

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FREDERICK C. BENSON, et al.,

Plaintiffs,

v.

ISLAMIC REPUBLIC OF IRAN, et al.

Defendants.

No. 26-cv-2327 (MMG)

**DECLARATION IN SUPPORT OF
REQUEST FOR CLERK'S
CERTIFICATE OF DEFAULT**

I, Aaron E. Nathan, declare pursuant to 28 U.S.C. § 1746:

1. I am a member in good standing of the bars of the State of New York and the District of Columbia. I am admitted to practice in the United States District Court for the Southern District of New York. I am a partner at Willkie Farr & Gallagher LLP and am counsel for Plaintiffs in the above-captioned action. Pursuant to Federal Rule of Civil Procedure 55(a) and Local Civil Rule 55.1(a), I submit this declaration in support of Plaintiffs' request to the Clerk of Court for Entry of Default and issuance of a Certificate of Default against Defendant John Doe #1 (Owner of Wallet TNiq9AXBp9EjUqhDhrwrfvAA8U3GUQZH81), Defendant John Doe #2 (Owner of Wallet TTiDLWE6fZK8okMJv6ijg42yrH6W2pjSr9), Defendant John Doe #3 (Owner of Wallet TAhhwhFv3JpK39Nc2m8W5LPCcoTisutiRfp), Defendant John Doe #4 (Owner of Wallet TJdgB1k6ot3f2nLuZug6D8eD3HavTmzmSK), Defendant John Doe #5 (Owner of Wallet TXGHxdYbGy574z5hBu4LNzq9NzjZQ9bhUf), and Defendant John Doe #6 (Owner of Wallet TFQbqaNbmQ2xsVor2NbufLkYZvxFC9wC7k) (collectively, "Defendants").

2. Plaintiffs commenced this action on March 19, 2026, with the filing of their Complaint. ECF No. 16.

3. Prior to the issuance of summonses and service of the Complaint, Plaintiffs filed an Amended Complaint on April 26, 2026. ECF No 28. The Court issued summonses to

Defendant John Doe #1 (Owner of Wallet TNiq9AXBp9EjUqhDhrwrfvAA8U3GUQZH81) and Defendant John Doe #2 (Owner of Wallet TTiDLWE6fZK8okMJv6ijg42yrH6W2pjSr9) on May 1, 2026.

4. On July 8, 2026, the Court issued an Order authorizing alternative service of process on Defendants. ECF No. 68. The Court's Order stated:

With respect to the summonses and the Amended Complaint, the original complaint and any further amended complaints in this action, any default judgment required to be served under 28 U.S.C. § 1608(e), and any documents required to be served on Defendants under Federal Rule of Civil Procedure 5 prior to Defendants appearing or defaulting by failing to appear, Plaintiffs are authorized to serve Defendants, pursuant to Federal Rule of Civil Procedure 4 and 28 U.S.C. § 1808(b)(3)(C), by transmitting a special-purpose token or tracking link (the 'Service Token') to each Defendant's wallet address. The Service Token shall contain a hyperlink to a website that Plaintiffs' counsel will cause (or has caused) to be created and maintained, where Plaintiffs' counsel shall publish the relevant documents. Service shall be deemed effective on the date the Service Token is sent.

5. On July 9, 2026, I caused the summonses and Amended Complaint to be served on Defendant John Doe #1 and Defendant John Doe #2 pursuant to that Order, and filed an affidavit of service on July 10, 2026. ECF No. 71.

6. On July 16, 2026, Plaintiffs filed a Second Amended Complaint. ECF No. 80. The Court issued summonses to each of the Defendants on July 17, 2026. ECF Nos. 87–92.

7. On July 19, 2026, I caused the summonses and Second Amended Complaint to be served on Defendants pursuant to the Court's July 8 Order (ECF No. 68) and filed an affidavit of service on July 20, 2026. ECF No. 93.

8. Defendants were required to serve an answer or other responsive pleading within sixty days following service of the Second Amended Complaint, or by September 17, 2026. *See* 28 U.S.C. § 1608(d). Defendants have not filed any responsive pleadings or taken any other steps to defend this action since service was effectuated.

9. Defendants are not an infant or incompetent person.

10. Defendants are not serving in the United States military.

11. Based on the facts set out above and pursuant to Federal Rule of Civil Procedure 55(a), which provides that “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default,” Plaintiffs are entitled to entry of default against Defendants.

12. Plaintiffs therefore request issuance of a Certificate of Default in the form submitted contemporaneously herewith against Defendant John Doe #1 (Owner of Wallet TNiq9AXBp9EjUqhDhrwrfvAA8U3GUQZH81), Defendant John Doe #2 (Owner of Wallet TTiDLWE6fZK8okMJv6ijg42yrH6W2pjSr9), Defendant John Doe #3 (Owner of Wallet TAhhwFv3JpK39Nc2m8W5LPCcoTisutiRfp), Defendant John Doe #4 (Owner of Wallet TJdgB1k6ot3f2nLuZug6D8eD3HavTmzmSK), Defendant John Doe #5 (Owner of Wallet TXGHxdYbGy574z5hBu4LNzq9NzjZQ9bhUf), and Defendant John Doe #6 (Owner of Wallet TFQbqaNbmq2xsVor2NbufLkYZvxFC9wC7k).

I declare under penalty of perjury that the foregoing is true and correct.

Executed: September 18, 2026

New York, New York

/s/ Aaron E. Nathan