

ALLGEMEINER ENTSCHÄDIGUNGSFONDS  
FÜR OPFER DES NATIONALSOZIALISMUS  
General Settlement Fund for Victims of National Socialism

Mr.  
Leon Fischer

205 East 77th Street  
New York  
NY 10021  
USA

Vienna, 6 November 2008

Dear Mr. Fischer,

I enclose with this letter the formal decision of the Claims Committee on the claims for compensation which you submitted to the General Settlement Fund.

My purpose in this letter is to explain the effect of the decision reached in your case. The precise details are covered in the various documents attached to this letter.

**Claims-based procedure.** In your case you claimed for losses under the claims-based procedure established by the Law on the General Settlement Fund. After a careful evaluation of all evidence submitted by you and of other evidence available to the Fund through its own research, your claim has now been decided. Your claims have been partly upheld by the Claims Committee and partly rejected.

In the decision you will find the reasons for each rejected loss in the claims-based procedure. All claims rejected under the claims-based procedure have also been automatically re-examined under the equity-based procedure.

**Equity-based procedure.** Claims originally submitted thereunder as well as claims rejected under the claims-based procedure have been examined in the equity-based procedure. Some of your losses submitted under the equity-based procedure have been accepted and some rejected by the Claims Committee.

You will find the reasons for each rejected claim in the decision. Alongside each accepted claim you will find the value assigned to it by the Claims Committee. A fuller explanation of how the values are assigned to individual claims is available on the website <http://www.entschaedigungsfonds.at>. **I must stress, however, that this valuation does not represent a payment figure. The payment figure will be established at a later date and will only be a percentage of the value now assigned. It will be notified to you separately then.**

You should note also that it is open to the Claims Committee itself at any time to re-open this decision if new evidence comes to light, in particular regarding inheritance.

**Review.** Under certain conditions you may have the possibility of applying for a fresh decision on claims decided under the claims-based procedure. Equity-based claims are not subject to any form of reconsideration. Since you submitted claims under the claims-based procedure I may draw your attention to the enclosure "Information - Review".

If you do wish to apply for a review in this way, please note that - in the interest of all claimants - strict time limits must be observed, which can under no circumstances be extended; these time limits are explained in the enclosure.

**Initial payment (advance payment).** I am glad to be able to inform you that following completion of the general requirements, the way is now open to receive an initial payment (advance payment) from the General Settlement Fund.

If your application meets the individual requirements for an initial payment, that means, if in your case the amount calculated for your initial payment amounts to more than USD 500, you will receive an information package containing all the relevant details as soon as the deadlines have expired for you.

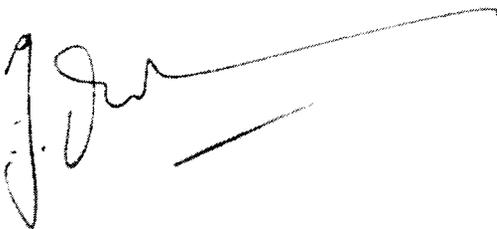
**Conclusion of the procedure (further payment).** Lastly, you will naturally be anxious to know when the final stages are likely to be completed. The process is under way but, as the Fund has received roughly 20,600 applications for compensation, you will understand that some time will still be required before the whole process is complete. I cannot forecast how long that will be, but you have my personal assurance that the General Settlement Fund will continue to handle all applications fairly, and as quickly as circumstances allow. Only after deciding on all applications and conclusion of the entire procedure will it be possible to examine a possible further payment, while taking into consideration the remaining means of the Fund.

If you require further explanation, the staff at the Fund remains at your disposal and can be contacted as follows:

General Settlement Fund  
Parliament , A-1017 Vienna, Austria  
Telephone (++43) 1 408 12 63, Telefax (++43) 1 310 00 88  
gsf-sekretariat@nationalfonds.org  
<http://www.entschaedigungsfonds.at>

I hope I have been able to explain the procedures and the framework within which the General Settlement Fund operates, and remain

Yours faithfully



Sir Franklin Berman  
(Chairman of the Claims Committee)

enclosure(s): Information "Review"  
Decision of the Claims Committee

ALLGEMEINER ENTSCHÄDIGUNGSFONDS  
FÜR OPFER DES NATIONALSOZIALISMUS  
General Settlement Fund for Victims of National Socialism

## Information

### Review

According to Sect. 17 of the General Settlement Fund Law (Bundesgesetz über die Einrichtung eines Allgemeinen Entschädigungsfonds [...], BGBl. I Nr. 12/2001, short: GSF-Law) and Sect. 18 para. 1, 3 and 4 of the Rules of Procedure of the Claims Committee (short: Rules) you have the opportunity of applying for a fresh decision in the **claims-based procedure** in the following cases:

- if one of the losses claimed by you has been dismissed within the claims-based procedure and has been re-examined under the equity-based procedure;
- if the claim value for the claimed loss is more than 20% lower than the value declared by you in the application form.

In such an application for a fresh decision you have to state the **reasons** that are in favour of an alteration of the first decision. Such reasons could, in particular, consist of evidence concerning new circumstances or an indication for factual or legal errors in the Claims Committee's judgement. For example, substantial documents might only recently have become available to you. If this should be the case, please enclose photocopies of such documents with your application for a fresh decision.

The time limit for submitting the application for a fresh decision is **10 January 2009**. Please note that the application **must have reached** the General Settlement Fund by this deadline. In case you apply for a fresh decision we kindly ask you to indicate the date of receipt of this letter in order to verify the course of mail.

The application must be directed in writing to the following address:

General Settlement Fund  
Parliament, A-1017 Vienna, Austria

According to Sect. 22 GSF-Law and Sect. 22 of the Rules there is **no** possibility of applying for a fresh determination for claims processed within the **equity-based procedure**.

ALLGEMEINER ENTSCHÄDIGUNGSFONDS  
FÜR OPFER DES NATIONALSOZIALISMUS  
General Settlement Fund for Victims of National Socialism  
ANTRAGSKOMITEE · CLAIMS COMMITTEE

The Claims Committee of the General Settlement Fund for Victims of National Socialism takes the following

## DECISION

on the application of

Leon Fischer,  
born on 23 August 1941

by its Chairman Sir Franklin Berman and the Members of the Claims Committee G. Jonathan Greenwald and Dr. Kurt Hofmann.

### 1. Losses of Elisabeth Grünbaum, born on 28 April 1898

The applicant is entitled to an inheritance share of 100%.

*Elisabeth Grünbaum was the great-aunt of the applicant. Elisabeth Grünbaum's late husband Friedrich Grünbaum predeceased her. They did not have any children. Elisabeth Grünbaum's parents left two further descendants, namely Max Herzl and Mathilde Lukacs. Max Herzl was the grand-father of the applicant. Max Herzl left one child named Renée Fischer who is the deceased mother of the applicant. Pursuant to the last will of the applicant's mother Renée Fischer, the applicant shall be her sole heir. The applicant's grand-mother Gisela Herzl has declared her daughter Renée Fischer and the applicant as her equal and only heirs in accordance with her last will. There are no further descendants known to the General Settlement Fund. Consequently, the applicant inherits the entire estate of Franz Grünbaum.*

**1.1. Movable Property:** according to the property declaration of Elisabeth Grünbaum, no. 34662 The applicant has not made a conclusive choice of the type of process. The claim was examined in the claims-based process on the basis of the available evidence. The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 2,982.50. Taking into account the applicant's inheritance right the claim amounts to **US-\$ 2,982.50**.

**1.2. Insurance Policies:** Phönix, policy no. 394.448 The applicant has not made a conclusive choice of the type of process. The claim was examined in the claims-based process on the basis of the available evidence. The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 135,588.03. Taking into account the applicant's inheritance right the claim amounts to **US-\$ 135,588.03**.

### 2. Losses of Franz Friedrich Grünbaum, born on 7 April 1880

The applicant is entitled to an inheritance share of 50%.

*Franz Grünbaum was the husband of Elisabeth Grünbaum, who was the great-aunt of the applicant. Elisabeth Grünbaum's parents had two further descendants, namely Max Herzl and Mathilde Lukacs. Max Herzl was the grand-father of the applicant. Max Herzl left one child named Renée Fischer who is the deceased mother of the applicant. Pursuant to the last will of the applicant's mother Renée Fischer, the applicant shall be her sole heir. The applicant's grand-mother Gisela Herzl has declared her daughter Renée Fischer and the applicant as her equal and only heirs in accordance with her last will. There is one great-nephew of Franz Grünbaum, namely Milos Vavra. No further descendants are known to the General Settlement Fund. Consequently, the applicant inherits half of the estate of Franz Grünbaum.*

**2.1. Movable Property:** paintings and graphics, jewelry, cash, book

The applicant has chosen the claims-based process.

The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 35,677.00.

Taking into account the applicant's inheritance right the claim amounts to **US-\$ 17,838.50**.

**2.2. Stocks / Securities:** according to the property declaration of Franz Friedrich Grünbaum, no. 44614

The applicant has chosen the claims-based process.

The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 3,480.00.

Taking into account the applicant's inheritance right the claim amounts to **US-\$ 1,740.00**.

**2.3. Debentures:** Royalties

The applicant has chosen the claims-based process.

The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 15,834.58.

Taking into account the applicant's inheritance right the claim amounts to **US-\$ 7,917.29**.

**2.4. Insurance Policies:** Riunione Adriatica Vienna, policy no. 358.252/253a

The applicant has chosen the claims-based process.

*The claim concerns an insurance policy issued by an insurance company which is not considered to be an Austrian company within the meaning of Sect. 18 para. 1 of the General Settlement Fund Law. The claim is directed against a company which is already covered by ICHEIC (International Commission on Holocaust Era Insurance Claims). Sect. 18 para. 1 lit. 2 of the General Settlement Fund Law expressly excludes such claims from the scope of application of the General Settlement Fund Law.*

**2.5. Insurance Policies:** Riunione Adriatica Vienna, policy no. 358.742/743a

The applicant has chosen the claims-based process.

*The claim concerns an insurance policy issued by an insurance company which is not considered to be an Austrian company within the meaning of Sect. 18 para. 1 of the General Settlement Fund Law. The claim is directed against a company which is already covered by ICHEIC (International Commission on Holocaust Era Insurance Claims). Sect. 18 para. 1 lit. 2 of the General Settlement Fund Law expressly excludes such claims from the scope of application of the General Settlement Fund Law.*

**2.6. Insurance Policies:** Viktoria, policy no. 1.285.140

The applicant has chosen the claims-based process.

*The General Settlement Fund cannot decide on claims against the insurance company Victoria Lebensversicherungs AG, Berlin, which is solely covered by the Trilateral Agreement of 16 October 2002 between the International Commission on Holocaust Era Insurance Claims (ICHEIC), the German Insurance Association and the German Foundation "Remembrance, Responsibility and Future".*

*In accordance with the Agreement concluded with ICHEIC on 26 November 2003, the application was therefore, with regard to this insurance policy, transferred to Victoria Lebensversicherungs AG, Berlin, for processing. The applicant was informed in writing about this transfer of his application.*

**2.7. Bank Credits:** according to the property declaration of Franz Friedrich Grünbaum, no. 44614

The applicant has chosen the claims-based process.

The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 1,562.15.

Taking into account the applicant's inheritance right the claim amounts to **US-\$ 781.08**.

**2.8. Occupation / Education:** actor and writer

The claim is **accepted in the equity-based process**. The loss is assessed at US-\$ 49,135.11.

Taking into account the applicant's inheritance right the claim amounts to **US-\$ 24,567.56**.

### **2.9. Other Losses: "Reichsfluchtsteuer" and "Judenvermögensabgabe"**

The claim is **dismissed in the equity-based process**.

*Since Franz Grünbaum's general possessions are now compensated by the General Settlement Fund and since the "Reichsfluchtsteuer" and the "Judenvermögensabgabe" were paid from said property, the payment of the "Reichsfluchtsteuer" and of the "Judenvermögensabgabe" are not compensated by the General Settlement Fund.*

### **3. Losses of Mathilde Lukacs, born on 30 August 1883**

The applicant is entitled to an inheritance share of 100%.

*Mathilde Lukacs was the great-aunt of the applicant. Mathilde Lukacs's husband Sigmund Lukacs presumably predeceased her. They did not have any children. The great-grandfather of the applicant was Bernhard Herzl. Bernhard Herzl had three descendants, namely Elisabeth Grünbaum, Max Herzl and Mathilde Lukacs. Max Herzl was the grandfather of the applicant. Pursuant to the last will of the applicant's mother Renée Fischer, the applicant shall be her sole heir. The applicant's grand-mother Gisela Herzl has declared her daughter Renée Fischer and the applicant as her equal and only heirs in accordance with her last will. There are no further descendants known to the General Settlement Fund. Consequently, the applicant inherits the entire estate of Mathilde Lukacs.*

#### **3.1. Immovable Property:** real estate in Trnava and Bratislava, Slovakia

The applicant has chosen the claims-based process.

It has not been established that the taking of the property was suffered as a result of or in connection with events having occurred on the territory of the present-day Republic of Austria during the National Socialist era.

*Pursuant to the property declaration of Mathilde Lukacs, the respective real estates therein have been situated in Trnava / Slovakia as well as in Bratislava / Slovakia. According to § 6 of the General Settlement Fund Law, persons, who suffered losses or damages as a result of or in connection with events having occurred on the territory of the present-day Republic of Austria during the National Socialist era shall be eligible to file an application. In consideration of the fact, that the asserted real estates were located outside the territory of the present-day Republic of Austria, the General Settlement Fund law is not applicable to these losses. Therefore, the respective real estates cannot be taken into account by the General Settlement Fund.*

The claim was dismissed in the claims-based-process and was therefore transferred to the equity-based process.

It has not been established that the taking of the property was suffered as a result of or in connection with events having occurred on the territory of the present-day Republic of Austria during the National Socialist era.

*As above stated, the respective real estates cannot be taken into account by the General Settlement Fund due to the location outside the territory of the present-day Republic of Austria.*

The claim is **dismissed in the equity-based process**.

#### **3.2. Movable Property:** according to property declaration of Mathilde Lukacs, no. 19575

The applicant has chosen the claims-based process.

The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 21,825.87. Taking into account the applicant's inheritance right the claim amounts to **US-\$ 21,825.87**.

#### **3.3. Bank Credits:** according to property declaration of Mathilde Lukacs, no. 19575

The applicant has not made a conclusive choice of the type of process. The claim was examined in the claims-based process on the basis of the available evidence.

The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 2,997.24. Taking into account the applicant's inheritance right the claim amounts to **US-\$ 2,997.24**.

#### 4. Losses of Sigmund Lukacs, born on 25 February 1877

The applicant is entitled to an inheritance share of 100%.

*Sigmund Lukacs was the great-uncle of the applicant. Mathilde Lukacs' husband Sigmund Lukacs presumably predeceased her. They did not have any children. Sigmund Lukacs was married to Mathilde Lukacs. Sigmund Lukacs has appointed Mathilde Lukacs as his sole heir. The great-grandfather of the applicant was Bernhard Herzl. Bernhard Herzl was the father of Mathilde Lukacs. Bernhard Herzl had two further descendants, namely Elisabeth Grünbaum and Max Herzl, who was the grandfather of the applicant. Pursuant to the last will of the applicant's mother Renée Fischer, the applicant shall be her sole heir. The applicant's grand-mother Gisela Herzl has declared her daughter Renée Fischer and the applicant as her equal and only heirs in accordance with her last will. There are no further descendants known to the General Settlement Fund. Consequently, the applicant inherits the entire estate of Mathilde Lukacs.*

##### 4.1. Movable Property: according to the property declaration of Sigmund Lukacs, no. 19576

The applicant has chosen the claims-based process.

The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 786.16.

Taking into account the applicant's inheritance right the claim amounts to **US-\$ 786.16**.

##### 4.2. Business: trade with precious stones and pearls, Rudolfsplatz 3, 1010 Vienna

The applicant has chosen the claims-based process.

The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 118,221.83.

Taking into account the applicant's inheritance right the claim amounts to **US-\$ 118,221.83**.

##### 4.3. Insurance Policies: Donau, policy no. 192.853

The applicant has chosen the claims-based process.

The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 6,935.03.

Taking into account the applicant's inheritance right the claim amounts to **US-\$ 6,935.03**.

*The applicant has also filed an application with ICHEIC (International Commission on Holocaust Era Insurance Claims), no. 135213. In accordance with the Agreement concluded between the General Settlement Fund and ICHEIC on 26 November 2003, the claim was transferred to the General Settlement Fund for processing. All the information included in the claim to ICHEIC was taken into account by the General Settlement Fund in its decision.*

##### 4.4. Bank Credits: according to the property declaration of Sigmund Lukacs, no. 19576

The applicant has chosen the claims-based process.

The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 2,358.49.

Taking into account the applicant's inheritance right the claim amounts to **US-\$ 2,358.49**.

##### 4.5. Occupation / Education: trader

The claim is **accepted in the equity-based process**. The loss is assessed at US-\$ 12,283.78.

Taking into account the applicant's inheritance right the claim amounts to **US-\$ 12,283.78**.

The claim value amounts to **US-\$ 319,972.02**.

(This claim value consists of the amounts which were accepted in the **claims-based procedure**.)

The assessed value in the equity-based process amounts to **US-\$ 36,851.34**.

(This assessed value consists of the amounts which were accepted in the **equity-based process**.)

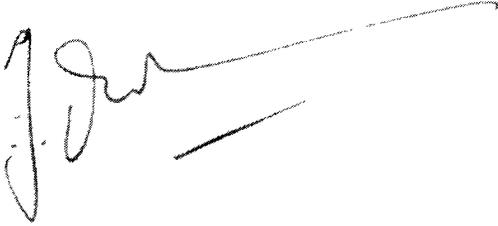
---

The **total payment** will only be a percentage of the value now assigned:  
approaching **13 %** in the claims-based procedure (10 % as advance payment) and  
around **18 %** in the equity-based process (15 % as advance payment).

---

This decision is based on the General Settlement Fund's records and knowledge at the time, when it was passed. The right to change this decision in every direction, especially for reasons of newly emerged facts or proof, remains reserved to the Claims Committee until all applications to the General Settlement Fund have been processed.

Vienna, 10 July 2008

A handwritten signature in black ink, appearing to be 'F. Berman', with a long horizontal stroke extending to the right.

Sir Franklin Berman  
(Chairman of the Claims Committee)