



IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

JENNY RUBIN, §  
DEBORAH RUBIN, §  
DANIEL MILLER, §  
ABRAHAM MENDELSON, §  
STUART E. HERSH, §  
RENAY FRYM, §  
NOAM ROZENMAN, §  
ELENA ROZENMAN, §  
and TZVI ROZENMAN, §

Plaintiffs/Judgment Creditors, §

vs. §

THE ISLAMIC REPUBLIC OF IRAN (aka Iran) §  
The Republic of Iran, Republic of Iran, The §  
Government of Iran, Iranian Government, §  
and Imperial Government of Iran), THE §  
IRANIAN MINISTRY OF §  
INFORMATION AND SECURITY, §  
AYATOLLAH ALI HOSEINI KHAMENEI, §  
ALI AKBAR HASHEMI-RAFSANJANI, §  
and ALI FALLAHIAN-KHUZESTANI, §

Defendants/Judgment Debtors. §

CIVIL NUMBER: 2-03MC-0014J

Complete the following if judgment  
was rendered in another District:

District: District of Columbia  
Docket Number: 01-1655 RMU  
Date Entered: September 10, 2003

**PLAINTIFFS' SUPPLEMENT TO APPLICATION FOR WRIT OF EXECUTION**

The Plaintiffs respectfully submit the attached certified copy of the Warranty Deed. This document evidences that the Defendant Islamic Republic of Iran (aka Government of Iran) owns the real property that is the subject of the proposed execution. *See also, Hegna v. Islamic Republic of Iran*, 376 F.3d 485 (5<sup>th</sup> Cir. 2004).

The Defendant, which is currently known as "The Islamic Republic of Iran," has at various times also used the names Iran, The Republic of Iran, Republic of Iran, The Government

of Iran, Iranian Government, and Imperial Government of Iran. This fact is expressly reflected in the caption of plaintiffs' judgment, which was entered against defendant Iran under all its alternative names.

Indeed, other recent federal court decisions against Iran also reflect these various names. *See Stern v. Islamic Republic of Iran*, 271 F.Supp.2d 286, 291 (D.D.C. 2003) (The Islamic Republic of Iran is "also known as 'The Republic of Iran', 'Republic of Iran', 'The Government of Iran', 'Iranian Government', 'Imperial Government of Iran', and 'Iran'").

Moreover, the Islamic government which currently rules Iran has been in power since February 1979, several weeks before the Warranty Deed was executed on April 18, 1979. *See e.g. Continental Illinois Corp. v. C. I. R.*, 94 T.C. 165, 167 ( U.S.Tax Ct. 1990)("Khomeini set up a provisional Islamic government on February 11, 1979 ... The Islamic Republic of Iran was proclaimed on April 1, 1979."); *Boland v. Bank Sepah-Iran*, 614 F.Supp. 1166, 1168 ( D.C.N.Y. 1985)("Ayatollah Khomeini and the Revolutionary Party took power in Iran in February 1979"); *Reading & Bates Corp. v. United States*, 40 Fed.Cl. 737, 744 (Fed.Cl. 1998)("On April 1, 1979, Khomeini declared the Islamic Republic of Iran").

Therefore, Plaintiffs respectfully submit that the property was transferred into the name of the Government of Iran, after the assumption of power by the current Islamic government.

Respectfully submitted,

McINTYRE, TATE, LYNCH & HOLT  
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*Attorney for Plaintiffs*

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*Local Counsel for Plaintiffs*



Stewart R. Werner

**CERTIFICATE OF SERVICE**

This is to certify that I have, this 2<sup>d</sup> day of December, 2004, served by facsimile and first class mail, postage prepaid, a true and correct copy of the above and foregoing Supplement, to the following:

Rupa Bhattacharyya, Esq.  
Trial Attorney, Federal Programs Branch  
U.S. Department of Justice, Civil Division  
P.O. Box 883  
20 Massachusetts Avenue, NW  
Washington, DC 20044



Stewart R. Werner

NOTICE  
12/2/04

# WARRANTY DEED

THE STATE OF TEXAS }  
COUNTY OF LUBBOCK } KNOW ALL MEN BY THESE PRESENTS.

That I, STEPHEN VON PHUL, as Trustee, and in my capacity as  
Trustee only  
of the County of Lubbock and State of Texas for and in  
consideration of the sum of TEN & NO/100 (\$10.00) ----- DOLLARS  
and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of  
which is hereby acknowledged.

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto  
THE GOVERNMENT OF IRAN

of ~~XXXXXXXXXXXX~~ ~~XXXXXXXXXXXX~~ all of

the following described real property in Lubbock County, Texas, to-wit:  
All of Tract Twenty-Two (22) of Bobalet Heights, an addition  
to the City of Lubbock, Lubbock County, Texas.

Current ad valorem taxes on said property are hereby assumed by Grantee.  
This conveyance is made and accepted subject to any and all conditions and  
restrictions, if any, relating to the hereinabove described property, to the  
extent, and only to the extent, that the same may still be in force and  
effect, shown of record in the office of the County Clerk of Lubbock County,  
Texas.

This conveyance is made and accepted subject to all prior reservations and  
outstanding interests in and to all of the oil, gas and other minerals in  
and under and that may be produced from said land.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and  
appurtenances thereto in anywise belonging, unto the said grantee, its successor ~~xxx~~ and assigns  
forever, and I do hereby bind myself, as trustee, my successor and assigns  
WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee its succes-  
sors ~~xxx~~ and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 12<sup>th</sup> day of APRIL, A. D. 1979.  
*Stephen Von Phul*  
STEPHEN VON PHUL, as Trustee



CERTIFICATION:  
TRUE AND CORRECT  
COPY OF ORIGINAL ON  
FILE IN LUBBOCK  
COUNTY CLERK'S OFFICE

(Acknowledgment)

THE STATE OF TEXAS }  
COUNTY OF \_\_\_\_\_ }

Before me, the undersigned authority, on this day personally appeared **STEPHEN VON PHUL,**  
as Trustee,

known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me  
that he executed the same for the purposes and consideration therein expressed, and in the capacity  
therein stated.

Given under my hand and seal of office on this the 18 day of APRIL, A. D. 1979  
Notary Public in and for \_\_\_\_\_ County, Texas

Seal

RALPH L. EDWARDS

(Acknowledgment)

THE STATE OF TEXAS }  
COUNTY OF \_\_\_\_\_ }

Before me, the undersigned authority, on this day personally appeared

known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me  
that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_  
Notary Public in and for \_\_\_\_\_ County, Texas

WARRANTY DEED

TO

PREPARED IN THE LAW OFFICE OF

PLEASE RETURN TO

STATE OF TEXAS }  
COUNTY OF LUBBOCK }

I hereby certify that this instrument was FILED on the  
date and at the time stamped hereon by me and was duly  
RECORDED in the Volume and Page of the RECORDS of  
Lubbock County, Texas as stamped hereon by me.

FILED

APR 16 10 16 AM '79

APR 18 1979

*Frank B...*  
County Clerk, Lubbock County, Texas



*Frank B...*

COUNTY CLERK  
LUBBOCK COUNTY, TEXAS



CERTIFICATION:  
TRUE AND CORRECT  
COPY OF ORIGINAL ON  
FILE IN LUBBOCK  
COUNTY CLERK'S OFFICE

VOL. 635 FILE 37

I, DORIS RUFF, County Clerk in  
and for said County and State, do hereby  
certify that the above and foregoing is a true and correct copy of \_\_\_\_\_

Warranty Deed  
as the same appears on file and/or of record in my office in Vol. 1635  
page 96 of the Deed records of Lubbock County, Texas.

Witness my hand and seal of office at Lubbock, Texas, this 30th  
day of November, A.D. 2004



DORIS RUFF, County Clerk, Lubbock County, Texas

By Frieda Colby Deputy