

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED: APRIL 30, 2004

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IN RE: HOLOCAUST VICTIM
ASSETS LITIGATION

Case No. CV-96-4849
(ERK)(MDG) (Consolidated
with CV-99-5161 and
CV-97-461)

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MEMORANDUM & ORDER

This Document Relates to: All Cases

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KORMAN, Chief Judge:

Plaintiffs' lead counsel, Burt Neuborne, has filed a motion asking the court for an order "(1) compelling defendant banks to restore to the Account Holder Database (AHD) all non-duplicative accounts removed from the original ICEP listing of 54,000 accounts 'probably or possibly' owned by Holocaust victims, and to augment the AHD by adding all unpaid accounts previously identified by defendants or by Swiss authorities as possibly owned by Holocaust victims, including accounts identified in 1962 and 1997; (2) directing the publication of all accounts listed on the AHD database, including the approximately 15,000 accounts falling into Categories III(B) and IV that have not yet been published, and the republication of all accounts previously identified as possibly owned by Holocaust victims; (3) authorizing CRT II officials to match claims against the Total Accounts Database (TAD) in settings where CRT II officials believe such matching to be necessary for the just and efficient processing of a given claim; (4) authorizing CRT II officials to investigate documentary material related to a matched account when necessary for the fair and efficient processing of a claim

to that account whether or not the documentary material is located in an ICEP audit folder; (5) compelling defendants to cooperate in the establishment of a CRT II claims facility in New York City to be administered in accordance with rules assuring strict confidentiality; and (6) providing CRT II claims officials with access to all documents in defendants' possession identifying accounts possibly owned by Holocaust victims." While this motion is related to the above captioned action and arises out of it, in light of the strongly held views regarding the actions of the Swiss banks that I have already expressed, it would be more appropriate for the motion to be heard by another judge. I therefore recuse myself from this particular matter and direct the Clerk of the Court to give the motion a separate docket number for administrative purposes and assign it to District Judge Fredric Block, who has already handled certain aspects of this case from which I recused myself.

SO ORDERED:

s/ Edward R. Korman

Edward R. Korman
United States District Judge

Dated: April 21, 2004
Brooklyn, New York