

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

Caitlan Coleman, individually,  
and on behalf of N.B, D.B., and M.B.;  
Lynda Coleman, individually  
and on behalf of the Estate of James Coleman.

CIVIL ACTION NO. \_\_\_\_\_

*Plaintiffs*

**COMPLAINT AND JURY DEMAND**

v.

Haqqani Network; The Taliban,  
*d/b/a* Islamic Emirate of Afghanistan

*Defendants*

Plaintiffs plead the following facts and legal claims:

**I. INTRODUCTION**

1. In October of 2012, while traveling through Afghanistan with her then-husband, Caitlan Coleman (“Coleman” or “Caitlan”) was kidnapped through a scheme orchestrated by terrorist groups-- the Haqqani Network (“HQN”) and The Taliban (collectively, “Defendants”). Coleman was approximately seven months pregnant at the time of her harrowing capture, but her ordeal was just beginning. Coleman, her then-husband Joshua Boyle (“Boyle”), and their children were held for almost exactly five years as prisoners of the Haqqani Network and Taliban. Coleman ultimately gave birth to three living children during her confinement, and endured one forced miscarriage. She and her children experienced years of isolation, physical and mental deprivation and abuse, and acts of terror intended to make Coleman compliant with her captors’ demands.

Defendants also used Coleman and her family’s captivity as leverage to continue to engage in acts of terror intended to coerce other nations—including the United States, Canada, and Afghanistan—to acquiesce to their demands for prisoner swaps, capital, and other actions to advance their terrorist agenda.

2. Meanwhile, Coleman’s parents—Lynda and James Coleman (“Lyn” and “Jim”) were left to worry over their daughter and grandchildren’s safety. Each endured intense emotional turmoil and anticipation over their family members’ well-being while being held hostage by dangerous terrorist groups.

3. Coleman and her children were rescued, alongside Boyle on October 11, 2017 after a dramatic car chase and shootout between their captors and the Pakistani military.

4. Since returning home, Coleman and her children have continued to suffer the effects of being held hostage by terrorists for five years. These effects are mental, emotional, and physical and have required each of them to receive mental health care and treatment.

5. All Plaintiffs are United States citizens.

## **II. PARTIES**

### **Plaintiffs**

6. Caitlan Coleman is the mother of N.B, D.B., and M.B. She is a United States citizen, raised and residing in Pennsylvania at the time of her capture. Coleman and her children currently reside in Virginia.

7. Lynda and James Coleman are the parents of Caitlan Coleman. They raised their children in Stewartstown, Pennsylvania in York County, where Lynda Coleman still resides. Jim Coleman shared a home with his wife Lynda in Stewartstown until his death in July of 2021. Lynda brings this action on her own behalf and on behalf of James Coleman’s estate.

8. N.B. is a 11 year old minor child. He is the child of Caitlan Coleman and brother of D.B. and M.B. He is a dual United States and Canadian citizen residing in Virginia.

9. D.B. is an 9 year old minor child. He is the child of Caitlan Coleman and brother of N.B. and M.B. He is a dual United States and Canadian citizen residing in Virginia.

10. M.B. is a 7 year old minor child. She is the child of Caitlan Coleman and sister of N.B. and D.B. She is a dual United States and Canadian citizen residing in Virginia.

11. Caitlan Coleman brings this action individually and on behalf of her minor children.

### **Defendants**

12. The Haqqani Network (“HQN”) is a terrorist group primarily organized in North Waziristan within the Pakistani Federally Administered Tribal Area. The HQN was founded and led for many years by Jalaluddin Haqqani. The common term for the organization, “The Haqqani Network,” came into regular use by analysts, policymakers, and government officials in the West around 2006. The HQN was formally designated as a “Foreign Terrorist Organization” or “FTO” by the U.S. government in 2012 under section 210 of the Immigration and Nationality Act.<sup>1</sup> The HQN is designated as a Specially Designated Global Terrorist (“SDGT”) organization under Executive Order (“E.O.”) 13224, as amended.<sup>2</sup>

13. The Taliban is also a SDGT organization.<sup>3</sup> The Taliban (sometimes referred to as the “Islamic Movement of the Taliban” or the “Afghan Taliban”) was designated as a SDGT on

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<sup>1</sup> Foreign Terrorist Organizations, Bureau of Counterterrorism, U.S. Department of State <https://www.state.gov/foreign-terrorist-organizations/> (last accessed Sept. 23, 2024).

<sup>2</sup> Executive Order 13224, Bureau of Counterterrorism, U.S. Department of State <https://www.state.gov/executive-order-13224/> (last accessed Sept. 23, 2024).

<sup>3</sup> *Id.*

July 2, 2002 and has remained on that list continuously to this day.<sup>4</sup> The Taliban and its affiliates have a long history of committing atrocities in Afghanistan and the surrounding region.

14. While it initially emerged as an organization distinct from, but with ties to, the Taliban, the HQN has been an integral part of the Taliban since the group's patriarch, Jalaluddin Haqqani, allied with the Taliban's Supreme Leader Mullah Mohammed Omar in the Afghan Civil War in the mid-1990s. Today, and for all time periods relevant to the kidnapping of Coleman, the two entities are inextricably linked.

15. The HQN and the Taliban frequently work as one to operate across borders, launch attacks, and engage in terrorist activity like the high-profile kidnapping at issue here. To the extent the two are separable in their functions, the HQN is typically responsible for the actual execution of violent attacks, including kidnappings, and the broader Taliban is responsible for planning and giving orders for the attacks, and claims responsibility through public and media sources.<sup>5</sup>

16. As the military arm of the Taliban, the HQN was the driving force behind the growing lethality and professionalism of Taliban attacks against U.S. forces, but was also responsible for an array of what are known as "soft targets," frequently resulting in the deaths of civilians.<sup>6</sup> Annually, the United Nations Assistance Mission in Afghanistan ("UNAMA"), tracked

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<sup>4</sup> Specially Designated Nationals and Blocked Persons List, Office of Foreign Assets Control, U.S. Department of the Treasury, <https://www.treasury.gov/ofac/downloads/sdnlist.pdf> at p. 2148.

<sup>5</sup> Don Rassler & Vahid Brown, "The Haqqani Nexus and the Evolution of al-Qa'ida," West Point, N.Y.: Combating Terrorism Center at West Point, July 14, 2011), p. 13.

<sup>6</sup> Costs of War, "U.S. Costs to Date for the War in Afghanistan, 2001-2022," Watson Institute International & Public Affairs – Brown University, <https://watson.brown.edu/costsofwar/figures/2021/human-and-budgetary-costs-date-us-war-afghanistan-2001-2022> (last accessed Sept. 23, 2024).

responsibility for civilian deaths, blaming the lion's share of those deaths on the Taliban and other groups violently opposed to the Afghan government.

17. The HQN and Taliban historically function and facilitate terrorist activity primarily in Afghanistan, but also have a presence and historical safe haven in Pakistan and a smaller presence in other nearby regions.

### **III. JURISDICTION AND VENUE**

18. Jurisdiction exists under 28 U.S.C. §1331 for this civil action arising under the laws of the United States through Plaintiffs' claims under the Anti-Terrorism Act. 28 U.S.C. § 2333(a).

19. Supplemental jurisdiction under 28 U.S.C. § 1367(a) exists over all other claims because they are so related to the federal-law claims in that they arise from a common nucleus of operative facts.

20. Jurisdiction also arises and under 28 U.S.C. §1332(a)(2) for this civil action between citizens of a State and citizens or subjects of a foreign state where the amount in controversy exceeds the sum of \$75,000, exclusive of interest and costs.

21. Venue is both proper and convenient in this District under 28 U.S.C. §1391(b).

### **IV. FACTUAL ALLEGATIONS**

#### **A. Background and History of the Haqqani Network and Taliban**

22. The HQN and Taliban work in tandem perpetuating an advanced and long-standing scheme of terrorist activity in Afghanistan, Pakistan, and the surrounding region. Most attacks take place in Afghanistan, but many of the perpetrators have historically been able to find safe

haven in Pakistan.<sup>7</sup> The permeability between the border of Pakistan and Afghanistan (also known as the Durand Line) has contributed to that practice.

23. The HQN began as a militant outfit in the mid-1970s<sup>8</sup> and was founded and led for most of its history by Jalaluddin Haqqani. Jalaluddin initially sought a career as the founder of a religious school, (or “*madrasa*”) but turned to violent jihadism during the armed conflicts in Afghanistan between the Soviet-backed Afghan communists and radical Islamist jihadists.

24. Jalaluddin Haqqani led an unsuccessful uprising against the pro-Soviet regime of Sardar Mohammed Daoud Khan, which resulted in “most of [the HQN’s] leaders either fleeing to Pakistan or in jail.”<sup>9</sup> Undeterred by this early failure, Jalaluddin joined the executive committee of the Hizb-i Islami Afghanistan party, which was designed to merge “all of the factions of anti-Daoud Sunni Islamist activism into one organization.”<sup>10</sup> When Hizb-i Islami split into two factions—one led by Muhammad Khalis and another by Gulbuddin Hekmatyar—the HQN joined the Khalis-led faction.<sup>11</sup> As a part of that group, the Haqqani Network fought the Soviets in the Soviet-Afghan War.

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<sup>7</sup> Vanda Felbab-Brown, “Why Pakistan supports terrorist groups, and why the US finds it so hard to induce change,” *Brookings*, January 5, 2018 <https://www.brookings.edu/articles/why-pakistan-supports-terrorist-groups-and-why-the-us-finds-it-so-hard-to-induce-change/> (last accessed Sept. 23, 2024).

<sup>8</sup> Vahid Brown and Don Rassler, “Fountainhead of Jihad: The Haqqani Nexus, 1973-2012,” *New York: Oxford University Press*, pp.1-2 (2013).

<sup>9</sup> *Id.* p.48; see also Jeffrey Dressler, “The Haqqani Network: From Pakistan to Afghanistan,” *Washington, D.C.: Institute for the Study of War*, p. 9 (2010).

<sup>10</sup> Brown & Rassler at p. 49.

<sup>11</sup> Dressler at p. 7.

25. “The Taliban is a Sunni Islamist nationalist and pro-Pashtun<sup>12</sup> movement founded in the early 1990s” after the conclusion of the Soviet-Afghan war.<sup>13</sup> “Taliban” is a Pashto word for “students” and the group was initially comprised primarily of farmers and men studying Islam in *madrastas*.<sup>14</sup>

26. During the Soviet-Afghan War, the HQN became a powerful social and militant organization. The group benefited greatly from this status when the Soviets withdrew from Afghanistan in 1989 and the Taliban was formed in 1994. The HQN became what it is today beginning in 1995 when Jalaluddin Haqqani first officially allied with the Taliban’s founder, Supreme Leader Mullah Mohammed Omar. Omar sought out this alliance with Jalaluddin due to his military experience and influence in the region, with the goal of submitting Afghanistan to Taliban rule through military action and terrorist activity.

27. In 1996, after amassing significant provinces throughout Southern Afghanistan during the Afghan Civil War, the Taliban captured Kabul. During that attack, the Taliban killed Afghanistan’s president and established the “Islamic Emirate of Afghanistan.”<sup>15</sup>

28. Immediately, the Taliban effected a government of terror aimed at anyone that opposed its rule. The Taliban enacted Islamic laws and policies based upon a radical and extremely strict interpretation of the Quran, commonly known as Sharia law— “in practice, this meant often

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<sup>12</sup> World Directory of Minorities, “Pashtuns,” *Minority Rights Group International*, <https://www.justice.gov/sites/default/files/eoir/legacy/2014/02/19/Pashtuns.pdf> (last accessed Sept. 23, 2024) (“Pashtun, also called Pushtan, Paktun or Pathan, are the largest Ethnic group in Afghanistan. They live mainly in the south and the east of the country. They have a distinct language called Pashto. . .”).

<sup>13</sup> “Afghan Taliban” Director of National Intelligence (DNI), National Counterterrorism Center (NCTC), [https://www.dni.gov/nctc/groups/afghan\\_taliban.html](https://www.dni.gov/nctc/groups/afghan_taliban.html) (last accessed Sept. 23, 2024).

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

merciless policies on the treatment of women, political opponents of any type, and religious minorities.”<sup>16</sup>

29. During the Afghan Civil War, the Taliban’s advances in capturing significant cities, including the capital city of Kabul, can be largely attributed to the HQN’s military capabilities.<sup>17</sup> As a result, the founder and leader of the Taliban, Mullah Omar, named Jalaluddin Haqqani the Minister of Tribal and Border Affairs.

30. After the Taliban lost power in 2001 as a result of the U.S.- and NATO-led military operation in Afghanistan, the Taliban engaged in a deadly insurgency to regain its control. As a part of that campaign of terror, the Taliban executed numerous atrocities including suicide bombings, targeted killings, assassinations, improvised explosive device (“IED”) attacks, and hostage takings against the then-government of Afghanistan, U.S. military forces and their partners, and American civilians.

31. The Taliban also partnered closely with *al-Qaeda*, providing meaningful support to Osama bin-Laden and the group both before and after the 9/11 attacks in the United States. “In the years leading up to the [9/11] attacks in the United States, the Taliban provided a safe haven for al-Qa‘ida. This gave al-Qa‘ida a base in which it could freely recruit, train, and deploy terrorists to other countries.”<sup>18</sup>

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<sup>16</sup> *Id.*

<sup>17</sup> Brown & Ressler, *Fountainhead of Jihad*, at p.155; see also “Haqqani Network,” Director of National Intelligence (DNI), National Counterterrorism Center (NCTC), [https://www.dni.gov/nctc/groups/haqqani\\_network.html](https://www.dni.gov/nctc/groups/haqqani_network.html) (last accessed Sept. 23, 2024) (describing how the Taliban won Jalaluddin Haqqani’s support) (“[I]t is likely that the Taliban’s capture of Kabul would not have been possible without securing an alliance with [Jalaluddin Haqqani, who is] the man with the most military influence in Afghanistan’s southeast.”)

<sup>18</sup> Counter Terrorism Guide - Terrorist Groups, “Afghan Taliban,” *National Counterterrorism Center*, [https://www.dni.gov/nctc/groups/afghan\\_taliban.html](https://www.dni.gov/nctc/groups/afghan_taliban.html) (last accessed Sept. 23, 2024).

32. The Haqqanis, too, have a long history of supporting *al-Qaeda*. During the Soviet-Afghan War, Jalaluddin developed a close relationship with Osama bin Laden.<sup>19</sup> This relationship remained close during and after the 9/11 terror attacks. Jalaluddin gave a public interview to a Pakistani news outlet shortly after the 9/11 attacks expressing his continuing support for bin Laden and al-Qaeda stating:

We will retreat to the mountains and begin a long guerilla war to reclaim our pure land from the infidels and free our country again like we did against the Soviets. We are eagerly awaiting the American troops to land on our soil. . . . Mullah Omar, Osama bin Laden, and all other commanders are safe and sound and carrying out their duties.<sup>20</sup>

The relationship between al-Qaeda and HQN was persistent and close over the years. Letters and papers recovered from the Abbottabad, Pakistan compound where bin Laden was eventually killed in 2011 revealed that al-Qaeda trusted the Haqqanis and even paid the Haqqanis \$2 million.<sup>21</sup>

33. In 2007, Jalaluddin handed over day-to-day management of the HQN to his son, Sirajuddin Haqqani. By 2015, Sirajuddin had been appointed the deputy emir of the Taliban, the group's second-in-command.<sup>22</sup> As a result of this appointment, Sirajuddin became the Taliban's *de facto* military leader. Although Sirajuddin had long been involved in planning and executing

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<sup>19</sup> See Steve Coll, "Ghost Wars: The Secret History of the CIA, Afghanistan, and bin Laden, from the Soviet Invasion to September 10, 2001," *New York: Penguin*, p. 156 (2004) and Senate Hearing 112-70, "Al Qaeda, The Taliban, and Other Extremist Groups in Afghanistan and Pakistan" Hearing Before the Committee on Foreign Relations, United State Senate (May 24, 2011) <https://www.govinfo.gov/content/pkg/CHRG-112shrg67892/html/CHRG-112shrg67892.htm> (last accessed Sept. 23, 2024).

<sup>20</sup> Peter L. Bergen, "The Osama bin Laden I Know: An Oral History of al Qaeda's Leader," *Free Press* (2006) (quoting Aslam Khan, *The News* interview, "Jalaluddin Haqqani," October 20, 2001, location unknown).

<sup>21</sup> Nelly Lahoud, "The Bin Laden Papers," Yale University Press p. 36 (2022) (Letter to bin Laden from Atiya, April 5, 2011).

<sup>22</sup> "Haqqani Network," Director of National Intelligence (DNI), National Counterterrorism Center (NCTC), [https://www.dni.gov/nctc/groups/haqqani\\_network.html](https://www.dni.gov/nctc/groups/haqqani_network.html) (last accessed Sept. 23, 2024).

Taliban terrorist campaigns, his newfound role gave him complete control. One Taliban commander has said that the group's commanders needed Sirajuddin's approval to change plans, while a former Haqqani commander reported that "no one can be appointed [as a Taliban governor] without his advice," and that "the influence of Sirajuddin in the Taliban's ranks seems to be just growing."<sup>23</sup> A Taliban spokesman added, "We can say that not only his military obligations but all his obligations have increased."<sup>24</sup> American officials have publicly indicated that they assess these statements by Taliban leaders as accurate. Brigadier General Charles Cleveland, the spokesman for U.S. and NATO troops in Afghanistan, said in 2016 that "Sirajuddin increasingly runs the day-to-day military operations for the Taliban, and, we believe, is likely involved in appointing shadow governors."<sup>25</sup>

34. In September of 2021, after the Taliban regained control of the Afghan government, Sirajuddin was appointed to the key role of "interior minister."<sup>26</sup>

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<sup>23</sup> Mujib Mashal, "Haqqanis Steering Deadlier Taliban in Afghanistan, Officials Say," *New York Times*, May 7, 2016.

<sup>24</sup> *Id.*

<sup>25</sup> Mashal, "Haqqanis Steering Deadlier Taliban in Afghanistan."

<sup>26</sup> Kathy Gannon, "Taliban Form All-male Afghan Government of Old Guard Members," *AP News*, (Sept. 7, 2021) <https://apnews.com/article/middle-east-pakistan-afghanistan-arrests-islamabad-d50b1b490d27d32eb20cc11b77c12c87> ("Appointed to the key post of interior minister was Sirajuddin Haqqani, who is on the FBI's most-wanted list with a \$5 million bounty on his head and is believed to still be holding at least one American hostage. He headed the feared Haqqani network that is blamed for many deadly attacks and kidnappings. The announcement came hours after Taliban fired their guns into the air to disperse protesters in the capital of Kabul and arrested several journalists, the second time in less than a week that heavy-handed tactics were used to break up a demonstration.") (last accessed Sept. 23, 2024).

35. Sirajuddin Haqqani is a specially designated global terrorist and is currently wanted by the FBI. The United States Department of Justice is offering a reward of up to \$10 million for information leading to his arrest.<sup>27</sup>

 <b>SEEKING INFORMATION</b> <b>SIRAJUDDIN HAQQANI</b>	
	
<b>DESCRIPTION</b>	
<b>Aliases:</b> Siraj, Khalifa, Mohammad Siraj, Sarajuddin, Cirojuddin, Siraj, Anvari, Khalifa (Boss) (Shahid, Khalifa, Ahmed Zia, Sirajuddin Jaraloudine Haqqani, Siraj Haqqani, Sarajuddin Haqqani, Siraj Haqqani, Saraj Haqqani)	
<b>Date(s) of Birth Used:</b> Circa 1973 - 1980	<b>Place of Birth:</b> Afghanistan/Pakistan
<b>Hair:</b> Black	<b>Eyes:</b> Brown or Black
<b>Height:</b> 5'7"	<b>Weight:</b> 150 pounds
<b>Build:</b> Medium	<b>Complexion:</b> Light with wrinkles
<b>Sex:</b> Male	<b>Citizenship:</b> UNKNOWN
<b>Languages:</b> Arabic	<b>Scars and Marks:</b> None known
<b>REWARD</b>	
The Rewards For Justice Program, United States Department of State, is offering a reward of up to \$10 million for information leading directly to the arrest of Sirajuddin Haqqani.	
<b>REMARKS</b>	
Haqqani is thought to stay in Pakistan, specifically the Miram Shah, North Waziristan, Pakistan, area. He is reportedly a senior leader of the Haqqani network, and maintains close ties to the Taliban and al-Qaeda. Haqqani is a specially designated global terrorist.	
<b>DETAILS</b>	
Sirajuddin Haqqani is wanted for questioning in connection with the January 2008 attack on a hotel in Kabul, Afghanistan, that killed six people, including an American citizen. He is believed to have coordinated and participated in cross-border attacks against United States and coalition forces in Afghanistan. Haqqani also allegedly was involved in the planning of the assassination attempt on Afghan President Hamid Karzai in 2005.	
<b>SHOULD BE CONSIDERED ARMED AND DANGEROUS</b>	
If you have any information concerning this person, please contact your local FBI office or the nearest American Embassy or Consulate.	
Field Office - Washington D.C.	

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36. Over the years, the HQN became known as a training organization for multiple terrorist groups and Islamist jihadists. The HQN is known to have trained militants for al-Qaeda, the Libyan Islamic Fighting Group, and Egypt's al-Gama'a al-Islamiyya.

37. The HQN was formally designated as an FTO by the U.S. government in 2012, due to its involvement in the Afghan insurgency and attacks on both U.S. military and civilian personnel and Western interests in Afghanistan, and because of its close ties to al-Qaeda and other transnational jihadist groups.<sup>29</sup> According to the United States Department of State, the HQN was

<sup>27</sup> Most Wanted, "Sirajuddin Haqqani," Federal Bureau of Investigation <https://www.fbi.gov/wanted/terrorinfo/sirajuddin-haqqani> (last accessed Sept. 23, 2024).

<sup>28</sup> *Id.*

<sup>29</sup> "Haqqani Network," Director of National Intelligence (DNI), National Counterterrorism Center (NCTC), [https://www.dni.gov/nctc/groups/haqqani\\_network.html](https://www.dni.gov/nctc/groups/haqqani_network.html) (last accessed Sept. 23, 2024).

designated as an FTO with the goal of “degrad[ing] the network’s capacity to carry out attacks including affecting fund-raising abilities, targeting the group with our military and intelligence resources, and pressing Pakistan to take action.”<sup>30</sup>

38. The Counter Extremism Project’s Threat Report on the HQN described the organization’s threat level by stating: “For a period, the Haqqani network was regarded by both the U.S. and Afghan governments as *the most dangerous outfit operating* in Afghanistan and Pakistan. By 2011, *Haqqani operations accounted for 10 percent of attacks on coalition forces and about 15% of casualties.*”<sup>31</sup>

39. In the State Department’s Country Report on Terrorism for Afghanistan in 2019, it described the Taliban’s terrorist activity as “continu[ing] to increase” and reported that between January 1 and September 30, 2019, “insurgent and terrorist attacks were responsible for 1,618 civilians killed and an additional 4,958 wounded.”

40. Both the Taliban and the HQN have executed numerous acts of terror over the span of many years. Those attacks were often carried out in concert, with HQN being the well-known military and violence experts for the Taliban, and the Taliban often planning the political and strategic motives for the attacks.

41. Over the years, this is just a small sample of the acts of terror orchestrated and executed by the Taliban and the HQN, with the intent to cause fear, intimidation, and chaos and to gain power and influence, often as a lever to ensure prisoner exchanges:

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<sup>30</sup> Declan Walsh and Eric Schmitt, “U.S. Blacklists Militant Haqqani Network,” *New York Times*, (September 7, 2012), <https://www.nytimes.com/2012/09/08/world/asia/state-department-blacklists-militant-haqqani-network.html> (last accessed Sept. 23, 2024).

<sup>31</sup> Counter Extremism Project, “Haqqani Network,” <https://www.counterextremism.com/threat/haqqani-network/report> (last accessed Sept. 23, 2024) (emphasis added).

- On August 3, 1995 a Taliban fighter aircraft intercepted a transport aircraft with seven Russian nationals on board. The Taliban held the hostages prisoner for over a year and used them as leverage to attempt a prisoner exchange before the hostages' eventual escape.
- In 2006, HQN and the Taliban used a teenage suicide bomber to kill Hakim Taniwal, a former sociology professor who had returned from exile in Australia. After killing Taniwal, the group dispatched a second suicide bomber to his funeral, killing six more people.
- In 2007, the Taliban kidnapped a group of Korean missionaries, demanding the release of Taliban prisoners in exchange for the hostages. When that demand was denied by the Afghan government, the Taliban executed two of the hostages. The Korean government eventually paid the Taliban a ransom for the release of the remaining hostages.
- In January 2008, HQN and Taliban operatives stormed the Serena Hotel in Kabul, killing eight people.
- On June 13, 2008, a Taliban raid used a tanker truck loaded with explosives and a suicide bomber to breach the Sarposa Prison in Kandahar. The attack killed all police in the area and injured more than 15 others. The raid freed 400-1,000 Taliban-affiliated prisoners.
- The Taliban and HQN have jointly orchestrated numerous attacks on foreign embassies and at NATO headquarters from 2009-2015, including embassies from the United States, Canada, India, Spain, and Germany. The group usually used suicide bombers and the results from each attack were deadly.
  - The HQN was specifically found responsible for the September 2011 attack against the United States Embassy and the International Security Assistance Force (ISAF) Headquarters in Kabul. Sixteen Afghans were killed in the 19-hour attack, including at least six children.
- In January 2010, the HQN and Taliban were behind a coordinated attack on key government buildings in Kabul, which killed five people and wounded 70.
- On May 18, 2010, in Kabul, Afghanistan, 18 people, including five US soldiers and a Canadian soldier, were killed and 52 were injured when a NATO convoy was targeted by a Taliban suicide bomber.
- On September 26, 2010, British aid worker Linda Norgrove and three Afghan colleagues were kidnapped by members of the Taliban. Norgrove's captors demanded the release of Taliban prisoner Aafia Siddiqui in exchange for her return. The Taliban released the three Afghans during negotiations, but Norgrove died from her injuries in a rescue attempt by U.S. forces.
- In June 2011, the Taliban and HQN attacked the Intercontinental Hotel in Kabul, which killed 11 Afghan civilians and two Afghan policemen.

- In 2012, the Taliban attacked a popular resort near Kabul, shooting several guards and taking more than 50 hostages. Ultimately, the death toll exceeded 20, 17 of whom were civilians inside the resort.
- In 2014 and 2015, the Taliban executed three more attacks aimed at hotels and restaurants with the goal of targeting foreigners. All three attacks were mass shootings and collectively killed at least 44, including multiple foreigners.
- On August 7, 2015 the Taliban orchestrated a series of bombings in Kabul causing at least 50 deaths and several hundred injuries. These were the first major attacks by the Taliban since the death of its then-chief, Mullah Omar.
- On April 19, 2016 the HQN and Taliban jointly attacked a government security agency tasked with providing protection to senior government officials, killing 64 people and injuring more than 300.
- In 2018, HQN and the Taliban executed an ambulance bombing in Kabul that killed more than 100 people.
- Afghan officials blamed HQN for a 2018 attack on the Intercontinental Hotel in Kabul that killed 22 persons, including Americans.
- In 2019, the Taliban and HQN released two hostages, including a U.S. citizen, who had been kidnapped at gunpoint in 2016.
- On July 1, 2019, a Taliban attack against the Afghan National Army Logistic and Armory Directorate involved an explosive device and five gunmen attacking the compound. The attack killed 40 civilians and wounded more than 100—including men, women, and children, in an adjacent school.
- On September 2, 2019 the Taliban detonated a suicide car bomb at a facility in Kabul that housed numerous international organizations, killing 16 people and injuring more than 119.
- In 2020 the Ghani administration identified HQN and the Taliban as responsible for an attack on a military court in Paktika province killing at least five, as well as for a bombing in Kabul that killed three civilians.

42. For the rest of 2020 and 2021, both the Taliban and HQN worked together to execute untold numbers of attacks and acts of terror throughout Afghanistan, as a part of their efforts to regain control following the last U.S. troops leaving the country. Throughout this time period, the Taliban and HQN organized and facilitated multiple kidnappings and hostage-takings, nearly always with the goal of facilitating a prisoner exchange.

**B. A Pattern of Hostage-taking is a Calculated Tactic Employed by Defendants**

43. While the Taliban and HQN engage in many forms of violence, terrorist activity, and other criminal acts, a hallmark feature of their tactics is kidnapping. The groups use kidnappings of American and other Western civilians as a means of intimidation, leverage, and ransom.

44. The HQN and Taliban often use kidnapping as a means of facilitating prisoner exchanges and as an attempt to coerce and intimidate Afghan and foreign governments. Kidnapping, especially of Westerners, is also used as a means of financing and furthering their political agenda through exerting political pressure on the United States and other western nations.<sup>32</sup>

45. Among terrorist groups, HQN is known to be “the most sophisticated and diversified from a financial perspective.”<sup>33</sup> The group’s financial operations are well-designed, with a broad scope of money-making activities, including extortion, drug trafficking, and kidnapping for ransom. The Haqqanis are also widely known for their ability to collaborate and cooperate with other terrorist and insurgent groups, while remaining functionally independent and a critical part of the greater Taliban.

46. At the beginning of the Taliban and HQN’s hostage-taking scheme, kidnappings were initially focused on taking local businessmen and their relatives hostage in an attempt to receive ransom payments. However, as these operations expanded, a network of groups that included the Haqqani, Quetta Shura Taliban, and Taliban-e-Tehreek Pakistan (“TTP”) met in 2007

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<sup>32</sup> Gretchen Peters, “Haqqani Network Financing: The Evolution of an Industry,” *Combating Terrorism Center (CTC) at West Point*, (July 1, 2012), <https://apps.dtic.mil/sti/citations/ADA562872> (last accessed Sept. 23, 2024).

<sup>33</sup> *Id.*

and agreed to abduct hostages as a means to influence the conduct of the United States and foreign governments and to split the proceeds of any ransom.<sup>34</sup>

47. As the groups became more sophisticated, they expanded their efforts to “high profile” and Western kidnappings. One famous example, was HQN’s kidnapping of U.S. Army soldier Bowe Bergdahl.<sup>35</sup> The Taliban and HQN have conducted numerous Western kidnappings, including at least ten Americans.

48. The pattern of kidnappings orchestrated by the HQN and Taliban have consistent features. The HQN has relationships throughout the region with various localized criminal groups and gangs. It is typically one of these HQN and/or Taliban-affiliated groups that will seize the opportunity to kidnap someone of importance, or someone that can provide leverage—especially American and other Westerners.

49. One of the earliest Taliban and HQN-orchestrated kidnappings of an American was the seizure of Jere Van Dyk. Van Dyk had a long history of reporting and writing on Afghanistan, having covered the Soviet invasion of Afghanistan in the 1980s for *The New York Times*.<sup>36</sup> While in Afghanistan on assignment for CBS, Van Dyk was kidnapped on February 16, 2008 in the tribal region of Afghanistan and Pakistan—the same area Caitlan and her family were taken.<sup>37</sup> Van Dyk was held hostage for 45 days.<sup>38</sup> Like Caitlan, Van Dyk became aware that senior Taliban officials

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<sup>34</sup> *Id.* at pp.46-47.

<sup>35</sup> *Id.* at p. 48.

<sup>36</sup> Jere Van Dyk, “The Trade: My Journey into the Labyrinth of Political Kidnapping,” *Public Affairs*, Hachette Book Group, (2017) p. 58 (“The Trade”).

<sup>37</sup> Dave Davies interviewing Jere Van Dyk, “A Journalist Ventures Inside one of the World’s Most Notorious Terrorist Groups,” NPR, *Fresh Air*, (Feb. 2, 2023) Transcript available at: <https://www.npr.org/2023/02/02/1153773701/a-journalist-ventures-inside-one-of-the-worlds-most-notorious-terrorist-groups> (last accessed Sept. 23, 2024).

<sup>38</sup> *Id.*

condoned his kidnapping, and were using his release as a political and financial bargaining chip.<sup>39</sup> Van Dyk reported that he suffered psychological torture that still affects him today. Since his release, Van Dyk has become a dogged activist in supporting families of captured Americans and even serving as advisor to the U.S. government and intermediary between the Haqqanis and the families seeking the release of their loved ones. In that role, Van Dyk helped arrange the exchange and release of captured professors Kevin King and Timothy Weeks.<sup>40</sup>

50. David Rohde is an American journalist who was working for *The New York Times* when he and his driver were kidnapped and held in captivity by the Taliban and HQN. He was captured on November 10, 2008, and was held in locations on both sides of the Afghanistan-Pakistan border. Like the other kidnappings orchestrated by the Taliban and HQN, Rohde's experience shares multiple similarities and patterns with Caitlan and her family's experience. A criminal indictment has been lodged in the United States District Court Southern District of New York relating to the circumstances around Rohde's capture and captivity by the Taliban and the HQN.<sup>41</sup>

51. Rohde was held for seven months, then made a remarkable escape along with his driver. Rohde's vehicle was abruptly stopped by armed men wielding assault rifles blocking the roadway. He was blindfolded and forced into the backseat of the car at gunpoint. Rohde further recounts his first meeting with a man he will later learn is a Haqqani family member, and describes

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<sup>39</sup> Neal Conan, "Jere Van Dyk, A Taliban 'Captive' For 45 Days," NPR, *Talk of the Nation*, (July 1, 2010) summary available at <https://www.npr.org/2010/07/01/128244068/jere-van-dyk-a-taliban-captive-for-45-days> (last accessed Sept. 23, 2024).; *see also*, *The Trade*.

<sup>40</sup> Jere Van Dyk, "Without Borders – The Haqqani Network and the Road to Kabul" *Academia Press* (2022) p.374. ("Without Borders").

<sup>41</sup> *United States v. Haji Najibullah*, No. 1:114-cr-00401-KPF (S.D.N.Y. October 7, 2021).

the man as wearing a *patu*, or traditional Afghan scarf covering his face.<sup>42</sup> Caitlan’s account of her taxi being stopped on the road by men with assault rifles shares significant similarities with Rohde’s.

52. Like Caitlan and Van Dyk, Rohde and his fellow captives were initially told that they will be treated as “guests” by their captors—a hallmark of the Pashtun<sup>43</sup> tradition.<sup>44</sup> However, despite these overtures, the actual treatment of Caitlan tells a very different story.

53. Also like Caitlan and her family, for the first few days Rohde was questioned by multiple individuals about his nationality, profession, family, and whether he was a spy. He was also frequently moved from “safe” house to house, disorienting his perception of what part of the region he was in.<sup>45</sup> At one point, he recounts spending three days in a car, traversing mountains and deserts, unsure of where he was headed.<sup>46</sup> Caitlan reports a similar journey at the beginning of her capture, and several subsequent journeys exhibiting the same hallmarks.

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<sup>42</sup> David Rohde and Kristen Mulvihill, “A Rope and a Prayer: A Kidnapping from Two Sides,” *Viking*, (2010) pp. 8-12. (“*A Rope and a Prayer*”)

<sup>43</sup> World Directory of Minorities, “Pashtuns,” *Minority Rights Group International*, <https://www.justice.gov/sites/default/files/eoir/legacy/2014/02/19/Pashtuns.pdf> (last accessed Sept. 23, 2024) (“Pashtun, also called Pushtan, Paktun or Pathan, are the largest Ethnic group in Afghanistan. They live mainly in the south and the east of the country. They have a distinct language called Pashto (an official language since 1936) but also speak Pakhto, which are both Iranian dialects that fall within the IndoEuropean group of languages. They are generally able to speak Farsi when necessary, often relying on the language in the context of trade dealings in the region. . . . The social structure of the Pashtuns is based on the Pashtunwali (or Pukhtunwali) code, which is a mixture of a tribal code of honour and local interpretations of the Islamic Law. This requires the speaking of Pashtu and the adherence to established customs.”).

<sup>44</sup> David Rohde *A Rope and a Prayer* at pp. 18, 31, 43

<sup>45</sup> *A Rope and a Prayer* at p. 43

<sup>46</sup> *A Rope and a Prayer* at p. 43.

54. Both Caitlan and her family and Rohde were eventually taken to the infamous-Taliban held territory, Miran Shah.<sup>47</sup> Miran Shah is just across the border in Pakistan, a long-time safe haven for the Taliban and HQN. Caitlan was repeatedly informed that she was being held by the Taliban and HQN, as was Rohde. When Rohde met with the man he later learned was the brother of Sirajuddin Haqqani, he was informed that the Haqqani Network and Taliban worked together as one entity.<sup>48</sup>

55. Similarly, the families of all Western hostages recount hauntingly familiar stories. In each American case, the families were assigned an FBI team and primary contact. All of the families felt desperate, and felt getting concrete information about their loved one was nearly impossible. In the case of both Rohde and Caitlan, the hostages were able to send home limited letters, and both were forced to make desperate pleas for rescue through hostage videos (while also claiming they were healthy and being treated well).<sup>49</sup> Family members worried about their loved one's health conditions—Rohde's wife worried he may not have his glasses—Caitlan's family worried about her remittent liver condition. Many family members reached out to former hostages and hostage specialists for support—in fact, Rohde and Van Dyk both worked with the families of Joshua Boyle and Caitlan Coleman during their lengthy captivity.

56. Rohde recalls that he and the other captives were often told that they would soon be released, recounting that such platitudes made his confinement that much more mentally tortuous. Although Caitlan was held significantly longer than Rohde, she was also frequently informed that she would be released, giving her false hope for herself and her children.

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<sup>47</sup> *A Rope and a Prayer* at pp. 71, 78.

<sup>48</sup> *A Rope and a Prayer* at p. 88.

<sup>49</sup> *A Rope and a Prayer* at p. 119.

57. Both Rohde and Caitlan and her family were forced to make hostage videos. In each case, the captives were given specific scripts to follow, which contained pleas to the President of the United States to facilitate their release.

58. In both cases, and as a hallmark of Taliban and HQN kidnappings generally, the captors demanded prisoner exchanges.<sup>50</sup>

59. In August of 2016, two professors at the American University of Afghanistan were kidnapped from their vehicle. “‘Two foreign professors, one American and the other Australian, were abducted at gunpoint from Dar-ul-Aman Road in the centre of Kabul city,’ interior ministry spokesman Sediq Sediqqi said. ‘Indications are that they were kidnapped by a criminal group.’ The driver and a guard inside the vehicle, both unharmed, had been held for questioning, a security official said.”<sup>51</sup>

60. In the case of the kidnapped professors—Kevin King and Timothy Weeks—the two were held for three years and the Taliban took credit for the kidnapping. The Taliban announced that it would engage in a prisoner exchange of the two professors in a swap that included Anas Haqqani, younger brother of Sirajuddin Haqqani.<sup>52</sup> As with many of their high-profile kidnappings, the Taliban and HQN also recorded and released a video of the hostage academics as an intimidation technique, a means through which to convey their demands to government officials, and as “proof of life.”<sup>53</sup>

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<sup>50</sup> *A Rope and a Prayer* at p. 107.

<sup>51</sup> AFP, “American, Australian Professors Kidnapped in Kabul,” *DAWN*, (Aug. 9, 2016) <https://www.dawn.com/news/1276330> (last accessed Sept. 23, 2024).

<sup>52</sup> “US and Australian Hostages Freed in Taliban Prisoner Swap,” *BBC*, (Nov. 19, 2019) <https://www.bbc.com/news/world-asia-50471186> (last accessed Sept. 23, 2024).

<sup>53</sup> “Taliban Video Shows US and Australian Hostages,” *BBC*, (Jan. 12, 2017) <https://www.bbc.com/news/world-asia-38592283> (last accessed Sept. 23, 2024).

61. In 2021, the Rauf brothers, an American citizen and American Legal Permanent Resident performing humanitarian aid were kidnapped and held by the Taliban. The U.S. Government negotiated their release after over 100 days of detainment.

These individuals had been detained in Afghanistan since December. When it became clear they would not be permitted to leave, we planned and executed an approach to negotiate their release and reunification with their loved ones. This was an interagency team that conceived, planned out, and executed this important mission to bring home an American citizen and an American lawful permanent resident. We also took advantage of the opportunity to again press for the release of Mark Frerichs, as we do in every meeting we have with the Taliban.<sup>54</sup>

62. Mark Frerichs is a Navy veteran from Illinois was kidnapped in Afghanistan in January 2020. He too was held by the HQN and a prominent member of the Taliban was granted clemency as part of the terms of his release in September of 2022.<sup>55</sup> Frerichs' story fits the *modus operandi* of the HQN and Taliban. He too was forced to create a "proof of life" video.<sup>56</sup> In each of the videos, the captives are all instructed to beg for their governments to secure their release. Each of them also delivers an emotional plea. In one of Caitlan Coleman's videos, she states the Taliban "are not going to simply release our family easily, because it is correct. They want money,

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<sup>54</sup> Jake Tapper, "Exclusive: Biden Administration Secures Release of Aghan-American Naval Reservist who was Held by Taliban," *CNN*, (Apr. 1, 2022) <https://www.cnn.com/2022/04/01/politics/safi-rauf-taliban-captivity/index.html> (last accessed Sept. 24, 2024).

<sup>55</sup> Kylie Atwood, Jennifer Hansler, Ehsan Popalzai, AnneClaire Stapleton, and Devan Cole, "American Held Captive in Afghanistan for more than 2 Years is Released in prisoner Swap," *CNN*, (Sep. 19, 2022) <https://www.cnn.com/2022/09/19/politics/mark-frerichs-released-afghanistan-taliban/index.html> (last accessed Sept. 24, 2024).

<sup>56</sup> Jennifer Hansler, "New Proof of Life Video Surfaces Showing American Kidnapped in Afghanistan 2 Years Ago," *CNN*, (Apr. 1, 2022) <https://www.cnn.com/2022/04/01/politics/mark-frerichs-proof-of-life-video/index.html> (last accessed Sept. 24, 2024).

power, and friends. . . . We are told there are Afghans who are prisoners in Kabul that these men care about.”<sup>57</sup>

63. In each kidnapping of a Westerner they were taken forcibly by unidentified men with rifles who blocked the passage of their vehicle on the road. Members of those groups or factions then connect the hostages to the HQN and/or Taliban commanders that conduct the actual detainment of the hostages. The Taliban then takes public credit for the kidnappings, and is responsible for releasing videos. This is precisely the pattern that occurred in the case of Caitlan Coleman and her family.<sup>58</sup>

### **C. The Kidnapping and Forced Captivity of Caitlan Coleman and Her Family**

64. On the morning of October 10, 2012, Caitlan Coleman and her then-husband, Joshua Boyle were violently kidnapped by agents of the HQN and Taliban. Coleman was 26 years old at the time, and seven months pregnant.

65. Prior to this trip, Boyle and Coleman had been separated, but Boyle had recently convinced Coleman to reconcile, and part of his plan was an adventurous backpacking trip. Coleman knew Boyle had a fascination with middle and central eastern cultures and the former

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<sup>57</sup> Barbara Starr, Peter Bergen, and Steve Almasy, “Afghan Taliban Video Purportedly Shows American, Australian Hostages,” *CNN*, (Jan. 12, 2017) <https://www.cnn.com/2017/01/11/middleeast/afghan-taliban-captives-video/index.html> (last accessed Sept. 24, 2024).

<sup>58</sup> Daniella Silva and Mushtaq Yusufzai, “Taliban Releases Propaganda Video Showing Kidnapped U.S.-Canadian Couple, Children,” *NBC News* (Dec. 20, 2016) <https://www.nbcnews.com/news/world/taliban-releases-propaganda-video-showing-kidnapped-u-s-canadian-couple-n698506> (last accessed Sept. 24, 2024 ) (“A senior Taliban member told NBC News Coleman was pregnant when she was first kidnapped. ‘When we captured the couple in 2013 in Afghanistan’s Wardag area, the woman was pregnant and later delivered another son when they had converted to Islam in our custody’, said one senior Taliban member holding the couple on condition of anonymity.”).

Soviet Union, but she did not learn the extent of his interest until they were already in Central Asia.

66. The pair left the United States on July 4, 2012 with a planned return date of early December 2012. Boyle assured Coleman they would not enter Afghanistan, and would stay in the safer parts of the region.

67. For the first part of their trip, that is just what they did. Then, in early October, Boyle insisted they go to Afghanistan. Against her will, but feeling that she had no power to change the course her husband had chosen since he controlled her passport and credit cards, and fearing traveling the region alone and pregnant, the two entered Afghanistan.

68. After approximately two to three weeks of relative safety spent in Afghan government-controlled areas of the country, such as Mazar-i-Sharif, the two headed to Kabul. From Kabul, the pair obtained a taxi and planned to continue their trip.

69. However, less than an hour after leaving the U.S. checkpoints behind, the taxi was intercepted by an armed man wielding an assault rifle blocking the car's passage in the road. The driver followed the man's instructions to pull over, and suddenly other men with assault rifles appeared. The men bound the driver of the taxi and placed him in the trunk of the vehicle and Boyle was bound and forced to lie in the backseat. Caitlan was visibly upset and feared that they were about to be killed.

70. The men drove the car for a number of hours, all the while intimidating Coleman and Boyle into remaining hidden and quiet. When the men stopped the car, they departed and two different men took over Coleman and Boyle's kidnapping. At this point, Coleman was informed that they were in Bamyan Province.

71. That night, the couple was taken to a small village, consisting primarily of mud hut dwellings, and were taken into a compound where their captors concealed the taxi. Caitlan was told she was in the home of Mohammed Nazam.

72. After a couple of days of being held in the compound, all the while believing they would be killed any moment, they were visited by multiple commanders that Coleman recognized by their distinctive garb as the Taliban. The Taliban commanders went through all of Coleman and Boyle's belongings, and through a language barrier, attempted to interrogate them.

73. Two of the men tasked with transporting Coleman and Boyle—Hasanallah and Obeidullah—told the captives that they would be set free and taken back to Kabul the next morning. Coleman observed that Obeidullah appeared to have authority, consistent with a command position within the group. When morning came, the two were transported, but not back to Kabul. They were taken to another building—this time with Boyle stashed in the trunk of the taxi. Their captors switched vehicles again, a tactic they employed several times more. All of the men holding and transporting them had walkie-talkies for constant communication, and often the car was escorted by armed men on motorcycles.

74. Much like Rohde, Caitlan quickly became disoriented as to where she was geographically. She believes they began in Ghazni, but their captors drove them through a mountainous terrain, through a forested area, and then by the third day the landscape was very flat and Caitlan observed burnout spots from drone strikes.

75. At the end of the third night, Coleman and Boyle were taken to another hermitage, but were back on the road the next morning. On the fourth day, the captors finally identified themselves as Taliban and informed the couple that they were prisoners. Boyle and Coleman then tried to escape, but guns were instantly turned on them, and Boyle's hands were immediately tied.

76. On the fifth day, their captors transported Coleman and Boyle into Pakistan. The two were forced to hide under blankets in the bed of a truck, but Coleman recalls hearing a code phrase being shouted. This account accords with the description from Rohde regarding his passage into Pakistan—he was told most cars must empty out all occupants at the checkpoint, but that the Taliban had a deal in place with Pakistan allowing the vehicles to pass through without inspection of the occupants.

77. After another night in a Taliban safe-house, the two were taken into Miran Shah—the same way Rohde was transported. Throughout this entire journey, the Taliban Commanders from the first compound remained with Coleman and Boyle.

78. In Miran Shah, Coleman and Boyle were taken to the first house that had a translator. They were promptly informed that they were not being released, and the Taliban commanders had decided to keep them as prisoners. She also learned that they were to be transported to another group of captors—the HQN.

79. The translator gave the couple various warnings, including mentioning Bowe Bergdahl. He warned them that it would be much worse for them if they tried to escape.

80. Coleman was taken to a compound in Miran Shah from which she was nearly never allowed to leave. Those few exceptions included when she was taken from the compound to an unknown location for an interrogation by an English-speaking HQN individual she never saw before or again, and to create a hostage video intended to coerce the United States Government and strike fear into the hearts of her family and the greater country at large. The only other times she left the compound Coleman's captors took her to a midwife at another compound to confirm her pregnancy and determine when she was due, and then again when Coleman went into labor.

81. During those first nine months of captivity, Coleman was handcuffed when first captured, then her conditions grew increasingly worse. Coleman was beaten with a slab of wood as punishment for when her captors felt she was “out of line.” She was constantly threatened with physical violence when she was “being too loud.” She suffered intense panic attacks during this time, as the reality of her confinement began to set in.

82. When Caitlan went into labor, she was taken to the midwife who had no medical experience, and provided no pain relief or medical care for Caitlan. As a first-time mother, she was terrified for herself and her child. In a strange land, under extreme duress, Caitlan gave birth to her first child, N.B., on a plastic sheet in a living room. Within an hour after giving birth, she and the baby were taken back to the compound. Caitlan worried she was going to die from blood loss or infection, and lived in fear for the safety and health of her newborn child.

83. In early 2013, Coleman and Boyle were forced to make their first hostage video, which eventually made its way back to the U.S.—first to Caitlan’s parents and the FBI—and then partially made public in 2014. In line with the reports from other hostages, the two were instructed to make pleas to their families and governments to “do whatever they can” to bring them home to “safety and freedom.” Aligning with reports from other hostages, Coleman and Boyle were given a script to follow instructing them to address leadership officials in their governments, asking personally that everything possible be done to bring them home. In the first hostage video, Caitlan states clearly that she is “a prisoner of the Taliban.”



84.

85. After that video, Boyle and Coleman made several others, some of which were “high production” where they were instructed by a script to tell their loved ones that the “Taliban had been kind” and was “treating them well” and included encouraging the government to work with the Taliban towards their release and to meet their demands. At least one more of these videos, featuring Coleman, Boyle, and their children made it to their families and the FBI in the United States. All videos shared similar hallmarks to each other, and to videos created and disbursed in other Taliban and HQN hostage situations.



A still image from a video posted by the Taliban on social media on December 19, 2016 shows American Caitlan Coleman (L) speaking next to her Canadian husband Joshua Boyle and their two sons. Taliban/Social media via Reuters

86. Caitlan details in one hostage video that the HQN and Taliban want to make a prisoner exchange in order for her family to be released, and senior Taliban figures confirmed that to Reuters via a telephone interview around the same time:

Two senior Taliban figures based in Afghanistan told Reuters by telephone that the video had been uploaded by the radical Islamist insurgents, who are fighting to topple the U.S.-backed government in Kabul.

One said the video came from the Haqqani network – a close affiliate of the Afghan Taliban – and it had been delivered to both U.S. and Canadian officials before being posted on YouTube late on Monday night. He said the Haqqani network is demanding the release of three of its senior members – including the brother and maternal uncle of Sirajuddin Haqqani, who is deputy leader of the Afghan Taliban.<sup>59</sup>

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<sup>59</sup> Jibrán Ahmad, “Taliban Video Shows Sons Born to Kidnapped U.S., Canadian Couple” *Reuters*, (Dec. 20, 2016) <https://www.reuters.com/article/cnews-us-afghanistan-hostages-idCAKBN1490I4> (last accessed Sept. 24, 2024).

87. Coleman and her family continued to periodically move compounds throughout their captivity. After being given a shared cell with Boyle in one of the compounds, Caitlan eventually determined that she was pregnant again, and alerted a guard she thought she could trust to help her get basic essentials for her pregnancy. Instead, the guard was livid and promptly brought Caitlan medication to terminate the pregnancy. Caitlan refused to terminate, but shortly after suffered a miscarriage. The miscarriage showed signs of being forcibly induced through a substance placed in the captives' food. All three hostages suffered from high heart rate, and upset stomach around the time of the forced miscarriage. The psychological effect of that pregnancy terminated against her will was devastating for Caitlan.

88. In August of 2014, Colemans' captors tried to get her to make another hostage video. Caitlan was still in mourning from the loss of her pregnancy, and wanted them to bring in a Taliban commander, whom she thought would disapprove of guard's actions in poisoning her, on religious grounds. She refused to make the video until she could speak with a commander. As a result of her unwillingness to cooperate, the guards then beat and sexually assaulted Caitlan before returning her to her cell. Again, this trauma has stayed with Caitlan since the time it occurred, compounding the horrors she had already experienced and striking new fear of what her captors were capable.

89. In the fall of 2014, Coleman and Boyle learned they were about to be released. They were told a deal had been negotiated, and based on the guards' reactions, the couple truly believed they were going home. It turned out to be a hoax. This pattern mirrors the one told by Rohde and other hostages. The captors dangle the prospect of release to the victims as a form of mental torture and to exercise control over their subjects.

90. Around this time, Caitlan again became pregnant. However, Coleman attempted to conceal this pregnancy for fear that her captors would terminate it. One way she hid the pregnancy was by always wearing the large burqa given to her by her captors, and she also pretended to continue to menstruate. For fear of tainted food, Coleman restricted what she ate primarily to pre-packaged food such as crackers, and jars of jam. She once again gave birth with no medical support to a boy, D.B. in July 2015. Nearly two years later and only two months before their rescue, Coleman gave birth a third time to a baby girl, M.B.

91. Between August 2014 and their rescue in October 2017, Coleman, Boyle, and their three children continued to be subjected to abuse, malnutrition and illness, physical violence, and the constant terror of increased violence or execution. On rare occasions, they were able to send carefully reviewed letters to their families and received a couple of heavily redacted letters from their homes.

92. Finally, in September 2017, the Coleman family was moved to a damp, completely dark, subterranean room. Coleman noted that the room appeared to have been built for the purpose of holding captives, as there was a toilet already built into the structure. Coleman, Boyle, and their three children were kept there for approximately two weeks. The conditions in this room were not fit for human inhabitation—there was barely enough oxygen to breathe, and the damp space was covered in mold. The entire family developed a respiratory illness from being kept in these conditions, but eventually, after Coleman became seriously ill and D.B. developed a skin rash, their captors took them from that room.

93. This time, before moving them, a doctor gave all of them ketamine, or another drug meant to cause deep sleep or unconsciousness. The children all passed out, but Coleman remained

awake enough to fake sleep. They were placed in another vehicle, and Coleman noticed a change in the guards' demeanor.

94. She observed they had left the rocky roads of the mountains and were on a main highway. The vehicle was stopped at a checkpoint, and unlike her prior experience, this time the authorities attempted to detain her captors. The captors took off at high speed, with Coleman and her family still in the back. The authorities gave pursuit, and suddenly shot out the tires of the vehicle carrying the family. Finally, after a brief but violent shootout, members of the Pakistani military appeared and pulled the family out of the back of the truck.

95. After the fact, it was revealed that the United States had determined the location of Coleman and her family, and partnered with Pakistani military to ensure their release.<sup>60</sup>

96. The family was taken by helicopter to Islamabad where they received basic medical care and new clothing. At long last, after five years in captivity, Coleman, Boyle, and their three children were able to return home.

97. On October 12, 2017 then-President Trump made an official statement on the family's release

In 2012, Caitlan Coleman, an American citizen, and her husband Joshua Boyle, a Canadian citizen, were taken captive and held hostage by the Haqqani network, a terrorist organization with ties to the Taliban. Ms. Coleman gave birth to the couple's three children while they were in captivity. Yesterday the United States Government, working in conjunction with the Government of Pakistan, secured the release of the Boyle-Coleman family from captivity in Pakistan. Today they are free. This is a positive moment for our country's relationship with Pakistan. The Pakistani Government's cooperation is a sign that it is honoring America's wishes for it to do more to provide security in the region. We hope

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<sup>60</sup> Rex W. Tillerson, Secretary of State, "On the Rescue of Caitlan Coleman, Joshua Boyle, and Their Family from Terrorist Captivity," Press Statement, *U.S. Department of State*, (Oct. 12, 2017) <https://2017-2021.state.gov/on-the-rescue-of-caitlan-coleman-joshua-boyle-and-their-family-from-terrorist-captivity/> (last accessed Sept. 24, 2024).

to see this type of cooperation and teamwork in helping secure the release of remaining hostages and in our future joint counterterrorism operations.<sup>61</sup>

98. Rex Tillerson, then-Secretary of State, also released a press statement on October 12, 2017, stating:

The United States Government, working in conjunction with the Government of Pakistan, has secured the release of the Boyle-Coleman family from captivity in Pakistan. In 2012, U.S. citizen Caitlan Coleman and Canadian citizen Joshua Boyle were taken hostage by the Haqqani network. Their three children were subsequently born in captivity. Today they are safe and secure. I applaud the innumerable lines of effort from across the U.S. Government. I'm particularly proud of Ambassador Hale and his Mission Islamabad team for their engagement with Pakistan. These efforts reflect the best of what America can accomplish.<sup>62</sup>

99. In the 2021 State Department Country Report on Terrorism for Afghanistan, Caitlan Coleman's kidnapping is mentioned as one of the terrorist attacks perpetrated by the HQN. Her family's rescue after five years of HQN captivity is specifically noted.<sup>63</sup>

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<sup>61</sup> "Statement from the President Donald J. Trump on Recovering the Boyle-Coleman Family from Captivity in Pakistan," *White House Statements and Releases*, (Oct. 12, 2017) <https://trumpwhitehouse.archives.gov/briefings-statements/statement-president-donald-j-trump-recovering-boyle-coleman-family-captivity-pakistan/> (last accessed Sept. 24, 2024); That same day, President Trump again referenced the Coleman family's rescue in a very similar statement, "Remarks on Signing an Executive Order on Promoting Health Care Choice and Competition Across the United States," *The American Presidency Project*, (Oct. 12, 2017) <https://www.presidency.ucsb.edu/documents/remarks-signing-executive-order-promoting-health-care-choice-and-competition-across-the> (last accessed Sept. 24, 2024).

<sup>62</sup> Rex W. Tillerson, Secretary of State, "On the Rescue of Caitlan Coleman, Joshua Boyle, and Their Family from Terrorist Captivity," Press Statement, *U.S. Department of State*, (Oct. 12, 2017) <https://2017-2021.state.gov/on-the-rescue-of-caitlan-coleman-joshua-boyle-and-their-family-from-terrorist-captivity/> (last accessed Sept. 24, 2024).

<sup>63</sup> U.S. Department of State "Country Reports on Terrorism 2021" *Bureau of Counterterrorism* (2021) at pp. 308-309, [https://www.state.gov/wp-content/uploads/2023/02/Country\\_Reports\\_2021\\_Complete\\_MASTER.no\\_maps-011323-Accessible.pdf](https://www.state.gov/wp-content/uploads/2023/02/Country_Reports_2021_Complete_MASTER.no_maps-011323-Accessible.pdf) (last accessed Sept. 24, 2024).

**D. Effect on Lynda and Jim Coleman and Caitlan's Family**

100. Back in the United States, Coleman's mother and father—Lynda (“Lyn”) and James (“Jim”) Coleman—were approached by the FBI in their home shortly after Caitlan's kidnapping. The FBI was not yet certain of the identities of the kidnapped westerners in Afghanistan, but their suspicions that Caitlan had been kidnapped were confirmed when Lyn and Jim discovered a sonogram amongst Caitlan's belongings and both her parents and the FBI became aware that Caitlan was pregnant.

101. Lyn and Jim were soon informed of the FBI's belief that Coleman and Boyle had been kidnapped and were being held captive by the HQN and Taliban. Both Lyn and Jim signed waivers allowing the FBI to monitor their communications in the hopes that someone from the Taliban and/or HQN would try to contact Caitlan's parents. That release was “for the purpose of monitoring, viewing, listening to, and/or recording any activity I may have with Taliban and/or Haqqani Members or their associates.”<sup>64</sup>

102. Lyn and Jim wasted no time in advocating for the safe return of their daughter. They actively participated in the activities of the Hostage Recovery Fusion Cell and connected with other families whose loved ones were being held hostage or were former hostages themselves.

103. Caitlan's parents embarked on a tireless mission of writing, calling, and meeting with politicians in person, meeting with ambassadors from Afghanistan and Pakistan, enlisting the help of hostage negotiations experts such as Michael Semple, Peter Bergen, and Jere Van Dyk, as well as a social media campaign to bring attention to their daughter's—and soon grandchildren's—plight.

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<sup>64</sup> FD-472 form signed and provided courtesy of Lynda Coleman.

104. One of the Colemans' many advocacy letters was sent to then Vice-President Pence, and described their anguish. The letter stated, in part:

Caity and her husband, Joshua Boyle, have been held by the Taliban since October 10<sup>th</sup>, 2012, nearly five years. . . . Our life has never been the same and we struggle each day to do whatever we can to bring her home, and to just get through one day at a time. Caity's life has forever changed. She has lost loved ones, in particular her grandparents that she was very close to all her life. She has lost her friends and support network that have moved on with their lives. Her plans for a future . . . [o]ther hopes and dreams she had will probably never be realized. The longer this continues the more hopeless she must feel, as do we, her parents. The lives of her friends and family, sisters, aunts, uncles, cousins, and more have been directly affected by this situation their love for Caity. They are all so frustrated by our inability to do anything meaningful to get her home. We pray, and pray and pray.

105. Just days before Caitlan's rescue, Scott Perry, Lyn and Jim's congressional representative made a statement regarding the family's captivity on the House floor, stating: "WE CANNOT REST UNTIL CAITLAN COLEMAN AND HER FAMILY ARE FREE: Mr. Speaker, 5 years ago today, Caitlan Coleman, an American citizen from York County, Pennsylvania, which I am privileged to represent, was taken hostage by the Haqqani Network, an offshoot of the Taliban, while hiking near the Pakistan and Afghanistan border. I implore the U.S. State Department to use every resource at our disposal to bring our American citizens home."<sup>65</sup>

106. Every week, Coleman's parents spent untold hours on the phone, trying anything they could think of to help bring Caitlan home. When they discovered Caitlan was pregnant, then later, discovered she had given birth to at least two children through the hostage video they received, they added the grandchildren they had never met to their worries. Lyn described the

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<sup>65</sup> Congressional Record – House, H7905 "We Cannot Rest Until Caitlan Coleman and her Family are Free," (Oct. 10, 2017) <https://www.govinfo.gov/content/pkg/CREC-2017-10-10/pdf/CREC-2017-10-10-pt1-PgH7905-2.pdf> (last accessed Sept. 23, 2024).

situation in her journaling as their “house of sorrows” but vowed to “make it a house of hope.” In those entries, she often wrote to “Caity,” commonly ending them with “I love you and miss you so much.”

107. In October of 2013, one year after Caitlan’s capture, Lyn chose to retire after already significantly scaling back from work to focus full time on Caitlan’s rescue. She wrote to Caity in her journal on October 19, 2013:

I was hoping to share [retirement] with you and your baby. I want to be a grandma in person! And Halloween is almost here, another very sad time without you. Then your birthday. I’ve reached the point where I don’t think I can stand this anymore. Then I think about you, what you are going through and decide I must stand it so you can somehow stand what must be so much worse than what we are going through.

108. Any social activities or semblance of regular life were largely stripped from Lyn and Jim for the five years their daughter and grandchildren were being held. Not only was advocating for her return a nearly full-time job, but even when they left the house, they were on constant alert and ready to return home at a moment’s notice in case any news came across in their absence.

109. Lyn and Jim Coleman suffered indescribable fear, grief, and frustration during Caitlan and her family’s ordeal. Every day, they wondered if this would be the day their daughter and grandchildren would return home, or if it would be the day they received news of their deaths. Each day, Lyn and Jim were left to run through all of the worst scenarios of the captivity of their daughter, a trauma that would stick with them for the rest of their lives. Lyn frequently suffered from panic and anxiety attacks and vivid nightmares during this time period.

110. Jim tragically passed of Leukemia a few years after Caitlan’s return. However, before his passing, both during Caitlan and her family’s captivity and extending past their release,

Jim suffered from the mental, psychological, and emotional effects of dealing with his daughter's capture and captivity at the hands of terrorists. Lyn too has been left to deal with the lingering effects of going through such a traumatic situation. In addition to supporting her daughter and grandchildren however she can, she has also struggled with her own mental health issues after five years of sustained trauma. Shortly after Caitlan's capture, both Jim and Lyn began going to counseling. Both of Coleman's parents have suffered from depression, anxiety, panic attacks, and PTSD as a result of Caitlan's kidnapping and captivity. Both also were deprived of years they otherwise could have spent with their daughter and grandchildren, missing their births, birthdays, and other important milestones and time to bond.

**E. Lasting Effects on Caitlan Coleman and Her Minor Children**

111. Caitlan and her children were all malnourished and ill when they were rescued from captivity, and their physical health required great care to return to normal.

112. Both Caitlan and her children have experienced significant and chronic mental health conditions.

113. Coleman has been under the treatment of mental health professionals since returning home from captivity. She has been diagnosed with Post-Traumatic Stress Disorder (chronic) ("PTSD") and has been prescribed medication to treat this disorder. Caitlan has been in therapy long-term and has also received services from a psychiatrist for a short period of time.

114. Coleman's PTSD symptoms have included distressing and intrusive thoughts about her time in captivity, the sense that events from that time are recurring, (*i.e.*, illusions or flashbacks), dissociation, intense distress when exposed to reminders of the traumatic events, physiological reactivity when exposed to internal or external cues that symbolize her kidnapping and captivity, avoidance of thoughts, feelings, or conversations surrounding her kidnapping and

captivity, avoidance of activities, places, or people associated with her ordeal, a sense of detachment from others, extreme hypervigilance, and an exaggerated startle response, among others.

115. Further, Coleman has experienced intense PTSD-related nightmares and night terrors related to her kidnapping and captivity, and extreme anxiety about her safety and the safety and health of her children. She has experienced social anxiety and intense feelings of isolation, leading her to find engaging in society again to be extremely challenging.

116. Often, even mundane noises or sights, for instance, a truck idling, may trigger a flashback or other distressing response. This too has made engaging in society difficult.

117. As a result of her mental health issues, Coleman has been unable to meaningfully rejoin the workforce, although she has shown extreme resilience and initiative by pursuing her degree.

118. Each of Coleman's three children born in captivity have also been affected by the HQN and Taliban's actions in kidnapping and holding their mother hostage.

119. N.B., D.B, and M.B. were all born in captivity. N.B. spent the first four and a half years of his life as a prisoner, D.B. spent more than two years of his life in captivity, and M.B. spent her first months alive as a captive of the Defendants.

120. N.B. was subjected to the longest period of captivity and most extreme dose of trauma of the children. He witnessed extreme violence in his early childhood, as well as an abnormal and instable environment in which to grow in the first years of his life. N.B. has been diagnosed with PTSD (chronic), Attention Deficit Hyperactivity Disorder ("ADHD") and Oppositional Defiant Disorder ("ODD"). He has exhibited signs of how the trauma has affected him in choosing unusually violent games of pretend, including wishing he had an "indestructible

shield” and speaking loudly and humming or singing sounds that mimic military approaches. N.B. struggles with regulating his emotions and has had to receive intensive in-home therapy (“IIH”).

121. Coleman has secured various treatment modalities for N.B. He was seen at the Northwestern Community Service Board (“NWCSB”), an organization that provides, amongst other things, children with mental health assistance such as therapy and medication. Initially, N.B. was recommended to have trauma therapy. N.B. saw various therapists and started working with a psychologist, Dr. Sadler, in May 2020.

122. N.B. received IIH from June 2020 to June 2022 to treat his behavioral and mental health diagnoses. This therapy is in addition to receiving therapeutic day treatment at school, regular trauma therapy, and consistent treatment by a licensed child psychiatrist for medication management.

123. D.B. also spent significant formative time in captivity and continues to suffer from that experience. D.B.’s language and speech abilities have been impacted and he struggles with anxiety and panic attacks, paranoia around strangers and any change in his routine, emotional regulation, and has had difficulty understanding and adjusting to routine aspects of daily living. He has also struggled specifically with separation anxiety and has been treated by a licensed therapist to address his mental health conditions.

124. N.B., D.B., and possibly even M.B. will all require care, therapy, and monitoring throughout their childhoods, and likely into their adulthoods. Although M.B. had relatively little exposure to the actual trauma of being violently held captive by a terrorist group, she was born in extremely difficult conditions and began her life there, in addition to witnessing the effects such trauma has had upon her mother and brothers. Each child was born during the period of captivity,

and lived with their parents in a single room with no access to healthcare services, a support system, or even toys with which to develop through typical childhood milestones.

125. All of the children have been victims of the trauma experienced by their parents and siblings and will require ongoing monitoring and care.

### **F. Conclusion**

126. The events suffered by Caitlan Coleman, her children, and her parents nearly defy the imagination of the average American citizen. Years of persistent fear, terror, and abuse at the hands of the Taliban and Haqqani Network have left their marks on each Plaintiff. All deserve some measure of justice for the horrors they have endured.

### **CLAIMS FOR RELIEF**

#### **FIRST CLAIM FOR RELIEF** **CIVIL LIABILITY UNDER 18 U.S.C. § 2333(a)** **AGAINST DEFENDANTS FOR VIOLATIONS OF** **18 U.S.C. § 2333 CONSTITUTING ACTS OF INTERNATIONAL TERRORISM** **AS TO ALL PLAINTIFFS**

127. Plaintiffs adopt and incorporate the allegations and facts contained in prior paragraphs and in allegations common to all counts.

128. Plaintiffs are U.S. nationals injured by reason of an act of international terrorism and seek damages under 18 U.S.C. § 2333. Plaintiffs Coleman, N.B., D.B., and M.B. (“Hostage Plaintiffs”) were kidnapped, held hostage, and tortured by Defendants. Plaintiffs Lynda and James Coleman (“Family Member Plaintiffs”) were victims of terror, suffering in the uncertainty and worry for the well-being of their loved ones.

129. Plaintiffs were victimized by acts of “international terrorism” as defined by 18 U.S.C. § 2331(1) which states:

(1) the term “international terrorism” means activities that--

(A) involve violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State;

(B) appear to be intended--

(i) to intimidate or coerce a civilian population;

(ii) to influence the policy of a government by intimidation or coercion; or

(iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and

(C) occur primarily outside the territorial jurisdiction of the United States, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum.

130. On or around October 11, 2012, a pregnant Caitlan Coleman and her then-husband were violently kidnapped after getting in a taxi in Kabul. Caitlan was and remains a United States citizen, as are all of her children. At the time of her kidnapping Caitlan was a long-time resident of Pennsylvania.

131. After passing into Taliban-controlled territory, the driver of the taxi pulled over to the side of the road when Coleman and her husband were confronted by a lone gunman carrying an AK-47 that approached the vehicle and began banging on the hood of the car.

132. After tying up Coleman's husband in the backseat and putting the original taxi driver in the trunk, Coleman's captors drove them for a number of hours. Coleman was in constant fear for her life.

133. After being moved several times, Coleman and her husband were eventually placed into a cell. Coleman was aware that she was being held prisoner by the Taliban and HQN.

134. Coleman and her family were held prisoner for more than 5 years and experienced significant mental and physical abuse, including extreme deprivation and isolation. Coleman suffered a forced termination of her pregnancy and endured three other extremely difficult births—

each time fearing for the health, safety, and life of her child. Each time she feared for her own life and was afraid she would die during childbirth absent adequate medical care.

135. The Family Member Plaintiffs were left distraught and in despair from worry when they learned their family had been taken hostage by HQN and the Taliban. They worked tirelessly to secure their return, effectively focusing their lives only on the plight of their captured family members. The mental, emotional, and financial effects on their lives cannot be overstated.

136. Defendants, the Taliban and the HQN, are each designated as a Foreign Terrorist Organization pursuant to Title 8, United States Code, Section 1189, and engaged in acts of international terrorism through the commission of these acts directly against the Plaintiffs holding the Coleman family hostage.

137. Defendants committed these acts directly against Plaintiffs injuring them by holding the Coleman family hostage or conspiring to commit acts to provide logistics, financing, safe houses and safe havens, transportation, communications, funds, transfer of funds, other in-kind material benefit, false documentation or identification including alias names, weapons, explosives, non-medical training, and ammunition to further criminal activity of the Taliban and the HQN.

138. Defendants kidnapped and held hostage Caitlan Coleman, N.B, D.B, and M.B. and/or knowingly aided and abetted or conspired to provide material support to the perpetrators of such acts. This material support and/or aiding and abetting of acts of international terrorism allowed Defendant to carry out the injuries of Plaintiffs and specifically the Hostage Plaintiffs.

139. Defendants specifically targeted U.S. nationals as targets of the criminal activity, forcibly kidnapped Caitlan Coleman, and held her and her family hostage for more than five years. Coleman and her children were physically assaulted, deprived adequate nutrition and medical care,

and isolated for years. Each Plaintiff has sustained significant physical, mental, and emotional injuries as a result of the criminal acts.

140. Defendants' activities involved violent and dangerous acts to human life that were, and are, a violation of the criminal laws of the United States and the state of Pennsylvania.

141. Defendants intended their acts to coerce and place political pressure on the Canadian, Afghan, and United States civilian population, to influence policy of the U.S., Canadian, and Afghan Governments by intimidation or coercion, and to affect the conduct of a government by kidnapping and hostage taking. The U.S. Government has alleged in a criminal indictment that similar activity in the kidnapping and captivity of David Rohde constitutes terrorist acts under U.S. Statute. *United States v. Haji Najibullah*, No. 1:114-cr-00401-KPF (S.D.N.Y. October 7, 2021).

142. Defendants' activities occurred outside the territorial jurisdiction of the United States and transcend international boundaries.

143. Defendants' acts are therefore acts of international terrorism as defined under 18 U.S.C. §2331(1).

144. Defendants intentionally and purposefully hid and confused their true identities, physical whereabouts, and their involvement in the kidnapping and hostage-taking criminal activities, including in the hostage-taking of the Hostage Plaintiffs.

145. As a designated organization, or as members of a designated organization and criminal conspiracy, Defendants are criminal parties who proximately caused the injuries described herein and are liable for the criminal acts, including acts of international terrorism, the aiding and abetting of international terrorism, conspiring to commit further acts of international terror, engaging in a joint single enterprise to conduct international terrorism through illegal schemes, and/or the material support and sponsorship of international terrorism.

146. WHEREFORE, Plaintiffs demand judgment against Defendants for their past and future mental pain and suffering, anguish, emotional distress, and physical injuries including treble damages under 18 U.S.C. 2333, plus interest, costs, attorneys' fees, and such other monetary and equitable relief as this Honorable Court deems appropriate to compensate Plaintiffs.

**SECOND CLAIM FOR RELIEF**  
**ASSAULT AND BATTERY AS TO PLAINTIFFS COLEMAN, N.B., D.B., AND M.B.**

147. Plaintiffs adopt and incorporate the allegations and facts contained in prior paragraphs and in allegations common to all counts.

148. The Hostage Plaintiffs bring this claim for assault and battery against the Defendants, because the Taliban and the HQN unlawfully, violently, willfully, maliciously, and without just provocation on the part of Hostage Plaintiffs, assaulted and battered Hostage Plaintiffs by aiming weapons at Hostage Plaintiffs binding Hostage Plaintiffs, restricting Hostage Plaintiffs' movements, sexually assaulting Plaintiff Coleman, and physically punishing Hostage Plaintiffs, including causing a forced miscarriage of a fetus.

149. Hostage Plaintiffs suffered assault because they were in "reasonable apprehension of immediate battery" and Defendants both intended to cause fear of an immediate battery and were in a position to execute their threats. *Cucinotti v. Ortmann*, 399 Pa. 26, 27, 159 A.2d 216, 217 (1960). Often, Defendants' threats resulted in numerous incidences of actual harmful or offensive contact, constituting battery. *Kovalev v. Lab'y Corp. of Am. Holdings*, No. 22-0552, 2023 U.S. Dist. LEXIS 29614, at \*23 (E.D. Pa. Feb. 22, 2023).

150. As a direct and proximate result of the assault and battery, the Hostage Plaintiffs suffered serious and permanent bodily injury.

151. As a further direct and proximate cause of the assault and battery described above, Hostage Plaintiffs suffered great physical pain and mental anguish and were injured and disabled.

152. The above-described injuries to Hostage Plaintiffs were caused solely by the Defendants' actions.

153. As a further direct and proximate result of the Defendants' actions, Hostage Plaintiffs incurred travel, medical, and other expenses for their injuries.

154. As a further direct and proximate result of the Defendants' actions, Plaintiff Coleman has lost wages and employment opportunities.

155. Defendants acted intentionally, and engaged in outrageous conduct with an evil motive, which warrants punitive damages. *Martin v. Johns-Manville Corp.*, 508 Pa. 154, 171, 494 A.2d 1088, 1097 (1985).

156. WHEREFORE, Plaintiffs Coleman and D.B, N.B, and M.B. demand judgment in their favor against the Taliban and the HQN and demand damages in an amount to be determined by a jury for damages arising out of assault and battery, including punitive damages, plus interest, costs, and such other monetary and equitable relief as this Honorable Court deems appropriate to compensate the Plaintiffs.

**THIRD CLAIM FOR RELIEF**  
**FALSE IMPRISONMENT AS TO PLAINTIFFS COLEMAN, N.B., D.B., AND M.B.**

157. Plaintiffs adopt and incorporate the allegations and facts contained in prior paragraphs and in allegations common to all counts.

158. The Hostage Plaintiffs bring this claim for false imprisonment against the Taliban and the Haqqani Network, because the Taliban and the Haqqani Network facilitated and executed the kidnapping and captivity of Hostage Plaintiffs for five years.

159. Each Hostage Plaintiff was held against their will for time periods spanning two months for infant M.B. up to five years for Plaintiff Coleman. Plaintiff Coleman attempted to escape her captivity and was unable to do so. Each of the Hostage Plaintiffs were not permitted to

leave the supervision of their captors and were physically restrained and verbally threatened and warned that they were prisoners and could not leave their confinement of their own free will.

Defendants therefore acted “intending to confine” the Hostage Plaintiffs “within boundaries fixed by the actor;” “directly or indirectly resulted in such a confinement;” and Hostage Plaintiffs were “conscious of the confinement or [was] harmed by it” thus constituting the tort of false imprisonment. *Gagliardi v. Lynn*, 446 Pa. 144, 148 n.2, 285 A.2d 109, 111 (1971).

**FOURTH CLAIM FOR RELIEF**  
**NEGLIGENT AND/OR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AS**  
**TO ALL PLAINTIFFS**

160. Plaintiffs adopt and incorporate the allegations and facts contained in prior paragraphs and in allegations common to all counts.

161. All Plaintiffs bring this claim for negligent and/or intentional infliction of emotional distress against the Taliban and the Haqqani Network, because the Taliban and the Haqqani Network facilitated, assisted, aided, abetted, materially supported, and incentivized acts of terror in kidnapping, holding hostage, and torturing Plaintiffs, in addition to other shockingly egregious acts of international terrorism discussed herein.

162. Family Member Plaintiffs are entitled to a claim for negligent and/or intentional infliction of emotional distress despite not being present for the captivity. Cases arising out of other terrorist attacks have removed the presence requirement because it is “sufficiently outrageous and intended to inflict severe emotional harm upon a person which is not present.” *Murphy v. Islamic Rep. of Iran*, 740 F. Supp. 2d 51 (D. D.C. 2010) (citing *Heiser II v. Islamic Rep. of Iran*, 659 F. Supp. 2d 20 (D. D.C. 2009)). The attack on an innocent woman and ultimately her children amounts to such an extreme and outrageous conduct that the Defendants knew such an act would

inflict severe emotional harm on the family members of the victims. Additionally, the length of time held and uncertainty of the family's fate created a clear emotional harm to the Family Member Plaintiffs.

163. The Taliban and HQN knowingly, purposefully, directly and indirectly aided and abetted, intentionally facilitated, and/or recklessly caused the kidnapping and subsequent captivity and accompanying acts of terror attacks that resulted in the Plaintiffs' physical and emotional injuries and substantial emotional injuries of their family members.

164. The Taliban and HQN intended or knew or should have known, that their conduct would lead to the killing of or injury to innocent persons and resulting severe emotional distress. The Taliban and HQN intended, knew, or should have known that the tortuous attacks committed by them would permanently injure Plaintiffs and other innocent people, leaving devastated family members to grieve for their lost time and lost potential child with ongoing physical, psychological and emotional injuries and ongoing post-traumatic stress disorder.

165. The Taliban's and the HQN's actions were unconscionable and done with an intentional, malicious, willful, and/or reckless disregard for the rights and lives of those held captive, and their waiting family members.

166. As a direct and proximate cause of the Taliban and the HQN's intentional misconduct and/or reckless disregard for human life, Plaintiffs have suffered and will continue to suffer severe, debilitating, permanent emotional, and psychiatric disorders, ongoing emotional distress and anxiety, physical and mental distress, and significant mental injury and impairment causing ongoing and long-term expenses for medical treatment, services, and counseling and long-term care, particularly for all minor Plaintiffs.

167. Defendants, by engaging in this intentional, unlawful conduct, intentionally, grossly negligently, or negligently inflicted emotional distress upon the Plaintiffs.

168. Defendants solely and proximately caused all the injuries and damages.

169. Pennsylvania law provides that “[a]ll causes of action or proceedings shall survive as provided in [§ 8302],” 20 Pa. Cons.Stat. § 3371, and that “[a]ll causes of action or proceedings, real or personal, shall survive the death of the plaintiff or of the defendant.” 42 Pa. Cons.Stat. § 8302. These statutes “do not create a new cause of action [but] simply permit a personal representative to enforce a cause of action which had already accrued to the deceased before his death.” *Anthony v. Koppers Co.*, 496 Pa. 119, 436 A.2d 181, 185 (1981); *see also Taylor v. Islamic Republic of Iran*, 811 F. Supp. 2d 1, 13 (D.D.C. 2011). Thus, James Coleman’s estate is also entitled to damages for James’s suffering.

170. WHEREFORE, Plaintiffs demand judgment in their favor against the Taliban and the Haqqani Network and demand damages in an amount to be determined by a jury for damages arising out of negligent and/or intentional infliction of emotional distress, including punitive damages, plus interest, costs, and such other monetary and equitable relief as this Honorable Court deems appropriate to compensate the Plaintiffs.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs pray that this Court:

171. Enter judgment against each Defendant and in favor of Plaintiffs for compensatory damages in amounts to be determined at trial;

172. Enter judgment against each Defendant and in favor of Plaintiffs for punitive damages in amounts to be determined at trial;

173. Enter judgment against each Defendant and in favor of Plaintiffs for pre-judgment and post-judgment interest as provided by law, and that such interest be awarded at the highest legal rate;

174. Enter judgment against each Defendant and in favor of Plaintiffs for treble damages pursuant to 18 U.S.C. § 2333;

175. Enter judgment against each Defendant and in favor of Plaintiffs for any and all costs sustained in connection with the prosecution of this action, including attorneys' fees, pursuant to 18 U.S.C. § 2333; and

176. Grant such other and further relief as justice requires.

Plaintiffs demand trial by jury on all issues so triable.

**MOTLEY RICE LLC**

Dated: November 8, 2024

/s/ Michael G. Daly

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