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F A C S I M I L E T R A N S M I S S I O N

TO: <u>Gizella Weisshaus</u>	TO: _____
FAX #: <u>(718) 387-6370</u>	FAX #: _____
NO: _____	TO: _____
FAX #: _____	FAX #: _____
RE: <u>Weisshaus v Gardel</u>	DATE: <u>11/8/95</u> →
FROM: <u>Ed Payer</u>	PAGES: <u>21</u> (with this sheet)

NO; faxed  
to Gizella  
Feb. 1998

MESSAGE:

Here's a copy of Judge Shaw decision  
on your Order to Show Cause.

As you can see you lost!

My suggestion is/has always been stop  
wasting time/energy/money on cases you lost!

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lose.  
Focus  
on the  
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can I  
win.  
All

TO: Gizella Weisshaus  
(718) 387-6370

Feb. 18, 1998

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(370-)

Mrs. Weisshaus

I called yesterday between 5:15 - 5:45 pm but there was no answer. I am currently on my way to San Francisco for emergency hearings in the Insurance Case and thought I would use the time to fill you in on what is happening in all the cases in which you are a party or in which you have expressed an interest.

The last 6-8 months have been very hard on all of us and the next 6-8 months are going to be even harder. I owe you an apology because at times even when I wanted to do things for you I couldn't for lots of reasons, not the least of which has been my fight on behalf of all of you survivors against not just the Swiss Banks or the European Insurance companies but against the Jewish organizations that want to take and think they are entitled to decide what will be done with the money we will recover. I have spent tens if not hundreds of thousands of dollars in money and time to protect individuals rights to decide their fate and what

they want to do with any monies we may recover. I have paid for you and others to fly all over the world. I have met with The WJC, WJRO + Claims Conference to tell them basically stay out of the survivor claimants business and dont decide their fate they can decide it for themselves. There are no deals with any organization. On the contrary as a result of everything we are doing there will be at least 1 if not more panels formed primarily for the insurance case but this is the vehicle to open up a panel for the Banks case, and on this panel the survivor claimants will have equal voting representatives. This is a big break thru and it is not the result of a deal - it is the result of a direct threat/promise I made last Thursday in Washington DC to Elan Steinberg, then again last Friday to Israel Singer and Elan Steinberg and then again on Monday at the Insurance Hearing where Singer + Steinberg were present. We are getting the transcript because Singer can now not take back what he said openly about Holocaust survivors individual and collective

rights to participate in the formation of the panel and to be representatives on the panel to decide how to investigate the companies, how to settle claims, how to distribute monies and what happens to heirless policies. Because of this we must now move fast to get the more active survivor claimants together to come up with a plan to get a survivor claimant working group which will see to it that survivors can choose survivors (not lawyers) to be on this panel. This same panel will be the means to protect survivor claimants monies - whatever we may ultimately be able to recover in a settlement or verdict - in the insurance case and then the Banks case. Although you are not a named insurance claimant it does not mean that you cannot and should not be a part of this. My initial thoughts are to get a meeting as early as this coming Tuesday or Wednesday or Thursday with the following people: ① you ② Mrs. Fekete, ③ Mrs. Fisher, ④ Mrs. Sapor, ⑤ Dr. Tom Weiss, ⑥ Mrs. Zentner, ⑦ Ms. Cornell, ⑧ Mr. Vidal, ⑨ Isaac Fokas, ⑩ Isidore Kling, ⑪ Eddy (as a 2nd generation and in honor of his father).

Then, we should have a meeting with the WJC/WJRO + Claims Conference representatives to tell them what we are doing and how they fit in to our plans not us fitting into their plans. While all of this is going on the discussions with the Banks and insurance companies will continue and God willing something good could happen. We are not agreeing to any extensions of the March 31, 1998 deadline the Banks asked for and agreed to and if no progress is made within the next 2 weeks, all hell will break loose.

To handle all this I have 2 law clerks starting next week and 1 lawyer starting the following week. I planned to dedicate 10 hours of their time per week to help you in your personal matters. This is not an empty offer. They will be working on the matters and in the priorities you and I agree upon. So, we need to coordinate this early next week. Here's what I envision as the matters on which the law clerks / 1 part time lawyer working on (I will be making all oral arguments and most appearances)

- ① *Wesshous v Gaudl* - any additional research we ~~may~~ need to reply to

7/10/00

→ The Article 28 proceeding to get  
 → some Judge to rule on the Order to  
 → Show Cause to reopen to Gard  
 case, if we can. It would be in  
 this case that I envision using the  
<sup>draft</sup> Affidavit that I prepared for the  
 Hand writing expert to show that  
 some one has been manipulating the  
 docket and therefore the Judge supposedly  
 never ruled;

→ ② "KWF", "Satmar" + "Ginsburg" -  
 They can help with research and  
 discovery demands/responses, which  
 we will need and they will work  
 with you to do 1<sup>st</sup> drafts which  
 I would then review;

③ Dostreicher - they will help the  
 same way as in KWF Satmar +  
 Ginsburg, plus <sup>additional</sup> research on  
 the Motion for Reconsideration and  
 in preparation for EBTs and  
 the hearing which should be  
 this summer;

It they have any time remaining  
 after all the above, they can help you with  
 other general matters. These people will work  
 → on your matters like Ralph Young did 2 years  
 ago.

As for your apparent anger toward me or your belief that I made a deal with the organizations, it is like your asking me "When did I stop beating my wife". I never beat my wife but no matter how one answers this type of question it's always wrong.

I have never betrayed you. I have never betrayed the interests of survivors. And, I never will.

But for the last 6-9 months you have not been as actively involved as you used to be so you don't see what is going on every day. I have some ideas how to resolve this problem so you can keep up to date, make sure you understand what is going on and rest easy/peaceful knowing that I am and continue to be dedicated to finishing the job I started. Also, perhaps you forgot but I didn't that night when I dropped you at the Broad Street subway I promised you that I would dedicate a portion of whatever fees the Court may ultimately approve in the Barkes case as my fees, to go to help build the school for high functioning autistic children of survivors that you are dedicated to establishing.

liar