

Jabbar Ali Abdel-Latif," Mustafa Mohamed Fadhil, a/k/a "Mustafa Ali Elbishy," a/k/a "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," Khalfan Khamis Mohamed, a/k/a "Khalfan Khāmis," Ahmed Khalfan Ghailani, a/k/a "Fuqi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," Fahid Mohammed Ally Msalam, a/k/a "Fahad M. Ally," and Sheikh Ahmed Salim Swedan, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," unlawfully, wilfully and knowingly combined, conspired, confederated and agreed to murder, kidnap, and maim nationals of the United States at places outside the United States.

15. It was a part and an objective of said conspiracy that the defendant, and others known and unknown, would and did:

- (i) kill United States nationals employed by the United States military who were serving in Somalia and on the Saudi Arabian peninsula;
- (ii) kill United States nationals employed at the United States Embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, including internationally protected persons as that term is defined in Title 18, United States Code, Section 1116(b)(4);
- (iii) kill United States civilians anywhere in the world, and
- (iv) engage in conduct to conceal the activities and means and methods of the co-conspirators by, among other things, establishing front companies, providing false identity and travel documents, engaging in coded correspondence, providing false information to the authorities in various countries and seeking

to detect and kill informants.

Overt Acts

16. In furtherance of said conspiracy, and to effect the objects thereof, the defendant WADIH EL HAGE, and others known and unknown to the grand jury, committed the overt acts set forth in Count One of this Indictment, which are fully incorporated by reference herein.

(Title 18, United States Code, Sections 956(a)(1) and (a)(2)(A).)

COUNT THREE:

CONSPIRACY TO MURDER

The Grand Jury further charges:

17. The allegations contained in paragraphs 1 through 9 are repeated herein.

18. From at least 1991 until the date of the filing of this Indictment, in the Southern District of New York, in Afghanistan, the United Kingdom, Pakistan, the Sudan, Saudi Arabia, Yemen, Somalia, Kenya, Tanzania, Azerbaijan, the Philippines and elsewhere out of the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaqa," a/k/a "the Director," a/k/a "the Supervisor," a/k/a "the Contractor," MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a "Abu Hafs el Masry el

Khabir," a/k/a "Taysir," a/k/a "Sheikh Taysir Abdullah," a/k/a
 "Abu Fatima," a/k/a "Abu Khadija," AYMAN AL ZAWAHIRI, a/k/a
 "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor,"
 a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu
 Mohammed Nur al-Deen," SAIF AL ADEL, a/k/a "Saif," MAMDOUH MAHMUD
 SALIM, a/k/a "Abu Hajer al Iraqi," a/k/a "Abu Hajer," ABDULLAH
 AHMED ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh,"
 a/k/a "Abu Marium," MUHSIN MUSA MATWALLI ATWAH, a/k/a "Abdel
 Rahman al Muhajer," a/k/a "Abdel Rahman," KHALID AL FAWWAZ, a/k/a
 "Khaled Abdul Rahman Hamad al Fawwaz," a/k/a "Abu Omar," a/k/a
 "Hamad," WADIH EL HAGE, a/k/a "Abdus Sabbur," a/k/a "Abd al
 Sabbur," a/k/a "Wadia," a/k/a "Abu Abdullah al Lubnani," a/k/a
 "Norman," a/k/a "Wa'da Norman," a/k/a "the Manager," a/k/a
 "Tanzanite," ANAS AL LIBY, a/k/a "Nazih al Raghie," a/k/a "Anas
 al Sebai," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi
 Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a "Ibrahim,"
 ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary,"
 a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL ABDULLAH
 MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl
 Abdullah," a/k/a "Fazhl Khan," AHMED MOHAMED HAMED ALI, a/k/a
 "Ahmed the Egyptian," a/k/a "Shuaib," a/k/a "Abu Islam al Surir,"
 MOHAMED SADEEK ODEH, a/k/a "Abu Moath," a/k/a "Noureldine," a/k/a
 "Marwan," a/k/a "Hydar," a/k/a "Abdullbast Awadah," a/k/a
 "Abdulbasit Awadh Mbarak Assayid," MOHAMED SULEIMAN AL NALFI,

a/k/a "Nalfi," a/k/a "Abu Musab," a/k/a "Mohamed Suleiman Adam," MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," KHALFAN KHAMIS MOHAMED, a/k/a "Khalfan Khamis," AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants at least one of whom was first brought to and arrested in the Southern District of New York, together with other members and associates of al Qaeda, Egyptian Islamic Jihad, and others known and unknown to the grand jury, unlawfully, wilfully and knowingly combined, conspired, confederated and agreed unlawfully to kill individuals.

19. It was a part and an objective of said conspiracy that the defendants, and others known and unknown, would and did: (i) kill officers and employees of the United States and agencies and branches thereof, while such employees were engaged in, and on account of, the performance of their official duties, and persons assisting such employees in the performance of their duties, in violation of Section 1114 of Title 18, United States Code, including members of the American military stationed in Saudi Arabia, Yemen, Somalia and elsewhere, and employees of the

United States embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania; (ii) kill internationally protected persons, as that term is defined in Title 18, United States Code, Section 1116(b)(4); and (iii) engage in conduct to conceal the activities and means and methods of the co-conspirators by, among other things, establishing front companies, providing false identity and travel documents, engaging in coded correspondence, providing false information to the authorities in various countries and seeking to detect and kill informants.

Overt Acts

20. In furtherance of said conspiracy, and to effect the objects thereof, the defendants, and others known and unknown to the grand jury, committed the overt acts set forth in Count One of this Indictment, which are fully incorporated by reference herein.

(Title 18, United States Code, Sections 1114, 1116 and 1117.)

COUNT FOUR:

CONSPIRACY TO USE WEAPONS OF MASS DESTRUCTION
AGAINST NATIONALS OF THE UNITED STATES

The Grand Jury further charges:

21. The allegations contained in paragraphs 1 through 9 are repeated herein.

22. From at least 1991 until the date of the filing of this Indictment, in the Southern District of New York, in Afghanistan, the United Kingdom, Pakistan, the Sudan, Saudi

Arabia, Yemen, Somalia, Kenya, Tanzania, Azerbaijan, the Philippines and elsewhere out of the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaga," a/k/a "the Director," a/k/a "the Supervisor," a/k/a "the Contractor," MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu Mohammed Nur al-Deen," ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh," a/k/a "Abu Marium," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a "Ibrahim," ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl Abdullah," a/k/a "Fazhl Khan," MOHAMED SADEEK ODEH, a/k/a "Abu Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid," MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED

FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," KHALFAN KHAMIS MOHAMED, a/k/a "Khalfan Khamis," AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants at least one of whom was first brought to and arrested in the Southern District of New York, together with other members and associates of al Qaeda, Egyptian Islamic Jihad, and others known and unknown to the grand jury, unlawfully, wilfully and knowingly combined, conspired, confederated and agreed unlawfully to use weapons of mass destruction, to wit, bombs, against nationals of the United States while such nationals would be outside the United States and against property that is owned, leased and used by the United States and by departments and agencies of the United States.

23. It was a part and an object of said conspiracy that the defendants, and others known and unknown, would and did: (i) bomb the American embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, and employees of the American Government stationed at those embassies, and (ii) attack American military facilities in the Gulf region and the Horn of Africa, and members of the American military stationed in Saudi Arabia, Yemen, Somalia and elsewhere with bombs.

Overt Acts

24. In furtherance of said conspiracy, and to effect the objects thereof, the defendants, and others known and unknown to the grand jury, committed the overt acts set forth in Count One of this Indictment, which are fully incorporated by reference herein.

(Title 18, United States Code, Sections 2332a(a)(1) and (a)(3).)

COUNT FIVE:

CONSPIRACY TO DESTROY BUILDINGS AND PROPERTY OF THE UNITED STATES

The Grand Jury further charges:

25. The allegations contained in paragraphs 1 through 9 are repeated herein.

26. From at least 1991 until the date of the filing of this Indictment, in the Southern District of New York, in Afghanistan, the United Kingdom, Pakistan, the Sudan, Saudi Arabia, Yemen, Somalia, Kenya, Tanzania, and elsewhere out of the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaqa," a/k/a "the Director," a/k/a "the Supervisor," a/k/a "the Contractor," MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN

AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri,"
a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu
Mohammed," a/k/a "Abu Mohammed Nur al-Deen," SAIF AL ADEL, a/k/a
"Saif," MAMDOUH MAHMUD SALIM, a/k/a "Abu Hajer al Iraqi," a/k/a
"Abu Hajer," ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el
Masry," a/k/a "Saleh," a/k/a "Abu Marium," MUHSIN MUSA MATWALLI
ATWAH, a/k/a "Abdel Rahman al Muhajer," a/k/a "Abdel Rahman,"
KHALID AL FAWWAZ, a/k/a "Khaled Abdul Rahman Hamad al Fawwaz,"
a/k/a "Abu Omar," a/k/a "Hamad," WADIH EL HAGE, a/k/a "Abdus
Sabbur," a/k/a "Abd al Sabbur," a/k/a "Wadia," a/k/a "Abu
Abdullah al Lubnani," a/k/a "Norman," a/k/a "Wa'da Norman," a/k/a
"the Manager," a/k/a "Tanzanite," ANAS AL LIBY, a/k/a "Nazih al
Raghie," a/k/a "Anas al Sebai," IBRAHIM EIDAROUS, a/k/a "Ibrahim
Hussein Abdelhadi Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah,"
a/k/a "Ibrahim," ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul
Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a
"Adel," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," a/k/a "Harun
Fazhl," a/k/a "Fazhl Abdullah," a/k/a "Fazhl Khan," AHMED MOHAMED
HAMED ALI, a/k/a "Ahmed the Egyptian," a/k/a "Shuaib," a/k/a "Abu
Islam al Surir," MOHAMED SADEEK ODEH, a/k/a "Abu Moath," a/k/a
"Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a "Abdullbast
Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid," MOHAMED
SULEIMAN AL NALFI, a/k/a "Nalfi," a/k/a "Abu Musab," a/k/a
"Mohamed Suleiman Adam," MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a

"Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," KHALFAN KHAMIS MOHAMED, a/k/a "Khalfan Khamis," AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants at least one of whom was first brought to and arrested in the Southern District of New York, together with other members and associates of al Qaeda, Egyptian Islamic Jihad, and others known and unknown to the grand jury, unlawfully, wilfully and knowingly combined, conspired, confederated and agreed unlawfully to maliciously damage and destroy, and attempt to damage and destroy, by means of fire and explosives, buildings, vehicles and other personal and real property in whole or in part owned and possessed by, and leased to, the United States and departments and agencies thereof, in violation of Title 18, United States Code, Section 844(f)(1).

27. It was a part and an objective of said conspiracy that the defendants would and did: (i) bomb American facilities anywhere in the world, including the American embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, (ii) attack employees of the American Government stationed at those

facilities, including the American embassies in Nairobi, Kenya and Dar es Salaam, Tanzania, (iii) attack military installations and members of the American military stationed at such military installations in Saudi Arabia, Yemen, Somalia and elsewhere with bombs, and (iv) engage in conduct with the result of such conduct directly and proximately causing the death of persons, in violation of Title 18, United States Code, Section 844(f)(3).

Overt Acts

28. In furtherance of said conspiracy, and to effect the objects thereof, the defendants, and others known and unknown to the grand jury, committed the overt acts set forth in Count One of this Indictment, which are fully incorporated by reference herein.

(Title 18, United States Code, Section 844(n).)

COUNT SIX:

CONSPIRACY TO ATTACK NATIONAL DEFENSE UTILITIES

The Grand Jury further charges:

29. The allegations contained in paragraphs 1 through 9 are repeated herein.

30. From at least 1991 until the date of the filing of this Indictment, in the Southern District of New York, in Afghanistan, the United Kingdom, Pakistan, the Sudan, Saudi Arabia, Yemen, Somalia, Kenya, and elsewhere out of the jurisdiction of any particular state or district, USAMA BIN

LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh
 Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh,"
 a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaqa," a/k/a "the
 Director," a/k/a "the Supervisor," a/k/a "the Contractor,"
 MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a
 "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh
 Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN
 AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri,"
 a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu
 Mohammed," a/k/a "Abu Mohammed Nur al-Deen," SAIF AL ADEL, a/k/a
 "Saif," MAMDOUH MAHMUD SALIM, a/k/a "Abu Hajer al Iraqi," a/k/a
 "Abu Hajer," ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el
 Masry," a/k/a "Saleh," a/k/a "Abu Marium," MUHSIN MUSA MATWALLI
 ATWAH, a/k/a "Abdel Rahman al Muhajer," a/k/a "Abdel Rahman,"
 KHALID AL FAWWAZ, a/k/a "Khaled Abdul Rahman Hamad al Fawwaz,"
 a/k/a "Abu Omar," a/k/a "Hamad," WADIIH EL HAGE, a/k/a "Abdus
 Sabbur," a/k/a "Abd al Sabbur," a/k/a "Wadia," a/k/a "Abu
 Abdullah al Lubnani," a/k/a "Norman," a/k/a "Wa'da Norman," a/k/a
 "the Manager," a/k/a "Tanzanite," ANAS AL LIBY, a/k/a "Nazih al
 Raghie," a/k/a "Anas al Sebai," IBRAHIM EIDAROUS, a/k/a "Ibrahim
 Hussein Abdelhadi Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah,"
 a/k/a "Ibrahim," ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul
 Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a
 "Adel," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," a/k/a "Harun

Fazhl," a/k/a "Fazhl Abdullah," a/k/a "Fazhl Khan," AHMED MOHAMED HAMED ALI, a/k/a "Ahmed the Egyptian," a/k/a "Shuaib," a/k/a "Abu Islam al Surir," MOHAMED SADEEK ODEH, a/k/a "Abu Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid," MOHAMED SULEIMAN AL NALFI, a/k/a "Nalfi," a/k/a "Abu Musab," a/k/a "Mohamed Suleiman Adam," MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," KHALFAN KHAMIS MOHAMED, a/k/a "Khalfan Khamis," AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants at least one of whom was first brought to and arrested in the Southern District of New York, together with other members and associates of al Qaeda, Egyptian Islamic Jihad and others known and unknown to the grand jury, unlawfully, wilfully and knowingly, and with intent to injure, interfere with and obstruct the national defense of the United States, combined, conspired, confederated and agreed together and with each other to injure, destroy, contaminate, and infect, and attempt to injure, destroy, contaminate, and infect national-defense

material, national-defense premises and national defense utilities of the United States.

Overt Acts

31. In furtherance of the said conspiracy, and to effect the objects thereof, the defendants, and others known and unknown to the grand jury, committed the overt acts set forth in paragraphs 12a through 12aa, paragraphs 12ff through 12kkkk, paragraphs 12pppp through 12rrrr, paragraphs 12iiii through 12lllll, paragraphs 12yyyyyy through 12eeeeeee, outlined in Count One of this Indictment, which are fully incorporated by reference herein.

(Title 18, United States Code, Sections 2155(a) and (b).)

COUNTS SEVEN THROUGH TWO HUNDRED EIGHTY-SIX

THE AFRICA BOMBINGS

COUNT SEVEN:

BOMBING OF THE UNITED STATES EMBASSY IN
NAIROBI, KENYA, RESULTING IN MORE THAN 200 DEATHS

The Grand Jury further charges:

32. The allegations contained in paragraphs 1 through 9 are repeated herein.

33. On or about August 7, 1998, in Nairobi, Kenya, and outside the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaqa," a/k/a

"the Director," a/k/a "the Supervisor," a/k/a "the Contractor," MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu Mohammed Nur al-Deen," ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh," a/k/a "Abu Marium," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a "Ibrahim," ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl Abdullah," a/k/a "Fazhl Khan," MOHAMED SADEEK ODEH, a/k/a "Abu Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid," MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants,

at least one of whom was first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully, wilfully, and knowingly did maliciously damage and destroy, and attempted to damage and destroy, by means of fire and an explosive, buildings, vehicles and other personal and real property in whole and in part owned and possessed by, and leased to, the United States, to wit, the defendants, together with other members and associates of al Qaeda and Egyptian Islamic Jihad, detonated an explosive device that damaged and destroyed the United States Embassy in Nairobi, Kenya, and as a result of such conduct directly and proximately caused the deaths of at least 213 persons, including Kenyan and American citizens, as listed in Counts 11 to 223.

(Title 18, United States Code, Sections 844(f)(1), (f)(3) and 2.)

COUNT EIGHT:

BOMBING OF THE UNITED STATES EMBASSY IN
DAR ES SALAAM, TANZANIA, RESULTING IN AT LEAST 11 DEATHS

The Grand Jury further charges:

34. The allegations contained in paragraphs 1 through 9 are repeated herein.

35. On or about August 7, 1998, in Dar es Salaam, Tanzania, and outside the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al

Qaqa," a/k/a "the Director," a/k/a "the Supervisor," a/k/a "the Contractor," MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu Mohammed Nur al-Deen," ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh," a/k/a "Abu Marium," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a "Ibrahim," ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl Abdullah," a/k/a "Fazhl Khan," MOHAMED SADEEK ODEH, a/k/a "Abu Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid," MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," KHALFAN KHAMIS MOHAMED, a/k/a "Khalfan Khamis," AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN,

a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants, at least one of whom was first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully, wilfully, and knowingly did maliciously damage and destroy, and attempted to damage and destroy, by means of fire and an explosive, buildings, vehicles and other personal and real property in whole and in part owned and possessed by, and leased to, the United States, to wit, the defendants, together with other members of al Qaeda, detonated an explosive device that damaged and destroyed the United States Embassy in Dar es Salaam, Tanzania, and as a result of such conduct directly and proximately caused the deaths of at least 11 persons, including Tanzanian citizens, as listed in Counts 224 to 234.

(Title 18, United States Code, Sections 844(f)(1), (f)(3) and 2.)

COUNT NINE:

USE AND ATTEMPTED USE OF WEAPONS OF MASS DESTRUCTION
AGAINST NATIONALS OF THE UNITED STATES IN NAIROBI, KENYA

The Grand Jury further charges:

36. The allegations contained in paragraphs 1 through 9 are repeated herein.

37. On or about August 7, 1998, in Nairobi, Kenya, and outside the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaqa," a/k/a

"the Director," a/k/a "the Supervisor," a/k/a "the Contractor,"
 MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a
 "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh
 Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN
 AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri,"
 a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu
 Mohammed," a/k/a "Abu Mohammed Nur al-Deen," ABDULLAH AHMED
 ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh," a/k/a "Abu
 Marium," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi
 Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a "Ibrahim,"
 ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary,"
 a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL ABDULLAH
 MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl
 Abdullah," a/k/a "Fazhl Khan," MOHAMED SADEEK ODEH, a/k/a "Abu
 Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a
 "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid,"
 MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin
 Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif,"
 MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a
 "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad,"
 AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan
 Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED
 ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM
 SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants.

at least one of whom was first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully, wilfully, knowingly, and without lawful authority, did use and attempt to use a weapon of mass destruction against nationals of the United States while such nationals were outside the United States, and against property that was owned, leased and used by the United States, and by an agency of the United States, to wit, the defendants attacked the American embassy in Nairobi, Kenya, and employees of the American Government stationed at this embassy with a bomb, which use and attempted use of such weapon of mass destruction resulted in death.

(Title 18, United States Code, Sections

2332a(a)(1), (a)(3) and 2.)

COUNT TEN:

USE AND ATTEMPTED USE OF WEAPONS OF MASS DESTRUCTION
AGAINST NATIONALS OF THE UNITED STATES IN DAR ES SALAAM, TANZANIA

The Grand Jury further charges:

38. The allegations contained in paragraphs 1 through 9 are repeated herein.

39. On or about August 7, 1998, in Dar es Salaam, Tanzania, and outside the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaqa," a/k/a "the Director," a/k/a "the Supervisor," a/k/a "the

Contractor," MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu Mohammed Nur al-Deen," ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh," a/k/a "Abu Marium," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a "Ibrahim," ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl Abdullah," a/k/a "Fazhl Khan," MOHAMED SADEEK ODEH, a/k/a "Abu Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid," MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," KHALFAN KHAMIS MOHAMED, a/k/a "Khalfan Khamis," AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants, at least

one of whom was first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully, wilfully, knowingly, and without lawful authority, did use and attempt to use a weapon of mass destruction against nationals of the United States while such nationals were outside the United States, and against any property that was owned, leased and used by the United States, and by an agency of the United States, to wit, the defendants attacked the American embassy in Dar es Salaam, Tanzania, and employees of the American Government stationed at this embassy with a bomb, which use and attempted use of such weapon of mass destruction resulted in death.

(Title 18, United States Code, Sections

2332a(a)(1), (a)(3) and 2.)

COUNTS ELEVEN THROUGH TWO HUNDRED TWENTY-THREE:

MURDERS IN NAIROBI, KENYA

The Grand Jury further charges:

40. The allegations contained in paragraphs 1 through 9 are repeated herein.

41. On or about August 7, 1998, in Nairobi, Kenya, and outside the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaqa," a/k/a "the Director," a/k/a "the Supervisor," a/k/a "the Contractor,"

MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu Mohammed Nur al-Deen," ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh," a/k/a "Abu Marium," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a "Ibrahim," ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl Abdullah," a/k/a "Fazhl Khan," MOHAMED SADEEK ODEH, a/k/a "Abu Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid," MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," AHMED KHALFAN GHAILANI, a/k/a "Fup1," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants, at least one of whom was first brought to and arrested in the

Southern District of New York, and others known and unknown, unlawfully, wilfully, deliberately, and maliciously, and with malice aforethought and with premeditation, did kill the persons listed below during the course of an attack on a federal facility involving the use of a dangerous weapon, to wit, the defendants detonated an explosive device that damaged and destroyed the United States Embassy in Nairobi, Kenya, and as a result of such conduct directly and proximately caused the deaths of:

| <u>Count</u> | <u>Victim</u> |
|--------------|---------------------------|
| 11 | BONITA ACHOLA |
| 12 | SAMSON ODUOR AHOMO |
| 13 | MARGARET AKINYI |
| 14 | JESSIE NATHANIEL ALIGANGA |
| 15 | EMMA ADHIAMBO ANULO |
| 16 | ELIZABETH ANYANGO |
| 17 | MONICAH APONDI |
| 18 | ROSETTA IVAYO BARASA |
| 19 | JULIAN LEOTIS BARTLEY JR. |
| 20 | JULIAN LEOTIS BARTLEY SR. |
| 21 | CHRISPINE BONYO |
| 22 | DANIEL KIPRONO CHERUIYOT |
| 23 | JEAN ROSE DALIZU |
| 24 | EVA NYANJAU GACHERU |
| 25 | ALICE NDUTA GACHIRI |

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| 26 | JANE WANGUI GAKURU |
| 27 | RALPH JOHNSTONE GATHUMBI |
| 28 | JUSTUS NJERU GEOFFREY |
| 29 | AGNES WANJIKU GITAU |
| 30 | LAWRENCE AMBROSE GITAU |
| 31 | BENARD MUGAMBI GITONGA |
| 32 | SUSAN WAIRIMU GITU |
| 33 | ROSEMARY NJERI GITUMA |
| 34 | HASSAN HUKAY GURACHA |
| 35 | BURHAN ADEN HANSHI |
| 36 | MOLLY H. HARDY |
| 37 | KENNETH RAY HOBSON |
| 38 | HINDU OMAR IDDI |
| 39 | TONY KIHATO IRUNGU |
| 40 | GEORGE IRUNGU |
| 41 | JANE WANGARI ITUTIA |
| 42 | DORINE ALUOCH JOW |
| 43 | GILBERT MUGO KAHINDI |
| 44 | JOHN KAROKI KAHUTHU |
| 45 | GEOFFREY MULU KALIO |
| 46 | JOEL GITUMBO KAMAU |
| 47 | FRANCIS KIHARA KAMITI |
| 48 | LAWRENCE GITAU KAMUTI |
| 49 | MARGARET WANJIRU KANGI |

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| 50 | RACHEL WAMBUI KARABA |
| 51 | CHARLES MUGO KARANJA |
| 52 | LUCY NYAMIRA KARIGI |
| 53 | BEATRICE NYAMBURA KARIUKI |
| 54 | MOSES KARIUKI |
| 55 | KRISTINE ANNE WAIRIMU KARUMBA |
| 56 | PRABHI GUTPARA KAVALER |
| 57 | THOMAS MUDANYI KHAHENZI |
| 58 | FRANCIS KIIRU KIBATHI |
| 59 | JACKLINE NYAWIRA KIBERA |
| 60 | RAEL BIIRI KIMAMI |
| 61 | FELISTAS NJERI KIMANI |
| 62 | STEPHEN MAINA KIMANI |
| 63 | PHILIP MUNYAO KIOKO |
| 64 | JOSEPH KAMAU KIONGO |
| 65 | TERESA WAIRIMU KIONGO |
| 66 | ARLENE BRADLEY KIRK |
| 67 | DAVID NDURA KOIMBURI |
| 68 | NAFTALI MWANGI KURIA |
| 69 | JULIANA MBULI KWALI |
| 70 | PETER MBITHI KYALO |
| 71 | MOSES MULI KYULE |
| 72 | TIRUS MURAGURI MACHARIA |
| 73 | DENNIS EVANS RADCLIFFE MADEGWA |

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| 74 | FRANCIS WATORO MAINA |
| 75 | LINDA NDINDI JACKSON MAINGI |
| 76 | FRED YAFES MALOBA |
| 77 | CECILIA MAMBOLEO |
| 78 | MARY LOUISE MARTIN |
| 79 | JAMES OTIENO MASEA |
| 80 | ANNE NYAMBURA MATHENGE |
| 81 | JAMES MIGWI MATHENGE |
| 82 | PITY MWIHAKI MATHENGE |
| 83 | SIMON PETER NGUMO MATU |
| 84 | DANIEL MUTINDA MAUNDU |
| 85 | JUNE MARY MAWEU |
| 86 | LYDIA MUKIRI MAYAKA |
| 87 | ALLAN SABATO MBANDU |
| 88 | DOREEN N. MBAYAKI |
| 89 | PAMELA MBOYA |
| 90 | RACHAEL KEBENDI MBOYA |
| 91 | FRANCIS NDUNGU MBUGUA |
| 92 | LUCY WARUTHI MBUNJA |
| 93 | STEPHEN WAWERU MBURU |
| 94 | CATHERINE MUKEITHI MIBERE |
| 95 | ELIZABETH ANYANGO MITO |
| 96 | AHMED WARKU MOHAMMED |
| 97 | EDWARD MOKAYA |

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| 98 | LUCIAN MUGAMBI |
| 99 | SHARON WANGECHI MUGO |
| 100 | JOSEPHAT MUTUA MUIA |
| 101 | EMMANUEL MUJYAMBERE |
| 102 | SAMUEL VONDO MULALYA |
| 103 | FRANCIS MUKENYE MULEHI |
| 104 | EDWARD MWEA MUNGAI |
| 105 | JOHN AMOS MUNGAI |
| 106 | DOMI MUNZALA |
| 107 | TOMMY NKURUME MUNZALA |
| 108 | CAROLINE MUMBI MURAGURI |
| 109 | FIDDES WAMBUI MURITU |
| 110 | ALICE WARUGURU MURIUKI |
| 111 | MARY WANJIKU MURIUKI |
| 112 | ROBERT MWIGWI MURIUKI |
| 113 | DOMINIC KITHUVA MUSYOKA |
| 114 | RUTH MUKAMI MUSYOKA |
| 115 | WILSON KIPKORIR MUTAHI |
| 116 | FLORENCE MWENDE MUTHAMA |
| 117 | JOSEPHINE NZILANI MUTINDA |
| 118 | EMMANUEL NYAGAH MUTIIRA |
| 119 | CATHERINE NDOOME MUTUA |
| 120 | PATRICK KARIUKI MUTUI |
| 121 | CAROLINE KARUMBA MUTUIRI |

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| 122 | GLORIA NKATHA MUTUIRI |
| 123 | GABRIEL MWADIME |
| 124 | HARRISON NJUGUNA MWANGI |
| 125 | ROSELYN WANJIKU MWANGI |
| 126 | SAMUEL GITHUA MWANGI |
| 127 | MOSES ASTON MWANI |
| 128 | ANNA MWANIKI |
| 129 | ISAAC MUKERA MWARIA |
| 130 | ABDALLA MUSYOKA MWILI MWILU |
| 131 | ELIZABETH NYAROSTO NAKHALE |
| 132 | GEOFFREY MOSES NAMAI |
| 133 | MOSES ANDIKA NAMAYI |
| 134 | MARY NYAGUTHI NDIRANGU |
| 135 | SIMON KINUTHIA NDIRANGU |
| 136 | CAROLINE ATIENO NDOLO |
| 137 | MARTIN KIVATHE NDUATI |
| 138 | JULIUS NDULU |
| 139 | EDWIN PAUL NDUMBI |
| 140 | PETER NJOROGI NDUNGU |
| 141 | EPHRAIM KINGORI NDUNU |
| 142 | JOYCE NJERI NG'ANG'A |
| 143 | LOICE NJERI NGANGA |
| 144 | JOHN MWANGI NGARAGARI |
| 145 | PETER KABAU MACHARIA NGUGI |

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| 146 | JACINTA NJOKI NJAU |
| 147 | SIMON MWANGI NJIIMA |
| 148 | ABEL MUTEKI NJIRU |
| 149 | AGATHA ANN NJOKI |
| 150 | CATHERINE WAMBARA NJORGE |
| 151 | FRANCIS NDUNGU NJORGE |
| 152 | GRACE NYAMBURA NJORGE |
| 153 | WILLIAM WAITHAKA NJORGE |
| 154 | FRANCIS KIBE NJUGUNA |
| 155 | GODFREY MUCHORI NJUGUNA |
| 156 | PATRICK MBIYU NJUGUNA |
| 157 | FRANCIS MBOGO NJUIGE |
| 158 | MICHAEL ODUOR NYADEMBA |
| 159 | VINCENT KAMAU NYOIKE |
| 160 | JANET NDUMI NZIOKA |
| 161 | JOHNSON KIMEU NZIOKA |
| 162 | MAGDALINE MBITHE NZOKA |
| 163 | JOSEPH NGOVE NZWILI |
| 164 | AINEAH JOSHUA OBONYO |
| 165 | FREDRICK EZRA OCHIENG |
| 166 | FRANCIS OLEWE OCHITO |
| 167 | LAWRENCE OLUM OCHOLA |
| 168 | ANN MICHELLE O'CONNOR |
| 169 | DUNCAN ODHIAMBO |

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| 170 | JOHN ODUOR ODHIAMBO |
| 171 | PATRICIA ATIENO OGOL |
| 172 | MAURICE OKATCH OGOLA |
| 173 | MICHAEL OCHIENG OKEYO |
| 174 | SIMON OTIENO OLANG |
| 175 | DOMINIC OTIENO OLANGO |
| 176 | SHERRY LYNN OLDS |
| 177 | LEPEINE KITATIAN OLOTONO |
| 178 | HANSON NYABERA OMAR |
| 179 | MARGARET ATIENO OMBUNYA |
| 180 | EDWIN OPIYO OMORI |
| 181 | ENOCH OMWENO |
| 182 | LUCY GRACE ONONO |
| 183 | EVANS KIBIRO ONSONGO |
| 184 | ERIC ABUOR ONYANGO |
| 185 | JOHN OUKO ONYANGO |
| 186 | CAROLINE SELLA OPATI |
| 187 | SYLVIA ORIEDO |
| 188 | GODFREY OKURO ORONO |
| 189 | ELIZABETH ACHIENG ORWA |
| 190 | JOSEPH ONDARI OSAMBA |
| 191 | ELIAS OTIENO OSIR |
| 192 | JULIUS OCHIENG OTIENO |
| 193 | MATHEWS WALUNYA OTIENO |

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| 194 | ROGERS OTOLO |
| 195 | ELIJAH NGITO OWINO |
| 196 | JOSIAH ODERO OWUOR |
| 197 | RACHEL MAGASIA PUSSY |
| 198 | MARGARET OKELLO RADING |
| 199 | PETER EVANS MUGO RUNGU |
| 200 | RUTH MUKAMI RUNGU |
| 201 | TIMOTHY ODHIAMBO SANDE |
| 202 | UTTAMLAL THOMAS SHAH |
| 203 | FAHAT SHEIKH |
| 204 | HASSAN JARSO SOKA |
| 205 | SHADRACK NYAGAH THITU |
| 206 | SAMUEL MBUGUA THUO |
| 207 | PHAEDRA VRONTAMIS |
| 208 | GLORIA WANGECHI WACHIRA |
| 209 | SHADRACK MWANGI WAGAIYU |
| 210 | JAMES MWANGI WAINAINA |
| 211 | ADAMS TITUS WAMAI |
| 212 | ANNE MUMBI WAMBUGU |
| 213 | JOHN GITAU WAMUTWE |
| 214 | DAVID SOITA WANABACHA |
| 215 | MARGARET WAMBUI WANGETHI |
| 216 | GLADYS WANGUI |
| 217 | MERCY WANJIKU |

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| 218 | JOHN MWANGI WANYOIKE |
| 219 | MARGARET WASIKE |
| 220 | SABINA WATERI |
| 221 | BENSON WATHIGO |
| 222 | MARGARET NJERI WAWERU |
| 223 | ANN MUMO ZAKAYO |

(Title 18, United States Code, Sections 930(c), 1111 and 2.)

COUNTS TWO HUNDRED TWENTY-FOUR THROUGH TWO HUNDRED THIRTY-FOUR:

MURDERS IN DAR ES SALAAM, TANZANIA

42. The allegations contained in paragraphs 1 through 9 are repeated herein.

43. On or about August 7, 1998, in Dar es Salaam, Tanzania, and outside the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaqa," a/k/a "the Director," a/k/a "the Supervisor," a/k/a "the Contractor," MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu Mohammed Nur al-Deen," ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh,"

a/k/a "Abu Marium," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a "Ibrahim," ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl Abdullah," a/k/a "Fazhl Khan," MOHAMED SADEEK ODEH, a/k/a "Abu Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid," MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," KHALFAN KHAMIS MOHAMED, a/k/a "Khalfan Khamis," AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants, at least one of whom was first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully, wilfully, deliberately, and maliciously, and with malice aforethought and with premeditation, did kill the persons listed below during the course of an attack on a federal facility involving the use of a dangerous weapon, to wit, the defendants detonated an explosive device that damaged and destroyed the

United States Embassy in Dar es Salaam, Tanzania, and as a result of such conduct directly and proximately caused the deaths of:

| <u>Count</u> | <u>Victim</u> |
|--------------|----------------------|
| 224 | ABDURAHMAN ABDULLA |
| 225 | ELIAS ELISHA |
| 226 | HASSAN SIYAD HALANE |
| 227 | RAMADHANI MAHUNDI |
| 228 | ABDALLAH MOHAMED |
| 229 | ABAS WILLIAM MWILA |
| 230 | SHAMTE YUSUPH NDANGE |
| 231 | OMARI YUSUFU NYUMBU |
| 232 | MTENDEJE RAJABU |
| 233 | SAID ROGATHI |
| 234 | DOTTO SELEMANI |

(Title 18, United States Code, Sections 930(c), 1111 and 2.)

COUNTS TWO HUNDRED THIRTY-FIVE THROUGH TWO HUNDRED SEVENTY-FIVE:

MURDER OF EMPLOYEES OF THE UNITED STATES
IN NAIROBI, KENYA

The Grand Jury further charges:

44. The allegations contained in paragraphs 1 through 9 are repeated herein.

45. On or about August 7, 1998, in Nairobi, Kenya, and outside the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid

Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaqa," a/k/a
 "the Director," a/k/a "the Supervisor," a/k/a "the Contractor,"
 MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a
 "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh
 Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN
 AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri,"
 a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu
 Mohammed," a/k/a "Abu Mohammed Nur al-Deen," ABDULLAH AHMED
 ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh," a/k/a "Abu
 Marium," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi
 Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a "Ibrahim,"
 ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary,"
 a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL ABDULLAH
 MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl
 Abdullah," a/k/a "Fazhl Khan," MOHAMED SADEEK ODEH, a/k/a "Abu
 Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a
 "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid,"
 MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin
 Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif,"
 MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a
 "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad,"
 AHMED KHALFAN GHAILANI, a/k/a "Fup1," a/k/a "Abubakary Khalfan
 Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED
 ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM

SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants, at least one of whom was first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully, wilfully, deliberately, and maliciously, and with malice aforethought and with premeditation, did murder officers and employees of the United States Government, while such officers and employees were engaged in and on account of the performance of their official duties, and persons assisting such United States Government officers and employees in the performance of their duties, on account of that assistance. Namely, the defendants caused the deaths of the following persons by bombing the United States Embassy in Nairobi, Kenya:

| <u>Count</u> | <u>Victim</u> |
|--------------|---------------------------|
| 235 | JESSIE NATHANIEL ALIGANGA |
| 236 | JULIAN LEOTIS BARTLEY JR. |
| 237 | JULIAN LEOTIS BARTLEY SR. |
| 238 | CHRISPINE BONYO |
| 239 | JEAN ROSE DALIZU |
| 240 | LAWRENCE AMBROSE GITAU |
| 241 | MOLLY H. HARDY |
| 242 | KENNETH RAY HOBSON |
| 243 | HINDU OMAR IDDI |
| 244 | TONY KIHATO IRUNGU |
| 245 | GEOFFREY MULU KALIO |

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| 246 | JOEL GITUMBO KAMAU |
| 247 | LUCY NYAMIRA KARIGI |
| 248 | PRABHI GUTPARA KAVALER |
| 249 | JOSEPH KAMAU KIONGO |
| 250 | ARLENE BRADLEY KIRK |
| 251 | PETER KABAU MACHARIA |
| 252 | FRANCIS WATORO MAINA |
| 253 | FRED YAFES MALOBA |
| 254 | CECILIA MAMBOLEO |
| 255 | MARY LOUISE MARTIN |
| 256 | LYDIA MUKIRI MAYAKA |
| 257 | FRANCIS NDUNGU MBUGUA |
| 258 | DOMINIC KITHUVA MUSYOKA |
| 259 | FRANCIS KIBE NJUGUNA |
| 260 | FRANCIS MBOGO NJUIGE |
| 261 | VINCENT KAMAU NYOIKE |
| 262 | FRANCIS OLEWE OCHITO |
| 263 | ANN MICHELLE O'CONNOR |
| 264 | MAURICE OKATCH OGOLA |
| 265 | SHERRY LYNN OLDS |
| 266 | EDWIN OPIYO OMORI |
| 267 | LUCY GRACE ONONO |
| 268 | EVANS KIBIRO ONSONGO |
| 269 | ERIC ABUOR ONYANGO |

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| 270 | CAROLINE SELLA OPATI |
| 271 | RACHEL MAGASIA PUSSY |
| 272 | UTTAMLAL THOMAS SHAH |
| 273 | FAHAT SHEIKH |
| 274 | PHAEDRA VRONTAMIS |
| 275 | ADAMS TITUS WAMAI |

(Title 18, United States Code, Sections 1111, 1114 and 2.)

COUNT TWO HUNDRED SEVENTY-SIX:

ATTEMPTED MURDER OF EMPLOYEES OF THE UNITED STATES
IN NAIROBI, KENYA

The Grand Jury further charges:

46. The allegations contained in paragraphs 1 through 9 are repeated herein.

47. On or about August 7, 1998, in Nairobi, Kenya, and outside the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaqa," a/k/a "the Director," a/k/a "the Supervisor," a/k/a "the Contractor," MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu Mohammed Nur al-Deen," ABDULLAH AHMED

ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh," a/k/a "Abu Marium," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a "Ibrahim," ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl Abdullah," a/k/a "Fazhl Khan," MOHAMED SADEEK ODEH, a/k/a "Abu Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid," MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants, at least one of whom was first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully, wilfully, deliberately, and maliciously, and with malice aforethought and with premeditation, did attempt to murder officers and employees of the United States Government, while such officers and employees were engaged in and on account of the performance of their official duties, and persons assisting such

United States Government officers and employees in the performance of their duties by bombing the United States Embassy in Nairobi, Kenya.

(Title 18, United States Code, Sections 1111, 1114 and 2.)

COUNTS TWO HUNDRED SEVENTY-SEVEN AND TWO HUNDRED SEVENTY-EIGHT:

MURDER OF EMPLOYEES OF THE UNITED STATES
IN DAR ES SALAAM, TANZANIA

The Grand Jury further charges:

48. The allegations contained in paragraphs 1 through 9 are repeated herein.

49. On or about August 7, 1998, in Dar es Salaam, Tanzania, and outside the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaqa," a/k/a "the Director," a/k/a "the Supervisor," a/k/a "the Contractor," MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu Mohammed Nur al-Deen," ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh," a/k/a "Abu Marium," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a

"Ibrahim," ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl Abdullah," a/k/a "Fazhl Khan," MOHAMED SADEEK ODEH, a/k/a "Abu Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid," MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," KHALFAN KHAMIS MOHAMED, a/k/a "Khalfan Khamis," AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants, at least one of whom was first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully, deliberately, and maliciously, and with malice aforethought and with premeditation, did murder officers and employees of the United States Government, while such officers and employees were engaged in and on account of the performance of their official duties, and persons assisting such United States Government officers and employees in the performance of their duties, on account of that assistance, namely, the defendants caused the

deaths of the following persons by bombing the United States Embassy in Dar es Salaam, Tanzania:

| <u>Count</u> | <u>Victim</u> |
|--------------|----------------------|
| 277 | SHAMTE YUSUPH NDANGE |
| 278 | SAID ROGATHI |

(Title 18, United States Code, Sections 1111, 1114 and 2.)

COUNT TWO HUNDRED SEVENTY-NINE:

ATTEMPTED MURDER OF EMPLOYEES OF THE UNITED STATES
IN DAR ES SALAAM, TANZANIA

The Grand Jury further charges:

50. The allegations contained in paragraphs 1 through 9 are repeated herein.

51. On or about August 7, 1998, in Dar es Salaam, Tanzania, and outside the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaqa," a/k/a "the Director," a/k/a "the Supervisor," a/k/a "the Contractor," MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu Mohammed Nur al-Deen," ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh,"

a/k/a "Abu Marium," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a "Ibrahim," ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl Abdullah," a/k/a "Fazhl Khan," MOHAMED SADEEK ODEH, a/k/a "Abu Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid," MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," KHALFAN KHAMIS MOHAMED, a/k/a "Khalfan Khamis," AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants, at least one of whom was first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully, deliberately, and maliciously, and with malice aforethought and with premeditation, did attempt to murder officers and employees of the United States Government, while such officers and employees were engaged in and on account of the performance of their official duties, and persons assisting such United States

Government officers and employees in the performance of their duties, by bombing the United States Embassy in Dar es Salaam, Tanzania.

(Title 18, United States Code, Sections 1111, 1114 and 2.)

COUNTS TWO HUNDRED EIGHTY AND TWO HUNDRED EIGHTY-ONE:

MURDER OF INTERNATIONALLY PROTECTED PERSONS IN NAIROBI, KENYA

The Grand Jury further charges:

52. The allegations contained in paragraphs 1 through 9 are repeated herein.

53. On or about August 7, 1998, in Nairobi, Kenya, and outside the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaga," a/k/a "the Director," a/k/a "the Supervisor," a/k/a "the Contractor," MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu Mohammed Nur al-Deen," ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh," a/k/a "Abu Marium," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a "Ibrahim,"

ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl Abdullah," a/k/a "Fazhl Khan," MOHAMED SADEEK ODEH, a/k/a "Abu Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid," MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Hussein," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants, at least one of whom was first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully, wilfully, knowingly, deliberately, and maliciously, and with malice aforethought and with premeditation, did murder representatives, officers, employees and agents of the United States Government, who at the time and place concerned were entitled pursuant to international law to special protection against attack upon their persons, freedom and dignity, namely the defendants caused the deaths of the following persons by bombing the United States Embassy in Nairobi, Kenya:

| <u>Count</u> | <u>Victim</u> |
|--------------|----------------------------|
| 280 | JULIAN LEOTIS BARTLEY, SR. |
| 281 | PRABHI GUTPARA KAVALER |

(Title 18, United States Code, Sections 1111, 1116 and 2.)

COUNT TWO HUNDRED EIGHTY-TWO:

ATTEMPTED MURDER OF INTERNATIONALLY PROTECTED PERSONS
IN NAIROBI, KENYA

The Grand Jury further charges:

54. The allegations contained in paragraphs 1 through 9 are repeated herein.

55. On or about August 7, 1998, in Nairobi, Kenya, and outside the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaqa," a/k/a "the Director," a/k/a "the Supervisor," a/k/a "the Contractor," MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu Mohammed Nur al-Deen," ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh," a/k/a "Abu Marium," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a "Ibrahim,"

ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl Abdullah," a/k/a "Fazhl Khan," MOHAMED SADEEK ODEH, a/k/a "Abu Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid," MOHAMED RASHED DAQUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Husseini," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants, at least one of whom was first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully, wilfully, knowingly, deliberately, and maliciously, and with malice aforethought and with premeditation, did attempt to murder the Ambassador of the United States to Kenya, and other representatives, officers, employees and agents of the United States Government, who at the time and place concerned were entitled pursuant to international law to special protection against attack upon their persons, freedom and dignity, by

bombing the United States Embassy in Nairobi, Kenya.

(Title 18, United States Code, Sections 1111, 1116 and 2.)

COUNT TWO HUNDRED EIGHTY-THREE:

ATTEMPTED MURDER OF INTERNATIONALLY PROTECTED PERSONS
IN DAR ES SALAAM, TANZANIA

The Grand Jury further charges:

56. The allegations contained in paragraphs 1 through 9 are repeated herein.

57. On or about August 7, 1998, in Dar es Salaam, Tanzania, and outside the jurisdiction of any particular state or district, USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Ladin," a/k/a "Shaykh Usamah Bin-Ladin," a/k/a "Abu Abdullah," a/k/a "Mujahid Shaykh," a/k/a "Hajj," a/k/a "Abdul Hay," a/k/a "al Qaqa," a/k/a "the Director," a/k/a "the Supervisor," a/k/a "the Contractor," MUHAMMAD ATEF, a/k/a "Abu Hafs," a/k/a "Abu Hafs el Masry," a/k/a "Abu Hafs el Masry el Khabir," a/k/a "Taysir," a/k/a "Sheikh Taysir Abdullah," a/k/a "Abu Fatima," a/k/a "Abu Khadija," AYMAN AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu Mohammed Nur al-Deen," ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh," a/k/a "Abu Marium," IBRAHIM EIDAROUS, a/k/a "Ibrahim Hussein Abdelhadi Eidarous," a/k/a "Daoud," a/k/a "Abu Abdullah," a/k/a "Ibrahim," ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," FAZUL

ABDULLAH MOHAMMED, a/k/a "Harun," a/k/a "Harun Fazhl," a/k/a "Fazhl Abdullah," a/k/a "Fazhl Khan," MOHAMED SADEEEK ODEH, a/k/a "Abu Moath," a/k/a "Noureldine," a/k/a "Marwan," a/k/a "Hydar," a/k/a "Abdullbast Awadah," a/k/a "Abdulbasit Awadh Mbarak Assayid," MOHAMED RASHED DAOUD AL-'OWHALI, a/k/a "Khalid Salim Saleh Bin Rashed," a/k/a "Moath," a/k/a "Abdul Jabbar Ali Abdel-Latif," MUSTAFA MOHAMED FADHIL, a/k/a "Mustafa Ali Elbishy," a/k/a "Husseini," a/k/a "Hassan Ali," a/k/a "Khalid," a/k/a "Abu Jihad," KHALFAN KHAMIS MOHAMED, a/k/a "Khalfan Khamis," AHMED KHALFAN GHAILANI, a/k/a "Fupi," a/k/a "Abubakary Khalfan Ahmed Ghailani," a/k/a "Abubakar Khalfan Ahmed," FAHID MOHAMMED ALLY MSALAM, a/k/a "Fahad M. Ally," and SHEIKH AHMED SALIM SWEDAN, a/k/a "Sheikh Bahamadi," a/k/a "Ahmed Ally," defendants, at least one of whom was first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully, wilfully, knowingly, deliberately, and maliciously, and with malice aforethought and with premeditation, did attempt to murder the Ambassador of the United States to Tanzania, and other representatives, officers, employees and agents of the United States Government, who at the time and place concerned were entitled pursuant to international law to special protection against attack upon their persons, freedom and dignity, by bombing the United States Embassy in Dar es Salaam, Tanzania.

(Title 18, United States Code, Sections 1111, 1116 and 2.)