

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF NEW YORK

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ASSOCIATION OF HOLOCAUST VICTIMS :
FOR RESTITUTION OF ARTWORK :
and MASTERPIECES, a/k/a "AHVRAM", et al : 04 - CIV - 8457 (LTS)
Plaintiffs, :
vs. :
REPUBLIC OF HUNGARY, et al : SUPPLEMENTAL
Defendants.: : DECLARATION OF
EDWARD D. FAGAN
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Edward D. Fagan, hereby declares and says:

- 1. I am one of the plaintiffs in this matter and I make this application in support of plaintiffs' request that the Court permit the case to continue.
2. With this Affidavit, I am providing a copy of the subpoena for the document(s) which are located in NY, in the custody, possession or control of Roman Pipko Esq. individually and/or with the Commission for Art Recovery "CAR", located at 767 Fifth Avenue, New York, NY.
3. It was this/these document(s) which were referenced in the December 27, 2005 Affidavit of Dr. Joram Deutsch and my December 27, 2005 Declaration and which unequivocally provide credible evidence to support plaintiffs' claims of, among other things:
a. the conspiracy by these defendants and others against Prof. Hans Deutsch in particular;
b. the conspiracy by these defendants against Holocaust Victim Art Restitution in general;

- c. the conspiracy through which these defendants wrongfully expropriated, nationalized, concealed and/or otherwise retained property of the plaintiffs; and
  - d. the conspiracy through which these defendants owe plaintiffs (i) restitution of the paintings and/or masterpieces or their reasonable fair market value and (ii) other damages directly related to each of the defendants' involvement in and profiteering from the conspiracy.
4. Plaintiffs therefore respectfully pray that the Court and to allow us to continue with the prosecution of this case.

**VERIFICATION**

I hereby confirm that the foregoing statements are true to the best of my knowledge information and belief and/or are based on information that I have learned and which has been provided to me through the ongoing investigation and/or from our investigators.

/s/ \_\_\_\_\_  
Edward D. Fagan

Dated: December 29, 2005  
Tampa, Florida

*Note: A hard copy of the original signature page of this document is being filed separately.*