

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DOTAN NEWMAN et al.,

Plaintiffs,

v.

JEWISH AGENCY FOR ISRAEL et al.,

Defendants.

Civil Action No. 16 Civ. 7593 (WHP)
Hon. William H. Pauley III

**ORDER OF
ANTI-FILING INJUNCTION**

The Court, having received briefing and heard argument on Defendants' request for injunctive relief, and finding good cause therefor, hereby **GRANTS** the request.

NOTICE TO PRO SE LITIGANTS: FAILURE TO STRICTLY COMPLY WITH THE REQUIREMENTS OUTLINED BELOW MAY SUBJECT YOU TO FURTHER SANCTIONS, INCLUDING THE DISMISSAL OF YOUR COMPLAINT/PETITION OR REJECTION OF YOUR SUBMISSION.

For the reasons stated in the Court's December 28, 2017 ^{Amended} Opinion and Order, it is hereby

ORDERED that pursuant to 28 U.S.C. § 1651(a), Richard David Weisskopf and Eitan Eliahu are permanently enjoined and restrained from filing in the courts of the United States any action related to the allegations made in this lawsuit, or to their respective disputes with the Israeli family-law and child-welfare systems, or relating to contributions to or the funding thereof, or brought against the defendants in this case, the State of Israel, its agencies or instrumentalities, or its current or former officials (hereinafter, a "Restricted Action"), except as outlined below; and it is further

ORDERED that before initiating any Restricted Action in any federal court, Messrs. Weisskopf and Eliahu must first obtain permission from this Court or its designee. To do so, the party seeking permission must submit to the Court three documents in the form described below: (1) an application requesting leave to file; (2) an affidavit in the form described below; and (3) a copy of the document or pleading sought to be filed. The filing shall be entitled “Application Pursuant to Court Order Seeking Leave to File,” and shall contain the assigned miscellaneous file number in the caption; and it is further

ORDERED that an application requesting leave to file must contain the following information:

(1) a statement advising the court whether any putative defendant to the proposed lawsuit was a party, judge, attorney, court officer, public official, or participant to, or was in any way involved in, any prior lawsuit, judicial proceeding, or administrative proceeding, involving the applicant, whether in the United States or elsewhere, and if so, in what capacity;

(2) a list of all lawsuits filed in any U.S. court, state or federal, in which the applicant was or is a party; the name, case number and citation, if applicable, of each case; and a statement

indicating the nature of the applicant's involvement in each lawsuit and its current status or disposition;

ORDERED that the applicant shall also submit with the above application an affidavit, in the proper legal form, with appropriate notarization and sworn under penalty of perjury, containing the following recitals:

(1) that the claim or claims the applicant wishes to present, or the relief he seeks, have never before been raised by him or disposed of by any federal or state court and are not, to the best of his knowledge, barred by collateral estoppel or res judicata;

(2) that to the best of his knowledge, the claim or claims are not made against any entity or individual who is immune from suit in the courts of the United States;

(3) that to the best of his knowledge, the claim or claims are not frivolous or taken in bad faith; that they are well-grounded in fact and warranted by existing law or a good-faith argument for the extension, modification, or reversal of existing law; that the lawsuit is not interposed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase in the cost of litigation, or to avoid the execution of a valid judgment;

(4) that the claim or claims are not meant to harass any foreign government, government agency, government official, judicial officer, attorney, individual, organization, or entity; and

(5) that in prosecuting the action, the applicant will comply with all federal and local rules of procedure, including those requiring the service on other parties of all pleadings and papers filed with the court, and will provide the court with acceptable proof that such service was made; and it is further

ORDERED that the applicant shall include with the above-described application and affidavit a copy of the complaint and/or any other documents to be filed with the court; and it is further

ORDERED that in ruling on the application the Court or its designee shall consider the following:

- (1) whether the applicant has complied with the procedures set forth in this Order;
- (2) whether the applicant's complaint complies with the Federal Rules of Civil Procedure and Local Rules of Practice;
- (3) whether the applicant's complaint is frivolous, abusive, harassing, or malicious;
- (4) whether the claims raised in the applicant's proposed complaint are currently being litigated or have been adjudicated previously by any state or federal court;
- (5) whether the applicant has complied in all respects with Federal Rule of Civil Procedure 11;
- (6) whether the proposed complaint alleges claims against judges, court officials, public officers, foreign officials, or any other individuals entitled to immunity from suit; and
- (7) whether the complaint meets such other reasonable requirements established by the Court; and it is further

ORDERED that if Messrs. Weisskopf or Eliahu initiates any Restricted Action or files any pleading without this Court's authorization as outlined above after the date of this Order, the Clerk of the Court in which such action is initiated shall **STAY** the case and shall not issue the requisite summonses until directed to do so by this Court or its designee; and it is further

ORDERED that failure to comply with the procedures and principles set forth in this Order or any false or misleading recitals in the complaint or application shall be grounds for

denying the Application Pursuant to Court Order Seeking Leave to File without further review and may subject the applicant to further sanctions under Federal Rule of Civil Procedure 11 and the Court's inherent power to sanction a litigant for bad faith conduct or for disobeying court orders; and it is further

ORDERED that if Messrs. Weisskopf or Eliahu initiates any Restricted Action in state court, he shall file the following documents in state court concurrently with any complaint or case-initiating document:

(1) a statement advising the state court of this Order and attaching this Order and the Court's December 28, 2017 ^{Amended} Opinion and Order thereto;

(2) a statement advising the state court whether any defendant to the lawsuit was a party, judge, attorney, court officer, public official or participant to, or was in any way involved in, any prior lawsuit, judicial proceeding, or administrative proceeding, involving the plaintiff, whether in the United States or elsewhere, and if so, in what capacity;

(3) a list of all lawsuits, state or federal, in which the plaintiff was or is a party; the name, case number and citation, if applicable, of each case; a statement indicating the nature of the applicant's involvement in each lawsuit and its current status or disposition; and it is further

ORDERED that upon filing any Restricted Action in any state court, Messrs. Weisskopf and Eliahu shall file a notice of the state-court action with this Court together with a copy of the complaint or case-initiating document; and it is further

ORDERED that Messrs. Weisskopf and Eliahu are further advised that nothing in this Order hinders their ability to defend themselves in any criminal or civil action brought against them or affects their rights in any currently pending action in state or federal court; and it is further

ORDERED that the Court shall retain jurisdiction to enforce the terms of this Order;
and it is further

ORDERED that the Clerk shall serve a copy of this Order on Richard David Weisskopf
and Eitan Eliahu and their attorney Saul Roffe by certified mail at the addresses provided on file
in the above-captioned action.

Further ORDERED that the Clerk of Court shall mark this case as closed.

IT IS SO ORDERED.

Dated: December 29, 2017


WILLIAM H. PAULEY III
U.S.D.J.