

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

TAMAR BEN HAIM,  
c/o Zell, Aron & Co.  
34 Ben Yehuda St.  
Jerusalem, Israel

*Plaintiff*

*v.*

JOHN DOE,

*Defendant.*

Civil Action No. 1:22-cv-3536

**DEMAND FOR JURY TRIAL**

**COMPLAINT AND DEMAND FOR JURY TRIAL**

**PRELIMINARY STATEMENT**

This action is filed on behalf of Tamar Ben Haim, a beautiful, 30-year-old, single, woman, an Israeli citizen and resident, who was brutally assaulted and battered by Defendant John Doe<sup>1</sup> when he was in Israel in the summer of 2022. On the night of July 12, 2022, Defendant, who was armed with a handgun, approached Tamar in an alleyway in the Jerusalem neighborhood of Nachlaot and began hitting

---

<sup>1</sup> The assailant's identity and address are not yet known. Defendant was an employee of the United States Secret Service and was in Israel during the relevant timeframe as part of President Biden's trip to the Middle East region. Counsel for Tamar are still attempting to learn the identity of the assailant and have filed a Freedom of Information Act request with the Secret Service. On September 14, 2022, the Secret Service denied the FOIA request. Plaintiff timely filed an administrative appeal which is currently pending. Immediately after the filing of this Complaint, counsel for Tamar intend to move for early discovery under Rule 26(d) of the Federal Rules of Civil Procedure to discover Defendant's name and address.

and slapping her. Tamar was walking to her home, minding her on business, when Defendant suddenly commenced his vicious assault. At the time, Tamar believed that these were her last moments on Earth. Defendant – as well as Defendant’s employer – is attempting to evade justice by refusing to disclose his identity.

### **PARTIES**

1. Plaintiff Tamar Ben Haim is a female Israeli citizen, residing in Jerusalem, Israel. Tamar is 30-years old and works as a graphic designer. Tamar is not married.

2. Upon information and belief, Defendant John Doe is and was at all times relevant to this Complaint, an employee of the United States Secret Service.

3. Upon information and belief, Defendant is a citizen of the United States.

4. Upon information and belief, Defendant John Doe’s principal place of employment is in the District of Columbia.

5. Upon information and belief, Defendant is domiciled in the District of Columbia.

6. Plaintiff has not been able to identify the name and home address of Defendant.

### **SUBJECT MATTER JURISDICTION**

7. This Court has subject-matter jurisdiction under 26 U.S.C. §1332(a)(2) because the matter in controversy exceeds the sum of \$75,000 and is between a citizen of a foreign state (Tamar) and a citizen of the United States (Defendant John Doe).

## PERSONAL JURISDICTION AND VENUE

8. This Court has personal jurisdiction over Defendant John Doe under D.C. Code §13–422 because, upon information and belief, his principal place of employment is in the District of Columbia.

9. Venue is appropriate under 28 U.S.C. §1391(b)(1) because Defendant, upon information and belief, is domiciled in the District of Columbia.

## FACTS

10. On the evening of July 12, 2022, Tamar was walking to her home in the Nachlaot neighborhood of Jerusalem, Israel.

11. As Tamar was walking, she was looking at her cellphone, reviewing and responding to text messages.

12. At approximately 1 AM, Tamar lifted her head and saw Defendant John Doe suddenly approached her from the opposite direction of the alleyway.

13. Upon reaching her, Defendant, suddenly and without warning, began to physically assault her. Defendant held Tamar tightly, hit her on her chest repeatedly, slapped her, causing her earring and earphone to fall to the ground.

14. During the assault Tamar believed that Defendant, who was armed with a handgun, intended to kill her.

15. Tamar screamed for help, but to no avail.

16. Finally, an individual who Defendant was with but apparently took no part in the assault, forcefully removed Defendant away from Tamar. Defendant then left the scene.

17. Immediately afterwards, Tamar called the Israeli police and filed a formal complaint.

18. Upon information and belief, the police took Defendant into custody for several hours. However, Defendant was ultimately released and sent back to the United States.

19. After the assault, Tamar learned of the fact that Defendant John Doe was an agent in the employ of the United States Secret Service who was a member of the Secret Service advance team preparing for President Joe Biden's visit to Israel in July of 2022.

20. Upon information and belief, the incident occurred after Defendant went to a pub in the "Machane Yehuda" marketplace in Jerusalem.

21. Upon information and belief, Defendant was off-duty at the time of the assault.

22. As a direct and proximate result of Defendant's assault and battery as aforesaid, Tamar has been caused severe psychological and physical injury, requiring extensive psychiatric and medical therapy with possible permanent injury.

23. As a direct and proximate result of Defendant's assault and battery as aforesaid, Tamar is suffering from insomnia and sleep disorders, as well as anxiety, depression and fatigue.

24. As a direct and proximate result of Defendant's assault and battery as aforesaid, Tamar also experiences headaches and breathing difficulties.

25. Immediately after the assault and as a consequence thereof, Tamar was diagnosed with Acute Stress Reaction.

26. Months after the assault, Tamar continues to suffer various forms of anxiety, depression and fatigue. Tamar is required to regularly attend psychiatric and psychological therapy and is likely suffering from Post-Traumatic Stress Disorder.

## CLAIMS

### COUNT ONE- ASSAULT AND BATTERY

27. Plaintiff repeats and realleges the above paragraphs as if fully set forth herein.

28. On July 12, 2022, Defendant intentionally, maliciously and repeatedly beat Tamar about her body, and restrained her against her will.

29. By so doing, Defendant made repeated intentional, unpermitted, harmful and offensive contacts against Tamar.

30. As a direct and proximate result of the foregoing, Tamar has suffered, physical injury, emotional distress, mental disturbance, fright, revulsion, humiliation, emotional and psychological pain and suffering, mental anguish, inconvenience, loss of capacity for the enjoyment of life, lost wages, loss of the ability to earn wages, and substantial medical and other expenses for treatment and care, past, present, and future.

### COUNT II- INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

31. Plaintiff repeats and realleges the above paragraphs as if fully set forth herein.

32. On July 12, 2022, Defendant intentionally, maliciously and repeatedly beat Tamar about her body, and restrained her against her will.

33. By so doing, Defendant engaged in extreme and outrageous conduct, with the intent to frighten Tamar and cause severe emotional distress and physical harm.

34. As a direct and proximate result of the foregoing, Tamar has suffered physical injury, emotional distress, mental disturbance, fright, revulsion, humiliation, emotional and psychological pain and suffering, mental anguish, inconvenience, loss of capacity for the enjoyment of life, lost wages, loss of the ability to earn wages, and substantial medical and other expenses for treatment and care, past, present, and future.

### PRAYERS FOR RELIEF

WHEREFORE, Tamar requests this Court:

- A. ENTER JUDGMENT awarding Tamar compensatory damages against Defendant in an amount appropriate to the evidence adduced at trial;
- B. ENTER JUDGMENT awarding Tamar punitive damages against Defendant;
- C. ENTER JUDGMENT awarding Tamar her costs and reasonable attorney's fees in this action;
- D. GRANT Tamar such further relief as this Court may deem just and proper.

Date: November 21, 2022

Respectfully submitted,

*/s/ L. Marc Zell*

*/s/ Noam Schreiber*

---

L. Marc Zell  
ZELL & ASSOCIATES INTERNATIONAL  
ADVOCATES, LLC  
1345 Ave. of the Americas  
2<sup>nd</sup> Floor  
New York, NY 10105  
(212)-971-1349  
Email: [mzell@fandz.com](mailto:mzell@fandz.com)

---

Noam Schreiber, *of counsel*  
34 Ben Yehuda St.  
15<sup>th</sup> Floor  
Jerusalem, Israel 9423001  
011-972-2-633-6300  
Email: [schreiber.noam@gmail.com](mailto:schreiber.noam@gmail.com)

*Counsel for Plaintiff*