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VIA ECF

July 15, 2026

Hon. Margaret M. Garnett
United States District Court for the Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Benson, et al. v. Islamic Republic of Iran, et al.*, No. 26-cv-2327 (MMG)

Dear Judge Garnett:

Pursuant to Rule II.B.4 of the Court's Individual Rules and Practices, Federal Rule of Civil Procedure 15(a)(2) and 21, and Local Civil Rule 15.1, Plaintiffs respectfully move for leave to file a Second Amended Complaint, attached hereto as Exhibit 1, which adds as Defendants four additional "John Doe" owners of wallet addresses that the U.S. Treasury Department's Office of Foreign Assets Control ("OFAC") has determined are identifiers of the Central Bank of Iran ("CBI"), like the two existing "John Doe" wallet-owner Defendants named in the Amended Complaint. Plaintiffs further request that the Court grant this relief by **July 17, 2026,** for the same reasons underlying Plaintiffs' prior request for emergency relief relating to alternative service, namely so that Plaintiffs can obtain summonses, translations, and effectuate service by **July 20, 2026**, and thereby eliminate any doubt about the application of CPLR 6213 to the "John Doe" owners of the newly identified wallet addresses. *See* ECF Nos. 44, 59, 72.

On July 14, 2026, OFAC updated its sanctions designations to list four new digital wallet addresses as identifiers of CBI, in addition to the TNiq and TTiD wallet addresses.[1] These new wallet addresses each contain substantial USDT stablecoin balances, which are now confirmed to be blocked property of an agency or instrumentality of Iran, and in particular, blocked property of the *same* agency of instrumentality of Iran that owns the property in the TNiq and TTiD Wallets. *See* ECF No. 28, at ¶ 18 (alleging that "Defendant TTiD is the same agency or instrumentality of Iran as Defendant TNiq").

The USDT in these newly identified wallet addresses are thus subject to Plaintiffs' existing writ of attachment in this action, which applies to "all property in which Defendants are known or believed to have an interest now in and hereafter coming into the possession or custody of any person served with this Amended Order of Attachment." ECF No. 35, at ¶ 1(c). Out of an abundance of caution, Plaintiffs seek leave to amend to name the "John Doe" owners of these newly attributed wallet addresses as defendants, and to add allegations concerning those wallet addresses, so that Plaintiffs will be able to prove in the merits phase of this action that—like the current wallet-owner defendants—these additional four are each agencies or instrumentalities of Iran (and indeed, that they are all the same agency or instrumentality of Iran, namely CBI).

[1] *See* https://ofac.treasury.gov/recent-actions/20260714.

As with Plaintiffs' prior request relating to alternative service, Plaintiffs seek this relief on an emergency basis to avoid any question about the application of CPLR 6213, which provides that "[a]n order of attachment granted before service is made on the defendant against whom the attachment is granted is valid only if, within sixty [here, 120] days after the order is granted, a summons is served upon the defendant." To be clear, by serving the existing Defendants in this case, Plaintiffs *have* served the four new Defendants, because (as Plaintiffs will prove) each wallet address is a different identifier for the same entity. And, as Plaintiffs have previously explained, it is not even clear that CPLR 6213 applies in federal court. *See* ECF No. 44. Nonetheless, in an abundance of caution and to eliminate the risk that this technicality will even become the subject of litigation, much less threaten Plaintiffs' right to obtain compensation for their injuries, Plaintiffs seek to serve a Second Amended Complaint naming these new defendants by that deadline.[2]

Leave to amend and to add new parties is governed by Federal Rules of Civil Procedure 15(a)(2) and 21, which apply the "same standard." *Pospisil v. ATP Tour, Inc.*, No. 25-CV-02207 (MMG), 2025 WL 4809783, at *1 (S.D.N.Y. Sept. 25, 2025). Under that standard, the Court "must freely give leave to amend when justice so requires," which is a "liberal and permissive standard, and the only grounds on which denial of leave to amend has long been held proper are upon a showing of undue delay, bad faith, dilatory motive, or futility." *Id.* (cleaned up). None of those reasons for denying leave are present here: Plaintiffs make this request barely one day after learning of the OFAC action that has occasioned it, and make this request not to delay proceedings or out of any bad-faith motive, but to eliminate questions that may arise at future stages of this case, protecting their rights and streamlining these proceedings. And Plaintiffs' proposed amendment is not futile, because their claims against these new defendants will proceed on the same theory as the existing Defendants, which is already the theory supporting Plaintiffs' existing writ of attachment. There is therefore "no indication of bad faith, dilatory motive, or futility" that could warrant denial of leave to amend here. *Id.*

Plaintiffs further respectfully request that the Court clarify (or if need be, order) that its July 8, 2026 Order providing for alternative service on the existing Defendants also apply to the newly named Defendants in the Second Amended Complaint. The facts and legal arguments supporting this request are identical to those underlying Plaintiffs' initial request for this relief, which this Court has already granted. *See* ECF Nos. 57, 72.

For the foregoing reasons, Plaintiffs respectfully request that the Court grant leave to file the proposed Second Amended Complaint and order that its July 8 Order authorizing alternative service applies to all Defendants named in that Second Amended Complaint.

Respectfully submitted,

/s/ Aaron E. Nathan

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[2] As reflected in the attached redline comparison, in addition to the addition of these defendants and allegations concerning them, the proposed Second Amended Complaint also makes technical corrections and amendments, including updates to the status of service of certain judgments on Iran, corrections to the amounts of certain Plaintiffs' damages awards and the resulting total, and updates to the captions of Plaintiffs' judgment-registration actions in this District. *See* Exhibit 2.

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