

# FLEMING TIMMERMAN LAW GROUP PLLC

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## **Excellency Salome Zourabichvili**

PRESIDENT OF THE REPUBLIC OF GEORGIA  
Tbilisi, Georgia

Cc: President Donald J. Trump  
Attorney General Robert Barr  
Secretary of State Mike Pompeo  
Chargé d'Affaires, a.i., Elizabeth Rood  
Kenneth R. Timmerman  
Tariel Kakavadze

Dear Madame President,

We write concerning a matter of great importance to the Republic of Georgia and to the United States.

On February 9, 2018, Georgian police and counter-intelligence officers arrested an Iranian political refugee in Tbilisi, Ali Reza SOLEIMANEPAK, as he was leaving his son's restaurant on Shalva Dadiani street near Freedom Square. He was accused of conspiring to murder two Iranians who had been stalking him on social media. A Georgian court summarily convicted him on November 6, 2018, and sentenced him to 17 years in prison. SOLEIMANEPAK did not have effective legal representation.

We believe the arrest and conviction of SOLEIMANEPAK and the manner in which he has been treated in jail constitute grave violations of international human rights and international law that, if widely known, could do significant damage to the reputation of your country, especially with the United States.

We intervene on his behalf because we believe SOLEIMANEPAK is a victim of an Iranian government active measure carried out with the complicity of Georgian intelligence and judicial officials, to punish him for his testimony in an important

federal court case in the United States against Iran and its state-sponsored terrorism apparatus, as described below.

SOLEIMANEPAK defected from Iranian intelligence in July 2001, and he warned U.S. intelligence officers in Baku, Azerbaijan, of an impending “massive” terror attack then being plotted by Iran and al Qaeda against the United States. Just a couple of months later, the 9/11 attacks occurred.

In 2005, SOLEIMANEPAK (aka “Hamid Reza Zakeri”) provided sworn videotaped testimony in the case, *Havlish, et al. v. Osama bin Laden, et al*, directly implicating the government of Iran in the 9/11 terror plot. I personally took his sworn, videotaped testimony. I had spent many days, along with investigator Kenneth Timmerman, vetting his credibility. We believed his testimony to highly credible and very important.

SOLEIMANEPAK was one of several witnesses who provided such evidence in the *Havlish* case. The *Havlish* legal team agreed to protect the identity of the defector witnesses because of their legitimate fears that the Government of the Islamic Republic of Iran would seek to physically eliminate them.

The following facts have been provided to us by SOLEIMANEPAK at various times over the past several years or learned from his court files by his present attorney, Taniel Kakavadze of Tbilisi.

Several years ago, SOLEIMANEPAK decided to make his participation in the *Havlish* case public. (Much of the information known to “Zakeri” had also, with SOLEIMANEPAK’s permission, been published in a 2005 book by Kenneth Timmerman entitled Countdown To Crisis.) Since then, SOLEIMANEPAK has been hounded by the Iranian regime, first in Germany, and now in Georgia.

In an effort to get SOLEIMANEPAK to recant his testimony in the federal court case, *Havlish, et al. v. Osama bin Laden, et al*, Iranian regime officials arrested his then 59-year old brother, Mohammad Esmael Soleimane-pak, in March 2016.

In multiple meetings, phone calls, and email exchanges with SOLEIMANEPAK over the next 18 months, regime officials promised to release his brother if SOLEIMANEPAK recanted his testimony in the *Havlish* 9/11 case. He refused.

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Hoping to get his brother out of Iran during a prison furlough, SOLEIMANEPAK left Germany, where he had been living since 2002, for Tbilisi. There, he invested in a restaurant owned by his son, Anthony.

The day after his arrival in your country – Sunday, September 24, 2017 – the Iranian Ambassador to Georgia, Seyed Javad Qavam Shahidi, a known Iranian intelligence officer, visited SOLEIMANEPAK at the restaurant with four bodyguards, offering to pay him \$5 million (U.S.) and provide him a Georgian passport if he would recant his 9/11 testimony against Iran. Again, he refused.

What makes this case all the more disturbing is the fact that the criminal case against SOLEIMANEPAK began with a tip-off from the Iranian embassy in Georgia.

On January 17, 2018, the same Iranian ambassador wrote to the Georgian Ministry of Foreign Affairs, warning them that SOLEIMANEPAK was intending to murder two Iranians in Tbilisi. On January 22, 2018, the Georgian Ministry of Foreign Affairs conveyed this warning to the Georgian State Security department, stating that the information had been passed on by the Iranian embassy.

The first alleged “conspiratorial” meeting between SOLEIMANEPAK and a police informant who subsequently provided conflicting testimony against him, took place a full week *after* the letter from the Iranian embassy, warning that such a plot was already underway.

This timeline suggests that the alleged crime was entirely concocted by the Iranian regime, working in tandem with individuals inside the security services of the Government of Georgia, then run by Interior Minister Giorgi Gakhari, all with the goal of framing SOLEIMANEPAK for a crime that never occurred and burying him in a Tbilisi prison.

Madame President, the manner in which the Tbilisi Court conducted the SOLEIMANEPAK trial was, frankly speaking, a travesty of the rule of law. SOLEIMANEPAK was not convicted “beyond a reasonable doubt” but *in spite of* multiple reasonable doubts raised at every stage of his trial. At that trial, his state-appointed attorney hardly attempted to mount any defense.

We are attaching a review of these apparent defects prepared by investigator Kenneth Timmerman who attended an April 2019 appeals court hearing.

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Madame President, we ask that you take a personal interest in this case, because it relates to a subject near and dear to the heart of every American, as well as to the security interests of the United States and the Republic of Georgia.

SOLEIMANEPAK's case will come before Appellate Judge Khvicha Kililashvili at the Tbilisi Court of Appeals on December 11, 2019. My colleague Kenneth Timmerman plans to attend this hearing and could speak with local media, if needed.

We ask that the arrest and conviction of SOLEIMANEPAK be reviewed, and, if the case is to continue, that he receives a fair trial. Should it be your decision to ask the Ministry of Justice to reconsider its case against him, or to take other steps to correct and remedy this unfolding episode of manifest injustice against a man who tried to prevent, and reveal the truth about, the greatest terrorist attack in history, we would be very grateful.

Yours sincerely,



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