

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	08 Civ. 10934 (LAP)
	:	09 Civ. 165 (LAP)
	:	09 Civ. 166 (LAP)
	:	09 Civ. 553 (LAP)
	:	09 Civ. 564 (LAP)
	:	09 Civ. 4614 (LAP)
IN RE 650 FIFTH AVENUE AND	:	09 Civ. 4784 (LAP)
RELATED PROPERTIES	:	10 Civ. 1627 (LAP)
	:	10 Civ. 2464 (LAP)
	:	12 Misc. 19 (LAP)
	:	12 Misc. 20 (LAP)
	:	12 Misc. 21 (LAP)
	:	12 Misc. 22 (LAP)
	:	13 Misc. 71 (LAP)
	:	13 Civ. 1825 (LAP)
	:	13 Civ. 1848 (LAP)
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ORDER

WHEREAS, on December 17, 2008, the United States commenced a civil action seeking forfeiture of all Assa Corporation, Assa Company Limited, and Bank Melli Iran’s right, title, and interest in the 650 Fifth Avenue Company (the “Partnership”), including but not limited to real property and appurtenances located at 650 Fifth Avenue, New York, New York (the “Building”), and related bank accounts, *see United States v. All Right, Title, and Interest of Assa Corp., Assa Co. Ltd., and Bank Melli Iran in 650 Fifth Ave. Co., et al.*, 08 Civ. 10934 (LAP);

WHEREAS, on November 12, 2009, the United States government (the “Government”) amended its civil forfeiture complaint to seek also forfeiture of all right, title, and interest of the Alavi Foundation of New York (“Alavi”) in the Partnership, and of Alavi and the Partnership in the Building; certain bank accounts; and certain properties located in New York, Maryland,

Virginia, Texas, and California owned by Alavi (the “Alavi Real Properties” and, together with the other defendant properties, the “Defendant Properties”), including more specifically:

- All Right, Title, And Interest Of The Alavi Foundation In 650 Fifth Avenue Company, Including But Not Limited To The Real Property And Appurtenances Located At 650 Fifth Avenue, New York, New York, With All Improvements And Attachments Thereon, And All Property Traceable Thereto,
- All Right, Title, And Interest In The Real Property And Appurtenances Located At 650 Fifth Avenue, New York, New York, With All Improvements And Attachments Thereon, All Right, Title, And Interest In The Real Property And Appurtenances Located At 2313 South Voss Road, Houston, Texas 77057, With All Improvements And Attachments Thereon,
- All Right, Title, And Interest In The Real Property And Appurtenances Located At 55-11 Queens Boulevard, Queens, New York 11377, Block 1325 Lots 1, 6, 7, And 8, With All Improvements And Attachments Thereon,
- All Right, Title, And Interest In The Real Property And Appurtenances Located At 4836 Marconi Avenue, Carmichael, California 95608, With All Improvements And Attachments Thereon,
- All Right, Title, And Interest In The Real Property And Appurtenances Located At 4204 Aldie Road, Catharpin, Virginia 20143-1133, With All Improvements And Attachments Thereon,
- All Right, Title, And Interest In The Real Property And Appurtenances Located At 4300 Aldie Road, Catharpin, Virginia 20143-1133, With All Improvements And Attachments Thereon,
- All Right, Title, And Interest In The Real Property And Appurtenances Located At 7917 Montrose Road, Rockville, Maryland 20854, With All Improvements And Attachments Thereon,
- All Right, Title, And Interest In The Real Property And Appurtenances Located At 8100 Jeb Stuart Road, Rockville, Maryland 20854, With All Improvements And Attachments Thereon,
- All Funds On Deposit At JPMorgan Chase Bank, N.A., In Account Number 230484468, Held In The Name Of 650 Fifth Avenue Company, And All Funds Traceable Thereto,
- All Funds On Deposit At JPMorgan Chase Bank, N.A., In Account Number 230484476, Held In The Name Of 650 Fifth Avenue Company, And All Funds Traceable Thereto,

- All Funds On Deposit At Sterling National Bank In Account Number 3802032201, Held In The Name Of Alavi Foundation, And All Funds Traceable Thereto,
- All Funds On Deposit At Sterling National Bank In Account Number 3802032216, Held In The Name Of Alavi Foundation, And All Funds Traceable Thereto, And
- All Funds On Deposit At Sterling National Bank In Account Number 3852524414, Held In The Name Of Alavi Foundation, And All Funds Traceable Thereto,

(collectively, the “Defendant Properties”)

WHEREAS, on December 17, 2009, Alavi and the Partnership each filed claims in the civil forfeiture action (the “Forfeiture Action”), asserting interests in the Defendant Properties and denying the allegations set forth in the amended civil forfeiture complaint;

WHEREAS, pursuant to various monitorship, trusteeship, and protective orders, the Honorable Kathleen A. Roberts has served as Monitor, Interim Trustee, or Trustee of the Defendant Properties from April 28, 2010 to July 20, 2025 (ECF Nos. 136, 161, 264, 995, 1023, 1408, 1472, 2078, 2162, 2191, 2225, and 2336) and the Honorable Joseph A. Greenaway, Jr., has served as Monitor and Interim Trustee of the Defendant Properties since that time (ECF No. 2476);

WHEREAS, between December 2008 and March 2013, various groups of private plaintiffs (the “Judgment Creditors”) holding fully or partially unsatisfied judgments against the government of Iran (judgments unrelated to any conduct by Alavi or the Partnership) filed separate actions seeking to satisfy their judgments by executing against the Defendant Properties (the “Turnover Actions”) and by filing claims in the Forfeiture Action, *see Greenbaum, et al. v. Assa Corp., et al.*, 09-cv-553 (S.D.N.Y.); *Greenbaum, et al. v. Assa Corp., et al.*, 09-cv-564 (S.D.N.Y.); Dkt. 100, *In re 650 Fifth Avenue & Related Properties*, 08-cv-10934 (S.D.N.Y.); *Rubin, et al. v. Alavi Foundation, et al.*, 09-cv-165 (S.D.N.Y.); *Rubin, et al. v. Alavi Foundation, et al.*, 09-cv-4614 (S.D.N.Y.); *Rubin, et al. v. Alavi Foundation, et al.*, 09-cv-4784 (S.D.N.Y.); Dkt. 65, *Rubin, et al. v. Alavi Foundation, et al.*, 09-cv-165 (S.D.N.Y.); *Miller, et al. v. Alavi Foundation, et al.*,

09-cv-166 (S.D.N.Y.); *Peterson v. 650 Fifth Avenue Co., et al.*, 10-cv-1627 (S.D.N.Y.); Dkt. 84, *In re 650 Fifth Avenue & Related Properties*, 08-cv-10934 (S.D.N.Y.); Dkt. 82, *In re 650 Fifth Avenue & Related Properties*, 08-cv-10934 (S.D.N.Y.); Dkt. 85, *In re 650 Fifth Avenue & Related Properties*, 08-cv-10934 (S.D.N.Y.); Dkt. 93, *In re 650 Fifth Avenue & Related Properties*, 08-cv-10934 (S.D.N.Y.); Dkts. 18, 21, *In re 650 Fifth Avenue & Related Properties*, 08-cv-10934 (S.D.N.Y.); *Acosta, et al. v. Assa Corp., et al.*, 10-cv-2464 (S.D.N.Y.); Dkt. 98, *In re 650 Fifth Avenue & Related Properties*, 08-cv-10934 (S.D.N.Y.); Dkt. 128, *In re 650 Fifth Avenue & Related Properties*, 08-cv-10934 (S.D.N.Y.); Dkt. 147, *In re 650 Fifth Avenue & Related Properties*, 08-cv-10934 (S.D.N.Y.); *Heiser, et al. v. 650 Fifth Avenue Co., et al.*, 13-mc-71 (S.D.N.Y.); Dkt. 74, *In re 650 Fifth Avenue & Related Properties*, 08-cv-10934 (S.D.N.Y.); *Kirschenbaum, et al. v. Assa Corp., et al.*, 13-cv-1825 (S.D.N.Y.); 12 Misc. 19 (S.D.N.Y.); 12 Misc. 22 (S.D.N.Y.); Dkt. 101, *In re 650 Fifth Avenue & Related Properties*, 08-cv-10934 (S.D.N.Y.); *Beer, et al. v. Assa Corp., et al.*, 13-cv-1848 (S.D.N.Y.); 12 Misc. 20 (S.D.N.Y.); 12 Misc. 21 (S.D.N.Y.); *see also* Dkt. 99, *In re 650 Fifth Avenue & Related Properties*, 08-cv-10934 (S.D.N.Y.);

WHEREAS, after more than a decade of litigation, the Government, Alavi, the Partnership, and the Judgment Creditors (together, the “Parties”) began negotiating a potential resolution of the Forfeiture Action and Turnover Actions and have now reached an agreement to resolve all claims in the consolidated actions;

WHEREAS, the United States of America, by and through its counsel, the U.S. Attorney for the Southern District of New York, and the United States Victims of State Sponsored Terrorism Fund (“USVSSTF”), by any through its counsel, the Money Laundering and Narcotics Section, Criminal Division, U.S. Department of Justice, were involved in these negotiations and were

authorized to release certain claims on behalf of the U.S. Department of the Treasury, Office of Foreign Assets Control and Internal Revenue Service, in connection with the settlement of the Forfeiture Action;

WHEREAS, the U.S. Department of Justice is releasing any and all civil and forfeiture claims against Alavi, the Partnership, their property interests, and certain other individuals and entities based on the conduct alleged in the amended civil forfeiture complaint, and the U.S. Department of the Treasury has affirmed that it has no action, investigation, or claim against any of these entities pending and further that the statute of limitations has passed for any civil claims or enforcement action based on the conduct alleged in the amended forfeiture complaint;

WHEREAS, on January 17, 2025, after determining that it was in the best interests of all Parties, the Court approved a settlement agreement (the “Settlement Agreement”) entered into by the Parties to fully and completely resolve Forfeiture Action and Turnover Actions;

WHEREAS, on March 9, 2026 the Parties orally agreed that an additional \$11 million will be paid as part of the Initial Payment, as defined in the Settlement Agreement, thereby reducing the amount owed as the Remainder Payment, as defined in the Settlement Agreement, by an equivalent amount, and the Court, having found that such payment is materially consistent with the term sheet attached as Exhibit H to the Settlement Agreement, approved such oral agreement as if it were in writing and signed by the Parties;

WHEREAS, pursuant to the terms of the Settlement Agreement, Alavi is transferring all of its assets (including its interest in the Partnership and indirectly the Building) to a charitable entity newly-incorporated in Delaware, and the Partnership will transfer all of its assets to a newly-formed real estate holding company—both of which will be entirely distinct from Alavi and the Partnership;

WHEREAS, Alavi's transfer of assets to the new charitable entity has been approved by the New York Attorney General's Office's Charities Bureau, and the Charities Bureau (in addition to Delaware regulators) will have regulatory oversight over the new charitable entity, as if it were a New York charity, for a period of at least five years, pursuant to the terms of the approval granted by the Charities Bureau;

WHEREAS, on or about March 16, 2026, the Government and the Judgment Creditors filed a joint motion to dismiss the Government's claims against Alavi and the Partnership's property interests in the Forfeiture Action and to dismiss the Judgment Creditors' claims against Alavi, the Partnership, and their property interests in the Turnover Actions; and

WHEREAS, in light of the Settlement Agreement and the transfer of the Partnership and the Building to a new and owner, the Court-ordered monitoring of the Partnership's and Building's operations is deemed no longer necessary or appropriate;

IT IS SO ORDERED that the Protective Orders at Dkt. Entries Nos. 2225 and 2336, and the Orders appointing the Honorable Kathleen A. Roberts and the Honorable Joseph A. Greenaway, Jr., as Court-appointed Monitor and Interim Trustee of Alavi, the Partnership, and the Building, are hereby **VACATED** and the Monitorship and Interim Trusteeship are now hereby **TERMINATED**, without invalidating earlier decisions of the Monitors and Interim Trustees;

IT IS FURTHER ORDERED that the Order approving the Settlement Agreement and the attached Settlement Agreement, Dkt. Entry No. 2445, are hereby **UNSEALED**; and

IT IS FURTHER ORDERED that the Government's claims in the Forfeiture Action to all right, title, and interest in the Defendant Properties and the Judgment Creditors' claims in the Turnover Actions against Alavi, the Partnership, and the Defendant Properties are hereby **DISMISSED WITH PREJUDICE**, with each party to bear its own attorneys' fees and costs; and

IT IS FURTHER ORDERED that the cases captioned above shall be **CLOSED**, and the Court shall retain jurisdiction to ensure the Parties' compliance with the terms of the Settlement Agreement and the terms of the financing of the real property located at 650 Fifth Avenue, New York, New York, as set forth in the Settlement Agreement.

Dated: New York, New York
March 20, 2026


HON. LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE