

**Holocaust Victim Assets Litigation
Case No. CV 96-4849**

**Swiss Banks Settlement Fund Distribution Statistics as of June 30, 2011
(Amounts Approved by the Court)**

Totals as of June 30, 2011:

	<u>Funds distributed or allocated</u>	<u>Approved Claimants</u>
Deposited Assets Class	\$715,243,258 ¹	≅ 17,985 ²
Looted Assets Class	\$205,000,000	≅ 232,749 ³
Slave Labor Class I	\$287,155,100	197,983
Slave Labor Class II	\$826,500	570
Refugee Class	\$11,600,000	4,158
Insurance Awards ⁴	\$1,433,062	118
Incentive Awards ⁵	\$575,000	7
Victim List Project ⁶	\$10,000,000	n/a
GRAND TOTAL:	\$1,231,832,920	≅ 453,570 claimants

1. Deposited Assets \$715,243,258

CRT-II

Documented Awards

Total Amount:	\$507,774,134	(through CRT Batch 201)
Total Awards:	2,938	
Total Accounts Awarded:	4,659	
Average Award:	\$150,128 ⁷	
Average Account:	\$95,538	

***Plausible Undocumented
Awards***

Total Amount:	\$61,526,132	
Total Awards:	12,298	
Award Amount:	\$5,000	(increased by Court Order dated June 16, 2010 by additional \$2,250) ⁸

Amount authorized for
adjustment of presumptive
values used in Documented
Awards and additional
payments for Plausible
Undocumented Awards **\$127,758,500**

CRT-I

Total Amount: **\$18,184,492**

2. <u>Looted Assets</u> (JDC, Claims Conference and IOM):	\$205,000,000	allocated to programs serving needy survivors	
		Jewish:	\$184,500,000
		Non-Jewish (10%):	\$20,500,000
		Of Jewish Allocation:	
		Former Soviet Union	\$138,375,000
		(75%):	
		Rest of World (25%):	\$46,125,000
		Israel (50%)	\$23,062,500
		Rest (50%)	\$23,062,500
3. <u>Slave Labor I</u> <u>(\$1,450 each)</u>	\$287,155,100	awarded for 197,983 Nazi victim claims approved⁹	
Claims Conference:	\$252,197,050	for 173,929 Jewish Nazi victim claims approved	(through Tranche 33)
IOM:	\$34,958,050	for 24,054 Roma, Jehovah's Witness, Homosexual and Disabled Nazi victim claims approved ¹⁰	(through Group XXI)
4. <u>Slave Labor II</u> <u>(\$1,450 each)</u>	\$826,500	awarded for 570 Nazi victim claims approved¹¹	
(IOM only)			(through Group XXI)
5. <u>Refugees (\$3,625</u> <u>or \$725 each)</u>	\$11,600,000	awarded for 4,158 Nazi victim claims approved¹²	
Claims Conference:	\$10,783,650	for 3,923 Jewish Nazi victim claims approved	(through Group 33)
IOM:	\$816,350	for 235 Roma, Jehovah's Witness, Homosexual and Disabled Nazi victim claims approved	(through Group XXI)

¹ In an Order dated June 16, 2010, the Court authorized \$100,000,000 for adjustments to documented claims based upon an increase in certain presumptive values. In addition, the Order authorized additional payments of \$2,250 each to those who already received plausible undocumented awards, for a total of approximately \$27,758,500. A substantial portion of the \$127,758,500 has been distributed to class members and payments continue to be made.

² This figure is comprised of 5,687 claimants and represented parties (i.e., individuals who provided the CRT with Power of Attorney forms authorizing claimants to represent them) approved thus far for awards based upon documentary evidence obtained from Swiss banks and other sources, under the process administered in Zurich by the Claims Resolution Tribunal (CRT-II) under the authority of the United States District Court for the Eastern District of New York.

The total number of approved claimants is also comprised of 12,593 claimants approved thus far to receive Deposited Assets Class awards based upon their plausible undocumented claims, under the CRT-II process administered in New York under the Court's authority. Each such plausible undocumented award is in the amount of U.S. \$5,000.00 (amount increased by Court Order of June 16, 2010 to \$7,250). Through continuing analysis of the bank files on the part of CRT staff in Zurich, documented awards were subsequently located for 295 individuals. For these 295 individuals, the \$5,000 payment and where applicable \$2,250 supplement made to them based on their plausible undocumented payment was deducted from the amount of the documented award. Accordingly, the total number of claimants receiving plausible undocumented awards is reflected in these statistics as 12,298 rather than 12,593 because the additional 295 claimants already are included in the 5,687 set forth above (i.e. the number of individuals who have received awards based upon bank records or other documentary evidence). Additionally, the total dollar amount of plausible undocumented awards decreases slightly as documented awards are subsequently located and the total payments for documented awards increase. As additional claims are determined to be eligible upon secondary review, SDAP will continue to submit these claims for the Court's review and approval.

As a result of thousands of payment adjustments that have been made since the Court's June 16, 2010 order concerning presumptive values and plausible undocumented awards, the payment data continues to be tabulated. Continuing adjustments are anticipated. Final payment figures will be reported when the claims process is complete.

At the recommendation of CRT-II, the Court has issued an additional 98,782 decisions rejecting claims, consisting of (1) 6,647 denials, (2) 2,284 determinations of inadmissibility, and (3) 89,851 "No Match" Decisions. These terms are defined as follows:

(1) Denials are defined as claims that the CRT determines to be ineligible for awards. There are a variety of bases for such determinations: (a) the claimant's relative and the account owner are not the same individual, based upon information in the bank records and/or other sources ("identity" denials); (b) the available evidence indicates that the account was closed properly and the account owner received the proceeds ("disposition denials"); (c) the claimant is not entitled to the claimed account, whether due to the absence of a family relationship to the account owner or for other reasons ("entitlement" denials); and (d) the name(s) of the relative(s) claimed to have owned Holocaust-era Swiss bank accounts, and the names of account owners made available to the CRT by the Swiss banks or located via other sources, do not match ("no match" denials).

(2) Inadmissibility decisions are defined as claims that the CRT determines to be ineligible to participate in the Deposited Assets Class process. Under the terms of the Settlement Agreement, only the accounts of "Victims or Targets of Nazi Persecution" can be paid from the Settlement Fund. The Settlement Agreement defines "Victims or Targets of Nazi Persecution" as those who were, or were perceived to be, Jewish, Romani, Jehovah's Witness, disabled, or homosexual. Neither the CRT nor the Court has the authority, under the terms of the Settlement Agreement, to address Deposited Assets Class claims asserted on behalf of account owners who were not "victims or targets" as defined above.

(3) "No Match" Decisions are issued when the CRT determines that there are no accounts in the Account History Database (AHD) matching to names of account owners that have been provided to the CRT by the claimant. The AHD consists of 36,131 accounts identified during the investigation of Swiss banks by the Independent Committee of Eminent Persons (ICEP or the Volcker Committee) as probably or possibly belonging to victims of Nazi persecution, augmented to 38,624 by account information obtained by the CRT from other sources. See Special Master Helen B. Junz Letter to Judge Edward R. Korman of October 10, 2008. The CRT uses advanced name matching systems and computer programs in conducting its matching analysis. Further, the CRT matches not only the names of persons specifically claimed to have owned a Swiss bank account, but the names of other family members identified by the claimant. Several hundred thousand such names have been provided by claimants and matched to the AHD.

³ Approximately 232,749 surviving Nazi victims have been compensated from the Settlement Fund through programs serving the neediest members of the Looted Assets Class. The figure is derived from the following three sources:

(1) An estimated 26,298 Jewish victims to date have been served by programs administered on the Court's behalf by the Conference on Jewish Material Claims Against Germany, Inc. (Claims Conference). See February 9, 2011 Letter of Greg Schneider, Claims Conference Executive Vice President, to Special Master Judah Gribetz and Deputy Special Master Shari C. Reig as well as attached statistical chart concerning the number of victims served as of December 31, 2010. According to the Letter, "...As opposed to other classes under the Settlement such as Slave Labor Class I and Refugee Class in which a class member is entitled to one payment per lifetime, social services and emergency grants provided under Looted Assets Class may be given multiple times to the same Nazi victim during the course of the 10 year funding period. Indeed, many Nazi victims receiving an emergency grant under Looted Assets Class in one year will, in fact, require a second or third grant in the subsequent year(s). Concomitantly, not every Nazi victim will require multiple grants and further new clients are added. The result is that we do not have a cumulative list of the number of Nazi victims who benefited under Looted assets; rather, annual totals of the number of Nazi victims served. By definition, the total cumulative number served over the nine-year period to date must exceed any particular annual number served because, although many of the same Nazi victims are again served in a second year, many new clients are also added. The total number served cannot be lower than the total number of people served in years past; that service, once received, is counted toward the grand total of all people assisted even if they do not receive the same aid in later years. Therefore, surely, the number of Nazi victims aided under Looted Assets via the Claims Conference for the period July 1, 2001-December 31, 2010 exceeds the number of survivors served in a one-year period, namely 26,298."

(2) The Court's programs on behalf of Jewish Nazi victims in the Former Soviet Union are administered by the American Jewish Joint Distribution Committee (JDC) through its *Hesed* program. Since 2001, an estimated 132,611 Jewish Nazi victims have been served by the Looted Assets Class program in the FSU. See February 10, 2011 Letter of Herbert Block, Assistant Executive Vice President of the JDC, to Special Master Judah Gribetz and Deputy Special Master Shari C. Reig. The total number of Jewish Nazi Victims served by the Looted Assets Class program in the FSU was calculated based on the average number of JDC clients who received services funded by the Swiss Banks Settlement Fund from the period of 2003 through 2005. As the February 10, 2011 Letter explains:

"From the period of July 2001 until September 2010, a total of 206,238 Jewish victims of Nazi persecution received welfare services as clients of the network of *Hesed* welfare centers in the Former Soviet Union (FSU), administered by the JDC. Some of these clients received services which were funded under the Looted Assets Class of the Swiss Banks Settlement...for each year during the period of 2003- 2005, on average 64.3% of Jewish Nazi victims in the FSU received services funded by the Looted Assets Class of the Swiss Banks Settlement. As JDC does not track funding of services for individual clients by funding source across years, based on this average we estimate that the approximate total number of individual clients in the FSU who have been assisted to-date with Court funds to be at least 132,611¹. However, it is likely that, in fact, the number of clients served by Settlement funds is actually somewhat higher than calculated by this statistical averaging method. This is due to the fact that every year that Looted Assets Class services are provided, some number of individuals will be receiving services for the first time, even if the total number of persons served by the program in that year may have decreased. Thus, the cumulative number of persons served will be higher than the number derived by determining the average number of persons served in any given year or period of years. The cumulative number, however, is unavailable for the reasons described above.

¹Each year food packages have been the service provided to the great[est] number of clients and therefore the percentage of clients who received this service was used to calculate the total clients served by Settlement funds. However, as the percentage of clients who received food packages funded by the Settlement decreased in 2006-2010 (as Settlement funds were used more for homecare services), if the 2006-2010 percentages were included in the calculation it would artificially and inaccurately decrease the total number of clients served. Final client statistics for 2010 are not available yet but will not likely change the numbers cited above."

(3) 73,840 non-Jewish victims (Roma, Jehovah's Witness, disabled and homosexual) were served by programs administered on the Court's behalf by the International Organization for Migration (IOM). See "Final Report on Assistance to Needy, Elderly Survivors of Nazi Persecution Humanitarian and Social Programmes", IOM-HSP 2006.

⁴ The Swiss Banks Settlement Insurance Claims Process provides Nazi Victims and their heirs the opportunity to have claims concerning policies purchased from certain insurance companies (the "Participating Companies") between 1920 and 1945 adjudicated by the CRT. Under the terms of the Insurance Claims Process, the Settlement

Agreement compensates claimants who can demonstrate that they are the legitimate owners of or heirs to unpaid insurance policies issued prior to or during the Second World War by the Participating Companies. Claimants are also required to demonstrate that policyholders or policyholders' heirs were Victims or Targets of Nazi Persecution.. For specific payments, see Orders dated April 13, 2005, May 31, 2005, October 27, 2006, April 25, 2008, May 16, 2009 and April 29, 2011. For a list of the Participating Insurance Carriers, please see: "Insurance Claims Resolution Process - Exhibit 1" (http://www.crt-ii.org/_insurance/in_exhibit_1.phtm).

⁵ \$575,000 in payments were authorized to seven class members whom the Court determined provided "efforts [which] materially aided the plaintiff class." See, e.g., Memorandum & Order, December 4, 2002.

⁶ The Court-approved Distribution Plan allocates \$10 million to the Victim List Program (less than 1% of the \$1.25 billion Settlement Fund). The intent of the Program is to collect and make widely available the names of all victims or targets of Nazi persecution, those who perished as well as those who survived. To date, \$6,605,000 has been allocated to the Yad Vashem Holocaust Martyrs' and Heroes' Remembrance Authority in Israel, and \$3,345,980 to the United States Holocaust Memorial Museum. A total of \$9,950,980 has been distributed thus far under the Victim List Project.

⁷ In calculating the average values, the batch 75 award (\$21,860,325.09), two batch 110 awards (\$15,688,718.34 and \$9,610,660.66), the Award *In re Löw* (\$12,030,605.95), and the award and award amendment *In re Ungar* in set 192 were excluded because their size would have skewed the results. The average values further exclude payments of decisions on appeal totaling US \$4,500,173.97 in which the earlier award was not rescinded, and the payment pursuant to an agreement approved by the Court on March 5, 2010 in *In re Alfons and Maria Thorsch* (\$3,757,657.19). On the other hand, the calculation includes several appeal awards issued upon reversals of earlier decisions as recommended by Specials Masters Bradfield and Junz and issued by the CRT.

The average values have not been recalculated to reflect presumptive value adjustments.

⁸ See footnote 1.

⁹ All Slave Labor Class I programs have been completed.

¹⁰ This includes 175 IOM claims approved upon appeal. In addition, the IOM has recommended that the Court reject 16,387 Slave Labor Class I claims because the claimants did not plausibly demonstrate that they satisfied the relevant criteria as set forth in the Distribution Plan and subsequent implementation orders. .

¹¹ This includes thirteen IOM claims approved upon appeal. See Memorandum & Order dated January 19, 2007. The IOM also has recommended that the Court reject 16,637 Slave Labor Class II claims because the claimants did not plausibly demonstrate that they satisfied the relevant criteria as set forth in the Distribution Plan and subsequent implementation orders. All Slave Labor Class II programs have been completed.

¹² This includes four IOM claims approved upon appeal. See Memorandum & Order dated January 22, 2007. In addition to the claims approved for payment cited herein, another 2,179 Refugee Class claims have been recommended for rejection by the Claims Conference (1,315) and IOM (864), respectively, because the claimants did not plausibly demonstrate that they satisfied the relevant criteria as set forth in the Distribution Plan and subsequent implementation orders. All Refugee Class programs have been completed.

SWISS BANKS SETTLEMENT FUNDS
DISTRIBUTED TO JEWISH NAZI VICTIMS ONLY AS OF DECEMBER 31, 2010^{1,2}

Programs	Totals	Israel	U.S.	FSU	Other
Slave Labor Class I ³	\$252,197,050	\$118,976,850	\$56,783,450	\$6,504,700	\$69,932,050
# of beneficiaries	173,929	82,053	39,161	4,486	48,229
% of total funds		47.2%	22.5%	2.6%	27.7%
Refugee Class	\$10,783,650	\$2,536,050	\$4,434,825	\$11,600	\$3,801,175
# of beneficiaries	3,923	1,079	1,430	3	1,411
% of total funds		23.5%	41.1%	0.1%	35.2%
CRT-II (bank deposit) ⁴	\$565,507,086	\$59,323,412	\$256,523,300	\$652,111	\$249,008,263
# of beneficiaries	17,945	3,486	7,413	67	6,979
% of total funds		10.5%	45.4%	.1%	44.0%
Looted Assets (distributed)	\$175,376,915	\$21,965,959	\$7,015,077	\$131,532,685	\$14,863,194
# of beneficiaries	158,909	19,028	1,268	132,611	6,002
% of total funds		12.5%	4.0%	75%	8.5%
Totals by Region	\$1,003,864,701	\$202,802,271	\$324,756,652	\$138,701,096	\$337,604,682
Percentages by Region		20.2%	32.4%	13.8%	33.6%

¹ This chart provides data concerning distributions to Jewish Nazi victims through December 31, 2010. For data concerning distributions or allocations, through December 31, 2010, to Jewish Nazi victims, see chart entitled "Swiss Banks Settlement Funds Distributed or Allocated to Jewish Nazi Victims Only." For data concerning distributions or allocations through December 31, 2010 to all class members -- Jewish, Roma, Jehovah's Witness, homosexual and disabled -- see chart entitled "Swiss Banks Settlement Fund Distribution Statistics as of June 30, 2011."

² This chart reflects the amounts approved for distribution through December 2010. As shown on the accompanying chart, "Swiss Banks Settlement Funds Distributed or Allocated to Jewish Nazi Victims Only," a total of \$205 million has been allocated to the Looted Assets Class for the benefit of needy Nazi victims. Of that sum, \$20.5 million was allocated for the benefit of Roma, Jehovah's Witness, homosexual and disabled Nazi victims, who were served by programs operated under the Court's

supervision by the IOM; this \$20.5 million sum in fact has been fully distributed and the program is now completed. Another \$184.5 million of the \$205 million total Looted Assets Class allocation is designated for the benefit of Jewish Nazi victims, of which \$138,375,000 is designated for survivors in the Former Soviet Union, \$23,062,500 for survivors in Israel, \$7,380,000 for survivors in the United States, and \$15,682,500 for survivors in the rest of the world. These sums are allocated and will be distributed through 2011 pursuant to the Distribution Plan.

³ The information reported herein reflects data of the residence of Slave Labor Class I recipients at the time of approval as reported to the Special Master by the Claims Conference. The Claims Conference has completed its processing of Slave Labor Class I claims (as well as Refugee Class claims). The Claims Conference reports that subsequent to receiving their Slave Labor Class I payments, 217 recipients left their place of residence in the FSU. Of these, 41 recipients moved to Israel, 85 recipients moved to the US and 91 recipients moved to other locations.

⁴ In addition to the \$565,507,086 reflected in the chart herein (as of December 31, 2010), the Court authorized \$127,700,000 for adjustments to documented claims based upon an increase in certain presumptive values and payments to those who already received plausible undocumented awards in an Order dated June 16, 2010. A substantial portion of the \$127,700,000 has been distributed to class members and payments continue to be made. At this time, data concerning the geographic distribution of the \$127,700,000 in additional authorized funds is not available. See accompanying chart, "Swiss Banks Settlement Fund Distribution Statistics as of June 30, 2011," for additional information.

SWISS BANKS SETTLEMENT FUNDS
DISTRIBUTED OR ALLOCATED TO JEWISH NAZI VICTIMS ONLY AS OF DECEMBER 31, 2010¹

Programs	Totals	Israel	U.S.	FSU	Other
Slave Labor Class I ²	\$252,197,050	\$118,976,850	\$56,783,450	\$6,504,700	\$69,932,050
# of beneficiaries	173,929	82,053	39,161	4,486	48,229
% of total funds		47.2%	22.5%	2.6%	27.7%
Refugee Class	\$10,783,650	\$2,536,050	\$4,434,825	\$11,600	\$3,801,175
# of beneficiaries	3,923	1,079	1,430	3	1,411
% of total funds		23.5%	41.1%	0.1%	35.2%
CRT-II (bank deposit) ³	\$565,507,086	\$59,323,412	\$256,523,300	\$652,111	\$249,008,263
# of beneficiaries	17,945	3,486	7,413	67	6,979
% of total funds		10.5%	45.4%	.1%	44.0%
Looted Assets (allocated) ^{4,5}	\$184,500,000	\$23,062,500	\$7,380,000	\$138,375,000	\$15,682,500
# of beneficiaries (to date)	158,909	19,028	1,268	132,611	6,002
% of total funds		12.5%	4%	75%	8.5%
Totals by Region	\$1,012,987,786	\$203,898,812	\$325,121,575	\$145,543,411	\$338,423,988
Percentages by Region		20.1%	32.1%	14.4%	33.4%

¹ This chart provides details as to the \$1,012,987,786 in distributions or allocations from the Settlement Fund that have been approved specifically for the benefit of Jewish Nazi victims through December 31, 2010. Additional amounts also have been distributed or allocated from the Settlement Fund, so that the total amount distributed or allocated on behalf of all class members, including Jewish, Roma, Jehovah's Witness, homosexual and disabled class members, is \$1,227,820,491 as of December 31, 2010. In addition to the \$1,012,987,786 reflected in the chart herein, the \$1,227,820,491 also is comprised of the following sums: (1) A total of \$57,100,900 has been approved for distribution to Roma, Jehovah's Witness, homosexual and disabled class members as follows: a) \$20,500,000 has been distributed under the Court's supervision by the IOM via its program serving needy non-Jewish members of the Looted Assets Class; that program is now completed; b) in addition, to date, \$34,958,050 has been approved for payment to non-Jewish Slave Labor Class I members, \$826,500 to Slave Labor Class II members, and \$816,350 to non-Jewish Refugee Class members (all of the foregoing

claims having been processed by the IOM and all of these programs have been completed); (2) \$18,184,492 was distributed to recipients of deposited assets class payments under CRT-I (predecessor to CRT-II which operated between 1997 and early 2001); pursuant to the Settlement Agreement, CRT awards were paid by the Settlement Fund; (3) \$1,272,313 has been distributed to claimants who have demonstrated that they are the legitimate owners of or heirs to unpaid insurance policies issued prior to or during the Second World War by certain insurance companies; (4) \$575,000 in payments were made to seven class members whom the Court determined provided “efforts [which] materially aided the plaintiff class”; see e.g. Memorandum & order, December 4, 2002; (5) \$10,000,000 has been allocated to the Victim List Project; and (6) \$127,700,000 was authorized by the Court on June 16, 2010 for the adjustment of presumptive values used in documented awards and additional payments for plausible undocumented awards. For additional information, see Swiss Banks Settlement Fund Distribution Statistics as of June 30, 2011.

² The information reported herein reflects data of the residence of Slave Labor Class I recipients at the time of approval as reported to the Special Master by the Claims Conference. The Claims Conference has completed its processing of Slave Labor Class I claims (as well as Refugee Class claims). The Claims Conference reports that subsequent to receiving their Slave Labor Class I payments, 217 recipients left their place of residence in the FSU. Of these, 41 recipients moved to Israel, 85 recipients moved to the US and 91 recipients moved to other locations.

³ As of December 31, 2010, CRT-II totals consisted of (1) 2,928 awards to 5,663 beneficiaries for 4,647 documented accounts (for a total of \$504,042,548 to date), the vast majority of which belonged to Jewish Nazi victims; and (2) 12,282 awards to beneficiaries with plausible undocumented claims (for a total of \$61,464,538 to date). The average CRT-II bank account award for documented accounts is \$149,365 and the average CRT-II account value for documented accounts is \$94,982. See Chart entitled “Swiss Banks Settlement Fund Distribution Statistics as of June 30, 2011” for additional and updated information. In addition to the \$565,507,086 reflected in the chart herein, the Court authorized another \$127,700,000 for adjustments to documented claims based upon an increase in certain presumptive values and payments to those who already received plausible undocumented awards in an Order dated June 16, 2010. A substantial portion of the \$127,700,000 has been distributed to class members and payments continue to be made. At this time, data concerning the geographic distribution of the \$127,700,000 in additional authorized funds is not available. In addition, the average values have not been recalculated to reflect presumptive value adjustments.

⁴ This chart reflects the total funds allocated from the Looted Assets Class to needy Jewish Nazi victims, a sum of \$184.5 million. These funds are to be paid out over a ten-year period, assuming that the same historical percentages will be used for future distributions. See Distribution Plan, Exhibit 6. The Court has also allocated a total of \$20.5 million for the benefit of Roma, Jehovah's Witness, homosexual and disabled Nazi victims, who were served by programs operated under the Court's supervision by the IOM. In total, \$205 million has been allocated to the Looted Assets Class for the benefit of needy Nazi victims.

⁵ As of December 31, 2010, \$1,003,864,701 has been distributed to Jewish class members: 20.2% to those in Israel; 32.4% to those in the U.S.; 13.8% to those in the FSU; and 33.6% to those in other nations. See Chart entitled “Swiss Bank Settlement Funds Distributed to Jewish Nazi Victims Only as of December 31, 2010.”