

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

IN RE: HOLOCAUST VICTIM ASSETS
LITIGATION

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)

MEMORANDUM & ORDER

KORMAN, J.:

At the inception of this claims process, I allocated up to \$800 million for distribution to members of the Deposited Assets Class. To date, I have authorized payments to thousands of Holocaust-era Swiss bank depositors and their heirs, and awards thus far total more than \$716 million.

In the interest of ensuring that Holocaust survivors and/or their heirs were given ample opportunity to receive payment, in an order dated August 17, 2011 I authorized the Swiss Deposited Assets Program (SDAP), which on the Court's behalf processes payments recommended by the Claims Resolution Tribunal in Zurich (CRT), to initiate by letter one final communication with claimants who had yet to provide the necessary documentation required for SDAP to process payment. Individuals living within the United States were to be provided thirty (30) days, and individuals living outside the United States were to be provided sixty (60) days from receipt of SDAP's letter to resolve any outstanding payment issues and to provide SDAP with the completed documentation necessary to process payment, including a signed

Acknowledgment Form. I further specified that any payments that could not be processed within that time frame would revert to the Settlement Fund for distribution to other class members.

After completion of this directive a number of Deposited Assets Class awards remained unpaid. Therefore, in 2 orders dated December 13, 2012 and January 17, 2013 I authorized a total of 1,193 awards to be withdrawn and the corresponding funds totaling \$5,258,787.90 to immediately revert to the Settlement Fund.

A total of 11 awards will be withdrawn in this set and the corresponding funds, totaling \$14,181.03, will immediately revert to the Settlement Fund. These unpaid awards are detailed in Annexes A through D of this Order. Annex A lists the CRT's unpaid documented award, of which SDAP processed the payments for Batches 45-201. There is 1 unpaid award amount in this category totaling \$51.91, which will revert to the Settlement Fund. Annex B lists the unpaid Presumptive Value Adjustment award. There is 1 unpaid award in this category totaling \$129.12, which will revert to the Settlement Fund. Annex C lists the unpaid Plausible Undocumented Award in the amount of \$5,000, which will revert to the Settlement Fund. Annex D lists the 4 unpaid Plausible Undocumented Award Bump-Ups¹, totaling \$9000, which will revert to the Settlement Fund.

With this set a total of 1,204 awards, with a value of \$5,272,968.93, will have been withdrawn and returned to the Settlement Fund.

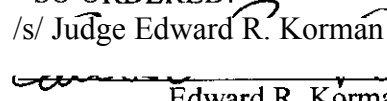
Therefore, it is hereby

ORDERED that the 11 payments previously approved for members of the

¹ Two PUA Bump-Up Claimants living outside the United States and included in this Withdrawal Order requested and were sent checks after SDAP had received all the required documentation. They were given the shorter 30-day deadline to deposit the funds into their accounts.

- Deposited Assets Class that remain unpaid will be withdrawn and the corresponding funds
- totaling \$14,181.03 shall immediately revert to the Settlement Fund for distribution to other class members. *And, it is further ordered that Exh. b. + s A-D be filed under seal.*

Dated: Brooklyn, New York
December 27, 2013

SO ORDERED:
/s/ Judge Edward R. Korman

Edward R. Korman
United States District Judge