

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
:  
:  
IN RE: : Case No. CV 96-4849 (ERK)(MDG)  
HOLOCAUST VICTIM ASSETS : (Consolidated with CV 99-5161  
LITIGATION : and CV 97-461)  
:  
-----:  
This Document Relates to: All Cases : **ORDER GRANTING APPLICATION**  
: **FOR ATTORNEY'S FEES AND**  
: **EXPENSES TO EDWARD D. FAGAN**  
:  
-----X

KORMAN, Chief Judge:

Edward D. Fagan, filed an application for counsel fees of \$3,980,824.90. This reflects a lodestar of \$1,738,351.50 multiplied by 2.29%. Mr. Fagan also seeks an additional \$250,000 in fees for representing Christopher Meili. Mr. Meili's claim against the defendants was settled for \$1,000,000.00 from which Mr. Fagan was to recover 25%. When Mr. Meili received the money due from the Settlement Fund for the release of his claims against the defendants, the \$250,000 due Mr. Fagan was challenged and withheld for reasons that are not material.

The Fourth Supplemental Affidavit of Professor Neuborne filed on November 6, 2002, recommends that Mr. Fagan's application be resolved as follows:

\$750,000.....payable to Edward Fagan

\$400,000.....payable to five members of the plaintiff-class  
whose efforts materially aided the plaintiff-class:

Gisella Weissshauss....\$100,000  
Alice Fischer.....\$ 75,000  
Naomi Nagel.....\$ 75,000  
Rudolfine Schlinger...\$ 75,000  
Joshua Lustman.....\$ 75,000

This recommendation, which Mr. Fagan has accepted, is in complete satisfaction of Mr. Fagan's claim for fees. Mr. Fagan is also awarded disbursements in the sum of \$222,311.61, the amount he requested, after the deduction of \$50,000 he had sought for the enhancement of a database he had created. Mr. Fagan has agreed to accept this amount in complete satisfaction of his claim for disbursements.

The signatories to the Settlement Fund are directed to pay the foregoing fees of \$750,000 payable to Edward Fagan and his attorneys, Edwards & Langell, and \$100,000 payable to Gisella Weisschauss, \$75,000 to Alice Fischer, \$75,000 to Naomi Nagel, \$75,000 to Rudolfine Schlinger, and \$75,000 to Joshua Lustman.

The signatories of the Settlement Fund are also directed to reimburse Edward Fagan for disbursements in the amount of \$222,311.69. This sum is to be paid to Edward Fagan and his attorneys Edwards & Langell.

**SO ORDERED:**

Brooklyn, New York  
December 4, 2002



Edward R. Korman  
United States Chief District Judge