantal Aoun, at their residence in Batroun, Lebanon. During a two-hour meeting, the Samahas discussed various issues with Bassil, including the U.S. Lawsuit. During this discussion, Bassil told the

Samahas that Bouez was his lawyer and would be acting on Bassil's behalf. Bassil added that he had instructed Bouez to report back to him regularly while he was acting on Bassil's behalf.

**ii. Defendants Lure Mrs. Samaha to Lebanon.**

30. Despite the Samahas' discussion with Bassil, Mrs. Samaha's inheritance issues were not resolved. As a result, Mrs. Samaha continued to pursue the U.S. Lawsuit. In November 2018, the Court issued summonses against each of the defendants, including Jreissati. [ECF Nos. 20-30]. Jreissati was served in February 2019. [ECF No. 58]. On March 12, 2019, counsel for Jreissati appeared in the U.S. Lawsuit and moved to extend the time for Jreissati to answer from March 12, 2019 until May 13, 2019. [ECF Nos. 66-68].

31. As Mrs. Samaha continued to pursue her claims, Jreissati became increasingly frustrated. Jreissati was a political ally of Bassil, and Bassil was aware of Jreissati's increasing frustration with the U.S. Lawsuit given that it threatened to expose their corruption in a public forum. In early 2019, Bassil concocted a plan to ensure the dismissal of the U.S. Lawsuit by luring the Samahas from Florida to Lebanon so that Defendants could torture the Samahas in order to obstruct justice in this Court by extorting dismissal of the U.S. Lawsuit. Bassil and Jreissati came to an agreement to implement this plan with the help of others.

32. Bassil and Jreissati asked Macaron to assist with their plan, and he agreed, thereby becoming a party to the conspiracy. To provide a pretext for kidnapping the Samahas, Macaron brought charges for criminal defamation in Lebanon against Mrs. Samaha based on her allegations in the U.S. Lawsuit, even though there was no legitimate basis for such claims. Upon learning of the plot to induce the Samahas to come to Lebanon, Macaron renewed summonses issued against Mrs. Samaha based on his defamation allegations. He did so, at the direction of Defendants Bassil and Jreissati and as a party to their conspiracy, to ensure that Mrs. Samaha could be detained upon her arrival in Lebanon.

33. Bassil and Jreissati then proceeded to lure Plaintiffs to Lebanon. First, Bassil and Jreissati instructed Bouez to contact the Samahas in Florida by WhatsApp to propose that they travel to Lebanon for a purported settlement conference. Bouez agreed to do so, thereby becoming a party to the conspiracy. By instructing Bouez to lure the Samahas from Miami to Beirut, Bassil and Jreissati acknowledged that Bouez would act as their agent. Bassil, Jreissati, and Bouez each knew that the Samahas lived in Florida and would be in Florida when Bouez contacted them to ask them to leave Florida to travel to Lebanon.

34. In March 2019, Bouez, pursuant to the instructions from Bassil and Jreissati and as a party to the conspiracy, contacted the Samahas to inform them that Mrs. Samaha's family was interested in resolving the inheritance dispute. Bouez used WhatsApp to call Plaintiffs on at least three occasions while they were in Florida, asking them to come to Lebanon to participate in settlement discussions regarding the inheritance claims. The Samahas believed that Bouez had the power to facilitate settlement discussions, because of Bassil's representation that Bouez was acting on his behalf.

35. This was a farce. Bouez proposed settlement discussions solely to effectuate Bassil's and Jreissati's plan to lure the Samahas from Florida to Lebanon in order to kidnap and torture them so that Mrs. Samaha would dismiss the U.S. Lawsuit and relinquish any inheritance claim.

36. Unaware of Defendants' plot, the Samahas relied on Bouez's statements. They took the bait and left their home in Florida to travel to Lebanon, arriving on April 2, 2019.

37. Upon landing in Beirut, Mrs. Samaha was immediately and unlawfully detained by border control agents on the putative basis of the lawsuit filed by Macaron. In reality, Mrs. Samaha was detained so that Bassil and Jreissati could effectuate their scheme to kidnap and torture her.

38. While detained at the airport, Mrs. Samaha was separated from her husband. Agents brought Mrs. Samaha to an office and immediately confiscated her mobile phone. After twenty minutes, three soldiers arrived. They held Mrs. Samaha at gunpoint before bringing her to the Surety General Detention Center in Beirut at the direction of Bassil and Jreissati.

39. Prisons in Lebanon are overcrowded and lack adequate sanitation, ventilation, and lighting. However, the conditions of Plaintiffs' detention were inhumane even by Lebanese standards. At the detention center, Mrs. Samaha was forced into a small 7-foot by 9-foot cage in a room with no lights or windows. The room was stifling hot. Upon her arrival at the prison, Mrs. Samaha was held in that cage for more than 12 hours and refused access to food, water, or toilet facilities.

40. During that time, Defendants ignored Mrs. Samaha's health. Mrs. Samaha has diabetes and requires regular access to food to maintain safe blood sugar levels. Defendants, including Bassil, Jreissati and Macaron, inflicted physical harm on Mrs. Samaha by ordering guards to deprive her of access to food and to her medication, to the point that she lost consciousness at least twice, and experienced heart palpitations, cold sweats, numbness, and other medical conditions that required immediate medical attention, which she was denied. Bassil, Jreissati and Macaron gave these instructions for the purpose of coercing Mrs. Samaha to dismiss the U.S. Lawsuit. Mrs. Samaha was in pain and screamed to alert her captors to her condition. Despite Mrs. Samaha's deteriorating health, Defendants ordered guards to ignore her condition, and instead left her to remain in severe physical pain.

41. In addition to physically torturing Mrs. Samaha, Defendants also ordered guards to subject her to severe mental pain and anguish. While Mrs. Samaha remained in captivity, guards tortured others nearby so that Mrs. Samaha was forced to watch and listen. Mrs. Samaha

repeatedly heard sounds of male guards physically abusing female prisoners. Bassil and Jreissati directed these acts to inflict severe mental suffering on Mrs. Samaha. As a result of witnessing these attacks, Mrs. Samaha suffered, and continues to suffer, severe mental anguish.

42. As her detention continued, Mrs. Samaha heard the screams of other prisoners echoing from the walls, and she saw the guards stalk past her cage with large hunting knives, tapping them across the bars of her cage. Bassil and Jreissati directed these acts in order to intimidate and coerce Mrs. Samaha. As Mrs. Samaha mentally prepared herself to be killed at the hands of her captors, her pain level rose to the point that she was no longer able to suffer in silence, and she began to scream aloud. In response, a prison guard approached and demanded that she explain why she was screaming so loudly. Mrs. Samaha explained that she was experiencing severe pain and was having trouble breathing because she had diabetes and did not have access to food or to her medication. The guard ignored her pleas for medical attention and instead yelled at her to be quiet, threatening her with his knife if she continued to make noise. The guard told Mrs. Samaha that nobody would help her. Bassil and Jreissati expressly directed the guards to ignore Mrs. Samaha's physical pain and mental distress. They did so because they believed that this would cause Mrs. Samaha to dismiss the U.S. Lawsuit.

43. Unaided and alone, Mrs. Samaha was kept in this small cage overnight, without food, water, or essential medication.

44. On the morning of April 3, 2019, Mrs. Samaha was transferred to a second detention facility under the supervision of Lebanon's Internal Security Forces Directorate ("ISF"). The ISF is Lebanon's national police force. The ISF facility to which Mrs. Samaha was transferred houses Lebanon's most dangerous criminals, including suspected and convicted terrorists.

45. When Mrs. Samaha arrived at the ISF facility, she was stripped naked in the presence of two ISF officers. Mrs. Samaha resisted until she was threatened with physical violence if she continued to refuse. After her clothing was removed, Mrs. Samaha remained naked in front of the officers for several minutes, during which she sobbed from embarrassment and humiliation while the officers talked and laughed.

46. Bassil, through Jreissati and others, ordered Mrs. Samaha's interrogation at the ISF facility. Jreissati directed Macaron to subject Mrs. Samaha to harsh interrogation techniques as part of the plan to torture the Samahas to coerce the dismissal of the U.S. Lawsuit. Macaron agreed to do so and directed Captain Sassine of the ISF to interrogate Mrs. Samaha. Sassine agreed to do so and joined Defendants' conspiracy. Consequently, the ISF officers, acting at Sassine's direction, next brought her to be interrogated by Sassine. Sassine interrogated Mrs. Samaha about the U.S. Lawsuit. Sassine's questioning continued for more than six hours. During this time, Sassine asked Mrs. Samaha only about the U.S. Lawsuit and Mrs. Samaha's related claims in Lebanon.

47. Throughout the interrogation, Macaron stood outside the interrogation room, where he directed Sassine to humiliate Mrs. Samaha, to interrogate her, and to hold her captive until she dismissed the U.S. Lawsuit.

48. Sassine informed Mrs. Samaha that, because of orders from Bassil and Jreissati, she would continue to be held in inhumane conditions in a small cage and only released from captivity after she dismissed the U.S. Lawsuit. Mrs. Samaha initially refused. Sassine responded that, if she continued to refuse, she would remain imprisoned indefinitely. Sassine effecutated Bassil's and Jreissati's orders.

49. Defendants were determined to break Mrs. Samaha's resolve, and they determined to inflict additional pain and humiliation to extort her compliance. After Mrs. Samaha initially refused to dismiss the U.S. Lawsuit, Bassil ordered Brigadier General Khaled Hammoud, head of the ISF's Information Branch, to hold Mrs. Samaha under even more severe conditions. Bassil further ordered that Mrs. Samaha be physically tortured so that she would dismiss the U.S. Lawsuit. Mrs. Samaha was accordingly placed in an underground cell with no light, windows, or air circulation, and was not provided food or water. She was held there for two days. Hammoud also told Mrs. Samaha that Bassil had ordered him to apply electrical shocks to Mrs. Samaha to coerce her to dismiss the U.S. Lawsuit.

50. Still acting at Bassil's direction, guards threatened to place Mrs. Samaha in a cell along with a woman who had murdered numerous people. They repeatedly told Mrs. Samaha about the woman's murderous acts in an effort to coerce her into dismissing the U.S. Lawsuit.

51. The next morning, April 4, ISF guards acting at Bassil's direction again subjected Mrs. Samaha to psychological torture. They took one of the terrorists out of his holding cell and brought him in front of Mrs. Samaha, where they physically tortured him by stretching his arms and legs in front and behind him. They beat him, threatened to snap his neck, and then repeated the beatings over and over, forcing Mrs. Samaha to watch. Bassil arranged this demonstration to convey to Mrs. Samaha what would happen to her if she refused to comply with Defendants' demands.

52. After torturing other prisoners in front of Mrs. Samaha, the guards waited a few hours. They then brought Mrs. Samaha to a room, where Sassine told her again to dismiss the U.S. Lawsuit. Mrs. Samaha again refused. Throughout Mrs. Samaha's detention, the guards acted pursuant to the direction of Bassil.

53. At no time was there any lawful basis for Mrs. Samaha's detention.

**iii. Defendants Kidnap Mr. Samaha in a Further Effort to Extort Dismissal of the U.S. Lawsuit.**

54. Defendants knew that it might be difficult to coerce Mrs. Samaha to dismiss the U.S. Lawsuit. Their backup plan included exerting additional pressure on Mrs. Samaha by kidnapping and torturing Mr. Samaha, whom they also had lured to travel from Florida to Lebanon.

55. After Mrs. Samaha was kidnapped on April 2, 2019, Mr. Samaha immediately went to the couple's home in Beirut. The next morning, April 3, he contacted Lebanese Justice Minister Albert Serhan to request his wife's release. Serhan spoke with Bouez and then summoned Mr. Samaha for a face-to-face meeting. Serhan told Mr. Samaha that, because of orders from Bassil and Jreissati, his wife would be released only if Mrs. Samaha dismissed the U.S. Lawsuit.

56. Mr. Samaha also contacted Claudine Aoun, the daughter of Lebanon's President and Bassil's sister-in-law, to seek his wife's release. Shortly after that conversation, Mr. Samaha received an instruction from the ISF to meet at ISF headquarters the next day to discuss his wife's detention. Bassil directed Sassine to kidnap and torture Mr. Samaha when he arrived at the ISF facility with the hope that it would cause Mrs. Samaha to dismiss the U.S. Lawsuit.

57. Later that day, Mr. Samaha met with Bouez. During the meeting, Bouez called Bassil. Bouez relayed to Mr. Samaha that Bassil had said that Mrs. Samaha would not be released until she dismissed the U.S. Lawsuit, with prejudice.

58. On April 4, 2019, Mr. Samaha went to ISF headquarters. When he arrived at the ISF facility, in accordance with Bassil's direction, he was immediately detained without charges of any kind. At Sassine's direction, ISF guards then took Mr. Samaha underground, where he was detained alongside Mrs. Samaha. He, too, was held with no access to light, food, water, or toilet facilities. Without access to food or water, Mr. Samaha's blood pressure dropped, and he lost

consciousness on several occasions. Defendants prevented him from receiving adequate medical attention, for fear that he might contact the U.S. Embassy in Beirut and expose Defendants' scheme.

59. In addition to the physical pain, Defendants knew that Mr. Samaha's detention would inflict extreme mental distress. Mr. Samaha's father was murdered in the family's home in Beirut in 1992. He was killed in retaliation for Plaintiff Elie Samaha's role as an outspoken political activist critical of the Lebanese Government. No investigation of the murder was undertaken. Instead, to punish Mr. Samaha's persistence in seeking an investigation of his father's murder, the government arrested Mr. Samaha and took him to the ISF detention center (the same detention center to which he was taken in April 2019). Mr. Samaha was tortured there for three days on that occasion in the early 1990s. Defendants knew of Mr. Samaha's prior torture at the hands of the Lebanese Government and sought to force him to relive that experience by detaining him again in the facility and under similar conditions.

60. Bassil and Jreissati, acting together with others, ordered the Samahas' detention. Each Defendant knew of and intended that the Samahas be imprisoned under such inhumane conditions. Multiple ISF officials, including Hammoud, Sassine, Mohamad Abdel Aziz, and Mohamad Al Arab, informed Mr. Samaha that Bassil and Jreissati, acting together with others, had ordered the Samahas' detention.

61. In particular, Bassil closely monitored the conditions of the Samahas' captivity. Indeed, Khaled Hammoud confirmed that Bassil expressed anger that the conditions of the Samahas' detention were not even worse. Bassil instructed that vermin and bugs be placed in the Samahas' cells and that guards physically assault and torture them with electricity.

62. At no time was there any lawful basis for Mr. Samaha's detention.

iv. **Through Continued Torture, Defendants Finally Succeed in Extorting Dismissal of the U.S. Lawsuit.**

63. As a result of a directive from Bassil, the Samahas' captors remained steadfast in their determination that the Samahas would not be released until Mrs. Samaha dismissed the U.S. Lawsuit.

64. After Mrs. Samaha's repeated refusals to accede to Defendants' demands, Defendants took more extreme measures to coerce dismissal of the U.S. Lawsuit. The Samahas again were interrogated and ordered to dismiss the litigation. When they again refused, Sassine threatened to kidnap and physically torture the Samahas' daughter, who had traveled to Lebanon with them.

65. As a result of the torture he suffered and to protect his wife and daughter, Mr. Samaha finally relented and instructed Mrs. Samaha's lawyer in Florida, Lorne Berkeley, to dismiss the U.S. Lawsuit. Mr. Berkeley did so. [ECF No. 81].

66. After the dismissal, ISF official Johnny Samaha informed the Samahas that Bassil and Jreissati had jointly issued an order that the Samahas should be killed or imprisoned for a lengthy period to cover up Defendants' plot to coerce the dismissal of the U.S. lawsuit through kidnapping and torture.

67. ISF official Abdel Aziz informed Mr. Samaha that Bassil and Jreissati had issued an order that the Samaha be brought before Peter Germanos, the Commissioner of the Military Court, so that Germanos could order the Samahas' execution.

68. General Hammoud later informed the Samahas that an unreasonable and illegal court order to detain them had been issued and that Bassil and Jreissati had ordered that the Samahas be killed to prevent U.S. authorities from learning what Bassil and Jreissati had done to them.

69. While the Samahas were detained, they met with Bouez. It was at this meeting that Bouez acknowledged to the Samahas that he had tricked them to leave Florida to come to Lebanon under the false pretense of a settlement conference. Bouez further acknowledged that he had done so based on orders from Bassil and Jreissati.

70. The dismissal of the U.S. Lawsuit was not, however, enough for Defendants. Bassil and Jreissati demanded that Mrs. Samaha's attorney, Mr. Berkeley, send Macaron a letter waiving Mrs. Samaha's claims against Jreissati and others before the Samahas would be released. Bassil and Jreissati directed Macaron to make that demand on their behalf. On behalf of Bassil and Jreissati, Macaron sent WhatsApp messages to Mr. Berkeley in Florida, stating that he was "the lawyer of the sister and brother and mother of Lara[;] I am the person who's in charge of the case and pls I will send you an what's up [*sic*] text to be added to finalize the case of Lara and Elie so they can be released." Macaron said that various steps would need to be taken so that "the realase [*sic*] can be done." Specifically, Macaron demanded that the Samahas dismiss "with prejudice" *any* claims against the Defendants named in the U.S. Lawsuit. In response, Mr. Berkeley sent Bouez the letter demanded by Macaron, which reflected that it was being provided as a condition of the Samahas' release.

71. The Samahas were released only after Macaron received the letter that Mr. Berkeley had sent to Bouez. While they awaited their release, the Samahas continued to be subject to harsh conditions of confinement.

72. On April 11, 2019, Lebanese Judge Farid Ajib conducted a hearing, after which Ajib issued a decision ordering the release of Mr. and Mrs. Samaha. Ajib required proof that the U.S. Lawsuit had been dismissed with prejudice, and that the Lebanese inheritance case had been dismissed. Recognizing their own misconduct, Bassil, Jreissati, Bouez and Macaron prevented

the hearing from appearing on the public docket to avoid public scrutiny of the kidnapping and torture.

73. Despite the Samahas' release, the effects of their torture persist, to the point that every time a door opens or a lock turns, they suffer from uncontrollable panic.

74. On January 9, 2020 Magistrate Judge Alicia M. Otazo-Reyes issued a Report and Recommendation finding that the dismissal of the U.S. Lawsuit was "a product of duress and coercion." Report and Recommendation at 16. [ECF No. 132]. The Court subsequently adopted the Report and Recommendation and expressly reaffirmed that finding. May 27, 2020 Order at 2. [ECF No. 140]. Recognizing that Mrs. Samaha's dismissal of the U.S. Lawsuit was coerced by "kidnapping, harsh interrogation, and cruel torture-like tactics," the Court set aside the dismissal and reopened this case on May 27, 2020. *Id.* at 2, 7.

v. **The Torture Convention**

75. The United Nations adopted the Torture Convention via United Nations Resolution No. 39/46 in 1984. The Torture Convention entered into force June 26, 1987, and recognizes international norms prohibiting the torture of all persons. The Torture Convention remains open to all member States of the United Nations for signature, and as of April 1, 2019, 171 countries, including the United States and Lebanon, were parties to the Convention; and as of the date of this Amended Supplemental Complaint, 174 countries are parties. The United States signed the Torture Convention as a United Nations member State on April 18, 1988, and ratified it on October 21, 1994. Lebanon acceded<sup>2</sup> to the Torture Convention as a United Nations member State on

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<sup>2</sup> Lebanon became a party to the Convention after the Convention had already been negotiated and signed by other states, and it therefore "acceded" to the Convention. It has the same legal effect as ratification. *See* Arts. 2(1)(b) and 151, Vienna Convention on the Law of Treaties 1969.

October 5, 2000. At all relevant times in this case, the United States and Lebanon were signatories to the Torture Convention.

76. The Torture Convention imposes legal obligations on parties to enact implementing laws and regulations. *See* Art. 2.

77. The Torture Convention sets forth specific, well-defined proscriptions against inflicting severe mental or physical pain. Article 1 provides that:

“[T]orture” means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent of a public official or other person acting in an official capacity.

78. The norms contained in the Torture Convention are matters of mutual concern among nations. The preamble to the Convention recognizes that all nations have an obligation to promote “universal respect for, and observance of,” prohibitions against torture. This obligation arises, in part, from Article 55 of the United Nations Charter, which addresses the obligation of the United Nations to promote “conditions of stability and well-being which are necessary for peaceful and friendly relations among nations[.]”

**FIRST CAUSE OF ACTION**  
**Violation of the Law of Nations**  
**(by Lara Samaha against all Defendants)**

79. At all times relevant to this lawsuit, Mrs. Samaha was an “alien” within the meaning of the ATS.

80. Defendants knew that Mrs. Samaha had filed the U.S. Lawsuit. Defendants sought to deprive Mrs. Samaha of her valuable right to pursue that litigation.

81. Defendants, acting in concert and pursuant to a conspiratorial agreement, did so through violations of the Torture Convention, which is part of the “law of nations” within the meaning of the ATS.

82. Mrs. Samaha was kidnapped by the security forces of Lebanon, acting under color of law. Defendants acted, through Bassil and Jreissati using their actual and/or apparent authority as government officials, to cause Mrs. Samaha’s unlawful arrest, detention, and torture by Lebanese security forces. While in the custody of the Lebanese security forces, Mrs. Samaha was subjected to unlawful and severe pain and suffering, both physical and mental.

83. Defendants, acting in concert and pursuant to a conspiratorial agreement, willfully and unlawfully deprived Mrs. Samaha of her freedom and tortured her by subjecting her to physical pain and emotional harm, including by threatening her with severe physical pain and death, in order to coerce her into giving up her right to pursue the U.S. Lawsuit.

84. Torture during unlawful detention constitutes a violation of the law of nations.

85. Defendants’ misconduct touches and concerns the United States because Defendants lured Mrs. Samaha from the United States so that they could kidnap and torture her, and Defendants’ misconduct was directed at coercing Mrs. Samaha to abandon a U.S. property interest – the U.S. Lawsuit – and obstructing justice in this Court.

86. Defendants are liable to Mrs. Samaha for the harm they inflicted on her through their violation of the law of nations.

**SECOND CAUSE OF ACTION**  
**Violation of the Torture Victim Protection Act**  
**(by the Samahas against all Defendants)**

87. Defendants, acting in concert and pursuant to a conspiratorial agreement, kidnapped and tortured the Samahas, including by directing the security forces of Lebanon, acting under color of law. Defendants acted, through Jreissati using his authority as Minister for

Presidential Affairs and former Minister of Justice, to cause the unlawful arrest, detention, and torture of the Samahas by Lebanese security forces. While in the custody of the Lebanese security forces, the Samahas were subjected to unlawful and severe pain and suffering, both physical and mental.

88. Defendants, acting in concert and pursuant to a conspiratorial agreement, tortured the Samahas to intimidate and coerce them so that Mrs. Samaha would dismiss the U.S. Lawsuit. Defendants tortured the Samahas, as that term is defined in the Torture Victim Protection Act.

89. The Samahas were subjected to severe mental pain resulting from the threatened infliction of severe physical pain and imminent death.

90. The Samahas have no adequate remedies available to them in Lebanon. Defendants are liable to the Samahas for the harm they inflicted through their violations of Torture Victim Protection Act.

### **THIRD CAUSE OF ACTION**

#### **Fraud**

#### **(by the Samahas against Bassil, Jreissati and Bouez)**

91. At the direction of Bassil and Jreissati, Bouez misrepresented to the Samahas that members of Mrs. Samahas' family wished to resolve issues concerning Mrs. Samaha's inheritance in good faith.

92. These representations, directed at the Samahas in Florida, were false.

93. Bassil, Jreissati and Bouez intended that the Samahas would rely on Bouez's misrepresentation and travel to Lebanon for the purported settlement conference.

94. The Samahas did rely on the misrepresentation in deciding to travel to Lebanon.

95. The Samahas' reliance on this misrepresentation was reasonable.

96. As a result of the their reliance on the misrepresentation, the Samahas traveled to Lebanon, where they were kidnapped and tortured, causing them to dismiss the U.S. Lawsuit and relinquish Mrs. Samaha's claims to her inheritance.

**FOURTH CAUSE OF ACTION**  
**Civil Conspiracy**  
**(by the Samahas against all Defendants)**

97. Defendants agreed to engage and did engage in concerted action, together and with others not named as parties in this action, to fraudulently lure the Samahas from Florida to Lebanon and then to torture the Samahas. Defendants did so to coerce and intimidate the Samahas to cause Mrs. Samaha to dismiss the U.S. Lawsuit.

98. Defendants each took one or more overt acts in pursuance of the conspiracy, including but not limited to making misrepresentations to induce the Samahas to travel to Lebanon, ordering the Samahas' unlawful arrest, detention and torture, and communicating with Mrs. Samaha's U.S. attorney to extort the dismissal of the U.S. Lawsuit.

99. The Samahas were damaged by Defendants' conspiracy, which inflicted physical and emotional harm on the Samahas through torture inflicted in violation of U.S. and international law.

**PRAYER FOR RELIEF**

WHEREFORE, the Samahas request that this Court award a judgment on all claims and award them such damages and compensation, including punitive damages, interest, reasonable attorneys' fees, costs and such other relief as this Court may deem just. An award of punitive damages is appropriate because Defendants' conduct was criminal in nature, dangerous to human life, outrageous, extreme, wanton, willful, and malicious.

**JURY DEMAND**

The Samahas demand a trial by jury on all causes of action herein.

Dated: March 19, 2024

/s/ T. Omar Malone

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