

# HOLOCAUST SURVIVORS BLAST OWN ATTORNEYS

Outraged Holocaust survivors are blasting their lawyers for seeking exorbitant fees for settling their historic suits against Swiss and German companies.

Charging that their 50-year search for justice is being tarnished, members of the American Gathering of Jewish Holocaust Survivors passed a formal resolution last week protesting efforts by some lawyers to grab a hefty chunk of their cash settlements.

The fees they're seeking could be in the hundreds of millions of dollars.

"While we fully support and agree with the principal of expense reimbursement to the attorneys involved, the awarding of legal fees is simply incomprehensible to survivors since it comes from the very assets stolen from us under circumstances which have no historical precedent," the survivors said in their resolution.

The group's chairman, Roman Kent, a Polish-born survivor of the Auschwitz death camp, put it more strongly.

"First the Germans were stealing from us. Then it was the Swiss banks. Now it's our lawyers. We won't stand for it."

The aging Holocaust victims have been growing increasingly upset about the conduct of their legal representatives, who serve together on an executive committee handling Holocaust-era litigation.

Among the developments that have the survivors seething:

■ New York lawyer Edward Fagan visited Australia — home to thousands of Holocaust survivors — earlier this month to solicit survivors for a class-action slave-labor suit against German companies.

The "registration form" he gave potential clients required a \$50 sign-up fee and a pledge to pay unspecified "contingency fees" once the case is resolved.

Last week, one of Fagan's original clients, Giselle Weisshaus, filed a \$40 million racketeering suit against Fagan, claiming her lawyer took kickbacks.

■ New York lawyer Bob Swift publicly demanded that the 10 to 15 lawyers who worked on the Swiss banks suit share 2 percent — or \$25 million — of the recent \$1.25 billion settlement reached with Hol-

By NILES LATHAM  
and CHRISTOPHER  
FRANCESCANI

ocaust victims.

■ Washington lawyer Michael Hausfeld, who worked free of charge on the Swiss banks case, has said lawyers would seek fees in slave-labor cases against German companies.

"We are trying to keep it to the single-digit percentage — if possible," he said.

It's believed the settlement could be as high as \$2 billion, which would mean legal fees could top \$100 million.

The survivors' extraordinary attack on their lawyers comes on the heels of a series of disputes over distribution of the \$1.25 billion won from Swiss banks that began shortly after the settlement was reached in September.

The disputes have resulted in more lawsuits as well as petitions by some lawyers to oust others



**EDWARD FAGAN**  
Being sued by ex-client.

working on the case.

"This is embarrassing, it's distressing and it's reprehensible," said Elon Steinberg, spokesman of the World Jewish Congress, the group at the forefront of the worldwide effort to get restitution for Holocaust victims.

Brooklyn federal Judge Edward Korman, who presided over the Swiss banks settlement, refused to comment on the ever-growing legal morass.

But this week he appointed well-known New York lawyer Judah Gribetz as "special master" to devise a plan to distribute the \$1.25 billion among the survivors and their families.

Fagan, clearly the most controversial lawyer in the case, denied he's engaged in global ambulance chasing or profiteering. He claimed the Holocaust victims are being "manipulated" by political interests.

**"First the Germans were stealing from us. Then it was the Swiss banks. Now it's our lawyers."**

ROMAN KENT, DEATH CAMP SURVIVOR

*N.Y. Post*

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# United States District Court

*EASTERN*

DISTRICT OF

*NEW YORK*

GIZZELLA WEISSHAUS.

-against-

SOL MERMELSTEIN, IERSH GINSBERG a/k/a  
ZVI MEIR GINSBERG, WARREN GLASSNER,  
JAMES H. SHAW JR., RICHARD D. HUTTNER,  
JOHN LEVENTHAL, LOUIS ROSENTHAL,  
JEROME M. BECKER, EDWARD FAGAN,  
AGUDAS HARABBONIM a/k/a UNION OF  
ORTHODOX RABBIS OF THE UNITED  
STATES AND CANADA. LAW FIRM OF  
"REGOSIN, EDWARDS, STONE AND  
FEDER, ESQ.", SAUL E. FEDER, JOSEPH  
MAINIERO, JEFFERY Y. BUSS, ROBERT  
GOLDSTEIN, NORMAN LANGER, THE  
BANK OF NEW YORK and the STATE  
OF NEW YORK.

## SUMMONS IN A CIVIL CASE

CASE NUMBER:

# CV 99 1493

TO: (Name and address of defendant)

*SEE ATTACHED*

**KORMAN, J.**  
**AZRACK, M.**

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

*PRO SE:*

*GIZELLA WEISSHAUS  
203 WILSON ST.  
BROOKLYN, N.Y. 11211*

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**ROBERT C. HEINEMANN**

**MAR 16 1999**

CLERK

DATE

*Felicé*

(BY) DEPUTY CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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GIZELLA WEISSHAUS,

Plaintiff,

-against-

Civil Action No.

SOL MERMELSTEIN, HERSH GINSBERG a/k/a  
ZVI MEIR GINSBERG, WARREN GLASSNER,  
JAMES H. SHAW JR., RICHARD D. HUTTNER,  
JOHN LEVENTHAL, LOUIS ROSENTHAL,  
JEROME M. BECKER, EDWARD FAGAN,  
AGUDAS HARABBONIM a/k/a UNION OF  
ORTHODOX RABBIS OF THE UNITED  
STATES AND CANADA, LAW FIRM OF  
"REGOSIN, EDWARDS, STONE AND  
FEDER, ESQ.", SAUL E. FEDER, JOSEPH  
MAINIERO, JEFFERY Y. BUSS, ROBERT  
GOLDSTEIN, NORMAN LANGER, THE  
BANK OF NEW YORK and the STATE  
OF NEW YORK,

Defendants.

-----X  
  
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**COMPLAINT**  
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GIZELLA WEISSHAUS  
Plaintiff Appearing Pro Se  
203 Wilson Street  
Brooklyn, New York 11211  
Tel. (718) 387-0026  
Fax (718) 387-6370



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

March 31, 1999

ELIOT SPITZER  
Attorney General

Hon. Edward R. Kornan  
United States District Court  
Eastern District of New York  
U.S. Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 11201

RICHARD REFIN  
Deputy Attorney General  
State Counsel Division

JAMES B. HENLY  
Assistant Attorney General in Charge  
Litigation Bureau

Re: Weisshaus v. Mermelstein  
99 Civ. 1493 (ERK) JMA

Dear Judge Kornan:

This office represents the defendants, Hon. James H. Shaw and Hon. Richard Huttner ("State Defendants"), in the above-referenced matter.

Enclosed please find a Proposed Order and Affidavit requesting an extension of time to respond to plaintiff's complaint on behalf of State Defendants. Plaintiff is herewith being served with a copy and the original being filed with the Clerk of the Court.

Respectfully submitted,

Keith P. Brown (KPB - 3898)  
Assistant Attorney General

KPB/kpb

Enc.

cc: Mr. Gizzella Weisshaus (via regular mail-w/ enclosures)

