

11590-26

ORIGINAL DOCUMENTS IN SAFE

Case No. 11590

Date of filing: 29.11.89

\*\* AWARD - Type of Award AAT  
- Date of Award 29 Nov 89  
\_\_\_\_\_ pages in English \_\_\_\_\_ pages in Farsi

\*\* DECISION - Date of Decision \_\_\_\_\_  
\_\_\_\_\_ 3 pages in English \_\_\_\_\_ 3 pages in Farsi

\*\* CONCURRING OPINION of \_\_\_\_\_  
- Date \_\_\_\_\_  
\_\_\_\_\_ pages in English \_\_\_\_\_ pages in Farsi

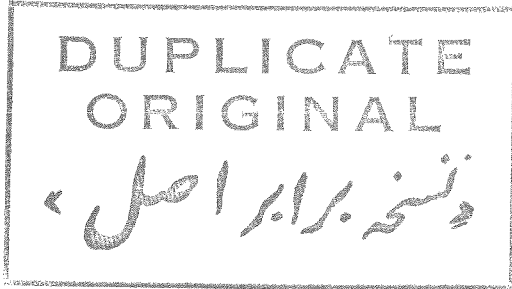
\*\* SEPARATE OPINION of \_\_\_\_\_  
- Date \_\_\_\_\_  
\_\_\_\_\_ pages in English \_\_\_\_\_ pages in Farsi

\*\* DISSENTING OPINION of \_\_\_\_\_  
- Date \_\_\_\_\_  
\_\_\_\_\_ pages in English \_\_\_\_\_ pages in Farsi

\*\* OTHER; Nature of document: \_\_\_\_\_  
\_\_\_\_\_  
- Date \_\_\_\_\_  
\_\_\_\_\_ pages in English \_\_\_\_\_ pages in Farsi

IRAN-UNITED STATES CLAIMS TRIBUNAL

دیوان داری دعوی ایران - ایالات متحده

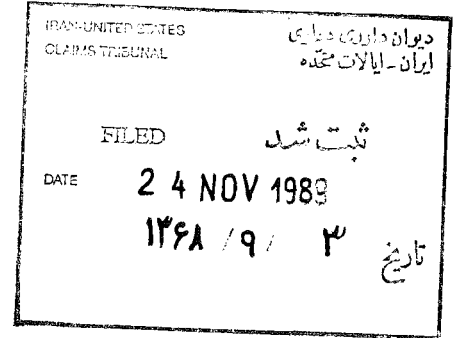


CASE NO. 11590

CHAMBER TWO

AWARD NO. 448-11590-2

ROBIN L. ALLARD,  
 a claim of less than U.S.\$250,000  
 presented by  
 The United States of America,  
 Claimant,  
 and  
 THE ISLAMIC REPUBLIC OF IRAN,  
 Respondent.

AWARD ON AGREED TERMS

1. On 19 January 1982, the Government of the United States of America presented the Claim of less than U.S.\$250,000 of ROBIN L. ALLARD ("the Claimant") against THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN, and in particular, against IRAN AIR ("the Respondent"), seeking recovery in connection with breach of contract with Iran Air in which a prepaid flight was neither honored nor reimbursed.

2. Pursuant to Article 34, paragraph 1 of the Tribunal Rules, a Joint Request was filed on 7 November 1989, signed by the Deputy Agent of the Government of the United States of America and by the Agent of the Government of the Islamic Republic of Iran, requesting that the Tribunal render an Award on Agreed Terms recording and giving effect to the Settlement Agreement in this Case, dated 7 February 1988. The Settlement Agreement provides for certain reciprocal obligations of the Parties thereto.

3. Article One, paragraph (2) of the Settlement Agreement requires the Claimant to deposit with the Tribunal the original flight coupon No. 096.8850.575.738 London/New York, to be delivered to the Agent of the Islamic Republic of Iran, upon issuance of the Award on Agreed Terms. Such document was deposited with the Tribunal on 7 November 1989.

4. Copies of the Joint Request and the Settlement Agreement are attached hereto.


5. In view of the fact that the provisions of the Settlement Agreement fulfill the requirements for the issuance of an Award on Agreed Terms, the Tribunal accepts the Settlement Agreement in accordance with Article 34, paragraph 1, of the Tribunal Rules.

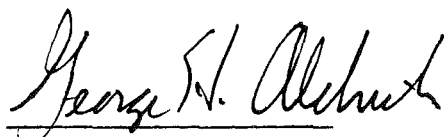
6. For the foregoing reasons,

THE TRIBUNAL AWARDS AS FOLLOWS:


- (a) The Settlement Agreement filed with the Joint Request is hereby recorded as an Award on Agreed Terms, binding on the Parties in full and final settlement of the entire Case.
- (b) The Registry Officers are hereby instructed to deliver the original flight coupon No. 096.8850.575.738 deposited with the Tribunal on 7 November 1989 to the Agent of the Islamic Republic of Iran.
- (c) The Respondent IRAN AIR shall pay the Claimant ROBIN L. ALLARD the amount of One Hundred Fifty-One United States Dollars (US \$151), which obligation shall be satisfied by payment out of the Security Account established pursuant to paragraph 7 of the Declaration of the Democratic and Popular Republic of Algeria of 19 January 1981.
- (d) This Award is hereby submitted to the President of the Tribunal for the purpose of notification to the Escrow Agent.

Dated, The Hague  
22 November 1989

  
\_\_\_\_\_  
Robert Briner  
Chairman

  
\_\_\_\_\_  
George H. Aldrich

In the name of God

  
\_\_\_\_\_  
Seyed K. Khalilian

See Separate Opinion  
in Award No.  
346-10973-2 (29  
January 1988).  
(18 Iran-U.S. C.T.R.  
377 at 382).

IN THE NAME OF GOD

Iran-U.S. Claims Tribunal

The Hague  
The Netherlands

FILED	ثبت شد
DATE 7 NOV 1989	
۱۳۶۸ / ۱۸ / ۱۹	ع

The Government of the United States of America on behalf of and for the benefit of Robin A. Allard, a United States national,  
Claimant:

-and-

Islamic Republic of Iran,  
Respondent:

Case No. 11590  
Chamber Two

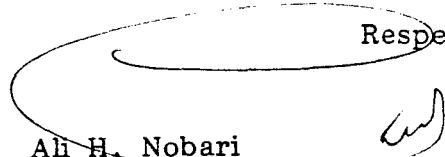
JOINT REQUEST FOR ARBITRAL AWARD ON AGREED TERMS

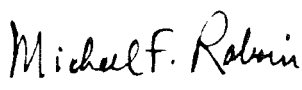
Pursuant to Article 34 of the Tribunal Rules, the Government of the United States of America, and the Government of the Islamic Republic of Iran, jointly request the Iran-U.S. Claims Tribunal to issue an Arbitral Award on Agreed Terms that will record and give effect to the Settlement Agreement reached by the Islamic Republic of Iran Airlines (Iran Air on the one party) and Robin A. Allard, on the other part, a copy of which is attached hereto.

On 7 Feb. 1988, Iran Air and Robin A. Allard entered into a Settlement Agreement which provides that inter alia that Robin A. Allard will be paid the amount of US \$151/- (one hundred fifty one United States dollars only) in complete and final settlement of all claims, disputes and differences now existing or capable of arising in connection with this case.

The undersigned hereby ratify the said agreement and request the Tribunal to record it as an Arbitral Award on Agreed Terms, with payment to be made to Robin A. Allard out of the Security Account and to declare Case No. 11590 terminated in its entirety and with prejudice.

Respectfully submitted,

  
 Ali H. Nobari  
 Agent of the Government of the Islamic Republic of Iran to the Iran-U.S. Claims Tribunal

  
 Timothy E. Ramish  
 Agent of the Government of the United States of America to the Iran-U.S. Claims Tribunal

IN THE NAME OF GOD

IRAN UNITED STATES CLAIMS TRIBUNAL	دیوان دادرسی داری ایران - ایالات متحده
FILED	ثبت شد
DATE	7 NOV 1989
	۱۳۶۸ / ۸ / ۱۶
	تاریخ

SETTLEMENT AGREEMENT

WHEREAS, the Government of the United States of America has filed a claim on behalf and for the benefit of Robin L. Allard , a United States National with the Iran-U.S. Claims Tribunal ("the Tribunal");

WHEREAS, Robin L. Allard ( Allard) and Islamic Republic of Iran Airlines (Iran Air) wish to settle all claims and disputes which are outstanding or capable of arising in connection with Case No. 11590 and its subject matter.

ARTICLE ONE

(1) In consideration of full and final settlement of all disputes, differences, claims and matters directly or indirectly, raised or capable of arising out of the relationships, transactions, contracts and events related to the subject matter of the Case No.11590 against Iran Air, its agents, affiliates and subsidiary companies and/or against the Islamic Republic of Iran, its political sub-divisions, Iranian entities, agencies, organizations, institutions and instrumentalities (Iran) Allard will be paid the sum of US\$ 151 (One hundred fifty one United States dollars) only.

(2) Allard hereby undertakes to submit to the Tribunal together with this Settlement Agreement the original flight coupon No. 096: 8850: 575: 738 London/New York. This original coupon shall be handed over by the Tribunal to the Agent of the Islamic Republic of Iran, upon the issuance of the Award on Agreed Terms .

ARTICLE TWO

(1) Robin L. Allard and Iran Air for themselves and for the successors, transferees, and assigns of themselves by this Agreement release and forever discharge each other and the successors, transferees, and assigns of each other and Iran from any and all liability that they ever had, now have and/or in the future may have against each other in connection with Case No. 11590.

(2) Robin L. Allard declares that she has no pending claim in any forum against Iran Air or Iran and undertakes to withdraw such claims forthwith, if any.

ARTICLE THREE

This Settlement Agreement is for the sole purpose of settling Case No. 11590. Nothing in this Settlement Agreement shall be relied upon or construed as relevant to or affect in any way any arguments Iran Air or Iran, have raised, or may raise, concerning the jurisdiction or the merits of this case or any other cases whether before the Tribunal or any other forum.

ARTICLE FOUR

This Agreement has been written and signed in both languages of Persian and English and each text shall have the same and equal validity.

Islamic Republic of Iran  
Airline s

By:   
M. R. MAJIDI

Date: 7 Feb 1988

Robin L. Allard

By: 

Date: 9/11/89