

Case Nos. 10853, 10854
10855 and 10856
Chamber One

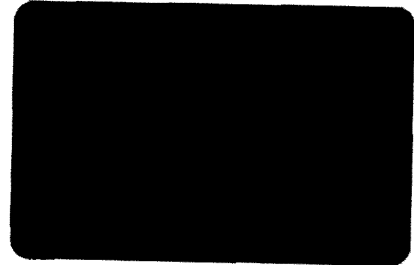
IAN L. MCHARG,
WILLIAM W. ROBERTS,
DAVID A. WALLACE
THOMAS A. TODD,
Claimants,

and

THE ISLAMIC REPUBLIC OF IRAN,
Respondent.

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IRAN UNITED STATES CLAIMS TRIBUNAL	دادگاه داوری دعاری ایران - ایالات متحدہ
ثبت شد - FILED	
Date	۱۳۶۲ / ۳ / ۲۴
	14 JUN 1983
No. 10854	شماره ۱۰۸۵۴



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DECISION

These four Claims, each being for less than \$250,000, were presented to the Tribunal by the Government of the United States of America in accordance with Article III, paragraph 3 of the Claims Settlement Declaration. In a Request for interim measures filed on 22 December 1982 the Government of the United States asserted that Wallace, McHarg, Roberts & Todd Iran, Inc. ("WMRT/Iran"), a company owned by the Claimants in these four cases, had been summoned to appear in the Public Court of Tehran on 2 October 1982 to answer a complaint filed by the "Environmental Protection Organization of the Islamic Republic of Iran." The Request further asserted that the complaint involved the same contract that is the subject matter of the claims in these cases before the Tribunal.

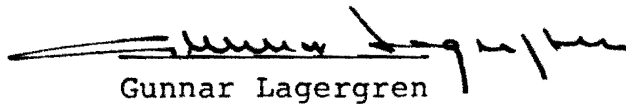
In its Request the Government of the United States of America asked the Tribunal to direct the Government of the Islamic Republic of Iran to dismiss the complaint in the Public Court of Tehran. Alternatively, the Request asked that the Tribunal direct the Government of the Islamic Republic of Iran to stay the proceedings in Tehran until the Tribunal has ruled on the merits of the claims in these cases.

In a Response filed on 16 March 1983 the Government of the Islamic Republic of Iran asserted, inter alia, that on 2 October 1982 a decision in the case against WMRT/Iran had been rendered by the Public Court of Tehran. A copy of the Court's decision was subsequently provided from which it appears that a default judgment was entered against WMRT/Iran on 2 October 1982.

The Tribunal therefore concludes that the interim relief requested by the Government of the United States has become moot and must be denied.

Dated, The Hague

13 June 1983



Gunnar Lagergren

Chairman

Chamber One



Howard Holtzmann



Mahmoud Kashani

Concurring