

Justice for the Wultz Family and Other American Victims of Terrorism



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You may have read Roger Cohen's op-ed in the Sunday *New York*



Times, “

Daniel Wultz comes home to America.

Tuly Wultz is the father of the late Danny, who was mortally wounded by a Palestinian Islamic Jihad (PIJ) suicide bomber at a Tel Aviv Shawarma stand in April 2006. The United West sponsored a presentation in March 2010 that heard from two fathers of terrorism victims. Tuly Wultz, a former IDF special operations officer, and David Beamer, father of Todd, one of 9/11 passengers on Flight 93, discussed the emotional loss of their sons to terrorism. In Tuly's case he tried to shield Danny from the blast, causing significant injuries to himself as well. Tom Trento of the United West let me preview a video interview with both Tuly and Sharon (Cantor) Wultz at their home in Florida in 2008. They had established a foundation in Danny's name to inform people about Islamic terrorism that took the life of their son who succumbed to his injuries after a 27 day ordeal. We chronicled the course of their federal case, [Florida family's Anti-Terrorism case: Israeli intelligence expert barred from testifying in U.S. –](#)

[Watchdog Wire – Florida.](#)

Cohen uses the plight of the Wultzs as a thinly veiled attack on Israel PM Netanyahu. He tried to make the connection between the latter's opening to China for economic reasons allegedly blocking 'justice' in the Wultz case. Based on the BOC counsel replies in the Wultz case, and given the Arab Bank case decision, the evidence from the former Shin Bet agent could be material. Unfortunately, we find this *NYT* Op Ed column by Cohen to be exploitative of the Wultz's predicament. We also want to see justice done. But not at the expense of partisan politics conveyed by Cohen and comments from Democrat National Committee head, Rep. Deborah Wasserman Schultz. It is not lost on us that this *NYT* op ed was published, the weekend prior to PM Netanyahu's looming speech before a Joint Session of Congress on March 3rd. That is the day before the Jewish festival of Purim, laden with ancient Persian existential threats to Jews. What to do about it?

The Wultz case was brought under the provisions of the [Landmark Victory In New York Federal Court for U.S. Victims of Palestinian Terror.](#) Then there was the Iran 9/11 Links case in 2011 brought by a widow and the families of 9/11 victims, [Federal Judge to Rule On Iran Involvement with 9/11 Attack.](#) Judge B. Daniels also presided in the Havlish case decision and award against Iran.

We would suggest the following approach might be considered to achieve justice in the Wultz matter. The proposal would be to obtain a ruling that would enable the former Shin Bet agent to be deposed to produce an evidential record, subject to court release. It would also address the equitable division of liability between the BOC and the Islamic Republic of Iran to fund the award. The extent of the BOC liability would reflect the precedent of the Arab Bank decision currently under appeal before the US Second Circuit Court in Manhattan. Further, the proposed ruling might impound the equitable amount of an

adjudicated economic payment to the Wultz's from Iranian assets retained by the Office of Foreign Asset Control of The Treasury under US sanctions against Iran's nuclear program.

That possible solution might have a derivative benefit. It could also set a precedent for the Havlish, et. al. matter, as well. We might possibly see amicus filings by the counsel in the Havlish matter. The Wultz family has retained as counsel, nationally prominent litigation firm [Judge Shira Scheindlin](#) in the Manhattan Federal Southern District Court along with a supporting affidavit from the legal representatives of the State of Israel enabling the former Shin Bet agent to be deposed. That evidentiary record could be sealed by court order and released upon petition at a later date. Only the Wultz counsel and the legal representatives of the State of Israel are best able to see whether this proposal has merit to render justice in this languishing case. If feasible, it might set a precedent for the Havlish, et.al. and other matters brought in US courts under the provisions of the Anti-Terrorism Act of 1990.