

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

<p>Noble Capital RSD LLC</p> <p style="text-align: center;"><i>Plaintiff,</i></p> <p style="text-align: center;">v.</p> <p>The Russian Federation, The Ministry of Finance of the Russian Federation, the Central Bank of the Russian Federation, and the Russian National Wealth Fund</p> <p style="text-align: center;"><i>Defendants.</i></p>	<p>CIVIL ACTION</p> <p>No. 25-cv-1796 (DLF)</p>
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**DEFENDANTS’ OPPOSED  
MOTION FOR EXTENSION OF TIME  
TO RESPOND TO COMPLAINT**

1. Defendants Russian Federation (“Russia”), the Ministry of Finance of the Russian Federation, the Central Bank of the Russian Federation, and the Russian National Wealth Fund (collectively “Defendants”) move for a 120-day extension—from December 1, 2025 to April 1, 2026—to respond to Noble Capital RSD LLC (“Noble Capital”)’s claims under the Foreign Sovereign Immunities Act (“FSIA”), 28 U.S.C. §1605(a)(2).<sup>1</sup>

2. Noble Capital consents only to a 30-day extension until January 2, 2026 in this matter involving a claim of \$225.8 billion based apparently on a single \$1,000 Russian Imperial War Bond issued in 1916, over 100 years ago, which was dismissed for lack of subject matter jurisdiction and sovereign immunity, over 35 years ago. *See Carl Marks & Co., Inc. v. Union of Soviet Socialist Republics*, 665 F. Supp. 323 (S.D.N.Y. 1987), *aff’d*, 841 F.2d 26 (2d Cir. 1988).

3. Under Fed.R.Civ.P.6(b),<sup>2</sup> Defendants show good cause for the extension until April

<sup>1</sup> The Parties agree that the Defendants were served on October 1, 2025 and, thus, the response to the Complaint is due on December 1, 2025 under FSIA’s §1608 service provision.

<sup>2</sup> Fed.R.Civ.P.6(b)(1)(A) provides “the court may, for good cause, extend the time .... if a request is made, before the original time or its extension expires....”

1, 2026 to file a Fed.R.Civ.P.12(b)(1),(2)&(4) motion to dismiss for lack of subject-matter and personal jurisdiction, and potentially insufficiency of service under FSIA, the sole means by which this Court may exercise jurisdiction over a foreign sovereign.

4. Preparation of the motion to dismiss by recently engaged counsel will involve substantial work, including obtaining documents and court files concerning Imperial War Bonds long forgotten in the dustbin of history, and researching complicated factual and legal issues, described below, which need to be addressed by Russian government officials who were not even born when the underlying facts occurred, or involved in the litigation dismissed decades ago against the U.S.S.R. All of this will be further complicated by the time sovereign governments, like Russia, require to make decisions, and upcoming Western and Orthodox Christmas and New Year holidays in Russia in December 2025 and January 2026.

5. This reasonable extension is warranted, and Noble Capital, which has created a cottage industry of resurrecting claims based on ancient bonds,<sup>3</sup> can assert no prejudice, particularly given its claims are beyond stale.

### **BACKGROUND**

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<sup>3</sup> For example, in just the past year, Noble Capital (including Noble Capital LLC) filed claims against the People's Republic of China ("PRC") based on bonds issued by the Imperial Government of China and Republic of China between 1898 and 1913, which were dismissed for lack of jurisdiction under §1605(a)(2). *See Noble Capital LLC v. People's Republic of China*, 2025 U.S. Dist. LEXIS 180351, at \*8-9 (D.D.C. Sep. 15, 2025.) It filed another set of claims based on sovereign bonds issued by the Republic of China in 1919, alleging nonpayment by the PRC and its instrumentalities. *See Complaint, Noble Capital LLC v. People's Republic of China*, No. 25-cv-6146 (N.D. Ill. filed June 2, 2025.) Attorney Kenneth Noble himself initially filed claims in his personal capacity, seeking to offset \$99,500 in rent for his New York City apartment owed to an entity indirectly owned by PRC, based on 1937 Republic of China bonds. *See Noble v. People's Republic of China*, No. 1:24-cv-08257-VSB (S.D.N.Y. filed Oct. 30, 2024). Noble later filed an amended complaint that dropped his personal claim, added Noble Capital LLC as the plaintiff, and recast the case as a purported sovereign-bond enforcement action.

6. On June 9, 2025, Noble Capital filed claims. It appears to be eponymously named after its counsel, and, as disclosed in its correspondence, inexplicably bases its \$225.8 billion claim on one \$1,000 1916 Russian Imperial War Bond, apparently purchased via the Internet for approximately \$50 and authenticated by Professional Authentication Services & Standards, LLC. Its claims are asserted not only against Russia, but its Finance Ministry, Central Bank, and Wealth Fund, even though there are no allegations that they existed or had anything to do with the 1916 Bonds when they were issued and thereafter. Further, Noble Capital seeks injunctive relief against the Russian Government (Count V), as well as the appointment of an equitable receiver to take possession and control of “Blocked Russian Sovereign Assets” and other property of the Russian Government located in the United States (Count VI).

### **DISCUSSION**

7. The RF has shown good cause for the requested extension until April 1, 2026. All of this was explained to Noble Capital’s counsel, Kenneth Noble, during the meet and confer.

8. **First**, this law firm was just engaged to represent Defendants in this matter, and is in the process of finalizing its engagement agreement. Its attorneys require adequate time to defend against a \$225.8 billion claim and prepare a motion to dismiss, addressing jurisdictional issues related to sovereign immunity under FSIA,<sup>4</sup> which will require the actions described below.

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<sup>4</sup> The 1916 War Bond at issue appears to have been the subject of a certified class action in *Carl Marks*, which was dismissed for lack of subject matter jurisdiction and sovereign immunity in 1987. *See Carl Marks*, 665 F. Supp. at 349. This decision is almost certainly res judicata against Noble Capital. *See e.g. Agcaoili v. Wiersielis*, 273 F. App'x 138, 139 (3d Cir. 2008) (“Agcaoili previously filed a nearly identical complaint in a previous action which was dismissed for lack of subject matter jurisdiction ... under the circumstances presented here, the principles of res judicata require us to give *Agcaoili I* preclusive effect with respect to the question of subject matter jurisdiction.”). Numerous other serious jurisdictional issues need to be explored, including whether Russia is immune from liability for Imperial Bonds long ago disavowed by the U.S.S.R., and whether an injunction and a receivership may be imposed on a sovereign state.

9. **Second**, no one alive has personal knowledge regarding the issuance of the Imperial War Bonds in 1916, and the defendant in *Carl Marks*, the U.S.S.R., dissolved in 1991. In order to prepare the Motion to Dismiss, and consider other defenses as part of an overall strategy, counsel will need to obtain, translate, and review whatever files may be accessible related to the 1916 Imperial War Bonds in the archives of Russia and its agencies. Counsel will also need to obtain the court filings in *Carl Marks*, which are not available from PACER or the S.D.N.Y. archives, but may be available from the Second Circuit Archives, and obtain the *Carl Marks* litigation file from the U.S.S.R.'s former counsel Baker McKenzie LLP. At the least, this will take one to two months.

10. **Third**, once these files are obtained, counsel needs to communicate with representatives of Defendants, who will have limited availability from late December 2025 until mid-January 2026 due to the Western and Orthodox Christmas and New Year's holidays. As part of this process, counsel will review relevant documents, and consult with Defendants, conduct factual and legal research, and prepare the motion to dismiss.

11. **Fourth**, this Court has routinely granted additional time to sovereign nations to file responses and other briefs in the interest of international comity and in recognition of the complex nature of a foreign sovereign's decision-making process. *See, e.g.,* Min. Order, *DRC, Inc. v. Republic of Honduras*, No. 1:10-cv-0003 (granting 60-day extension to respond to petition to confirm foreign arbitration award). It is widely recognized that "it may be much more time-consuming for a [foreign] State to prepare its pleadings and have them reviewed and approved by relevant government entities." Jeremy Sharpe, *Representing a Respondent State in Investment Arbitration in Litigating International Investment Disputes* 43, 73 (Chiara Giorgetti ed., 2014). Further, U.S. courts strongly favor foreign sovereigns defending claims on the merits, which

includes adequate time to prepare a defense.<sup>5</sup>

12. **Fifth**, Noble Capital will suffer no prejudice from the short requested extension. *See Haskins v. U.S. One*, 755 F.Supp.2d 126, 130 (D.D.C. 2010) (mere “delay in and of itself does not constitute prejudice.”). From all appearances, this claim was manufactured by Noble Capital through purchasing a single \$1,000 Russian Imperial War Bond on the Internet for approximately \$50 earlier this year. Moreover, it is apparent from the face of the Complaint that it was filed beyond the six-year statute of limitations under the law of New York, where the bonds were apparently payable, or at most, the twelve-year limitations period under District of Columbia law, where the suit was filed. At the latest, the alleged default occurred more than 100 years ago, and *Carl Marks* was decided over 35 years ago. A 120-day extension will not affect this.

13. This is Defendants’ first request for an extension. As no other deadlines have been set in this matter, entering an order extending the time to respond to the Complaint will not affect any other deadlines.

14. By making this motion, Defendants reserve all rights, immunities and defenses, including the immunities and protections accorded under FSIA, and waive none.

15. **In conclusion**, Defendants have shown good cause for an extension until April 1, 2026 under Fed.R.Civ.P.6(b)(1) to respond to the Complaint.

### **MEET AND CONFER**

16. On October 28, 2025, in accordance with Local Rule 7(m), Defendants’ counsel requested consent for a 120-day extension through an extended series of emails. Noble Capital agreed only to a 30-day extension until January 2, 2026

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<sup>5</sup> See, e.g., *Gilmore v. PLO*, 675 F.Supp.2d 104, 109 (D.D.C. 2009) (“[I]n this Circuit there are strong policies favoring resolution of genuine disputes on their merits,” especially “[w]hen the defendant is a foreign sovereign”) (citations and internal quotation marks omitted).

MARKS & SOKOLOV, LLC

Dated: November 7, 2025

/s/ Bruce S. Marks

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