

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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IN RE: HOLOCAUST VICTIM ASSETS  
LITIGATION  
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This Document Relates to: All Cases  
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: Case No. CV 96-4849 (ERK)(MDG)  
: (Consolidated with CV 96-5161  
: and CV 97-461)

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: **MEMORANDUM & ORDER**  
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**MEMORANDUM & ORDER APPROVING AWARD FOR THE ACCOUNT OF  
ÖSTERREICHISCHE ZUCKERINDUSTRIE AG ("ÖZAG") CERTIFIED BY THE  
CLAIMS RESOLUTION TRIBUNAL PURSUANT TO ARTICLE 31(2) OF THE RULES  
GOVERNING THE CLAIMS RESOLUTION PROCESS AND AUTHORIZING  
PAYMENT FROM THE SETTLEMENT FUND**

KORMAN, C.J.:

As provided under the Settlement Agreement, and in accordance with the procedures established in the December 8, 2000 Memorandum & Order and in the Distribution Plan, Special Master Helen B. Junz, appointed by the Court to supervise the Claims Resolution Process with Special Master Michael Bradfield, is hereby requesting the Court's approval, pursuant to Article 31(2) of the Rules, of an Award for the account of *Österreichische Zuckerindustrie AG* ("ÖZAG"), listed in Annex A to this Order, which has been certified by the Claims Resolution Tribunal (the "CRT") and the resources to pay this Award through funds to be deposited in the Swiss Banks Settlement-Dormant Accounts-Payment Account from the Settlement Fund. The total amount of this Award is US\$ 21,860,325.09 (SF 26,450,993.36 converted at a rate of 1.21 Swiss Francs per U.S. Dollar).

Including this Award, a total of 2,977 accounts, with a current value of US\$ 254,217,772.04, will have been awarded thus far for CRT I and CRT II combined. For CRT II alone, including the Award approved in this Order, a total of 1,704 Awards for 2,770 accounts

totaling US\$ 242,517,772.04 will have been made to Victims or Targets of Nazi Persecution making up the Deposited Assets Class, with the average Award amounting to US\$ 129,569.85.

As set forth in the Award and as required by Article 31(3) of the Rules, the Certified Award shall be paid in full by the Special Masters after approval by the Court.

Therefore, it is hereby

ORDERED that the attached Award is hereby approved for payment pursuant to Article 31(2) of the Rules; and

ORDERED that for the payment of this Award certified by the CRT and hereby approved by the Court, the Signatories of the Settlement Fund are hereby directed to transfer immediately US\$ 21,860,325.09 from the Settlement Fund to the Swiss Banks Settlement-Dormant Accounts-Payment Account.

It is further ordered that the Special Masters shall provide the Court with the name and address of every class member receiving an Award, which information shall be filed with the Court under seal.

I will issue additional orders approving Awards certified by the CRT and transferring further sums from the Settlement Fund as the CRT certifies them to this Court.

Dated: Brooklyn, New York  
April 13, 2005

SO ORDERED:



Edward R. Korman  
United States District Judge

## CLAIMS RESOLUTION TRIBUNAL

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-Annex A - REDACTED

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of April 4, 2005 the following Award for approval by the Court and payment by the Special Masters:

<b>Account Owner Name and Claim Number</b>	<b>Award Amount (SFr.)</b>
<i>Österreichische Zuckerindustrie AG ("ÖZAG") 215866/MC</i>	26,450,993.36
<b>Total Award Amount in Swiss Francs</b>	26,450,993.36
<b>Total Award Amount in U.S. Dollars <sup>1</sup></b>	21,860,325.09

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<sup>1</sup> Exchange rate as of April 4, 2005 of 1.21 Swiss Francs per U.S. Dollar.