

**BEFORE THE UNITED STATES
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

In re Hungarian Holocaust Litigation

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**MEMORANDUM IN SUPPORT OF MOTION OF NAMED PLAINTIFFS
ROSALIE SIMON, *et al.*, FOR TRANSFER TO AND CONSOLIDATION OF RELATED
ACTIONS IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
COLUMBIA FOR COORDINATED OR CONSOLIDATED PRETRIAL PROCEEDINGS**

Named Plaintiffs Rosalie Simon, Helen Herman, Charlotte Weiss, Helena Weksberg, Rose Miller, Tzvi Zelikovitch, Magda Kopolovich Bar-Or, Zehava (Olga) Friedman, Yitzhak Pressburger, Alexander Speiser, Ze'ev Tibi Ram, Vera Deutsch Danos and Ella Feuerstein Schlanger, on behalf of themselves and all others similarly situated (“Plaintiffs”), by their attorneys, submit this memorandum of law in support of their motion pursuant to 28 U.S.C. § 1407 for transfer to and consolidation of related actions in the United States District Court for the District of Columbia for coordinated or consolidated pretrial proceedings.

I. BACKGROUND

During the Holocaust – the Nazis’ murder of six million innocent Jewish men, women, and children in Europe during World War II – Defendants Republic of Hungary (“Hungary”), Magyar Államvasutak Zrt. (MÁV Zrt.) (“MÁV”), Rail Cargo Hungaria Zrt.’s predecessor-in-interest, and MÁV Cargo Zrt. (“MÁV Cargo”) (collectively, “Defendants”) actively collaborated with the Nazis. These Defendants orchestrated and participated in the confiscation of their Hungarian Jewish victims’ possessions and their transport by train to their intended slaughter by firing squad and gassing. The Defendants have never accounted for their war crimes and crimes against humanity. They have never paid for, nor have they returned, the vast sums and personal

property that they stole from their Jewish victims in wholesale violation of due process of law, international law and human rights. Further, the Defendants have thwarted any attempts by these injured parties to retrieve their possessions, including gold, diamonds, jewelry, pearls and other precious metals and gems that were stolen from them by the Defendants.

There are two similar class actions concerning this matter pending in different federal courts, one in the United States District Court for the Northern District of Illinois, Eastern Division (the “Chicago action”),¹ and one in the United States District Court for the District of Columbia (the “District of Columbia action”).² Named plaintiffs in both actions, and the classes that they seek to represent, are Jewish victims of the Hungarian Holocaust or their heirs, who have sued to recover their due – restitution and compensation for the atrocities they suffered at the hands of the Defendants during the Holocaust.

Both actions allege that the Hungarian government, directly and through its agencies and instrumentalities, willingly participated in the deportation, torture and extermination of Hungarian Jews and in the plundering of their wealth and possessions in 1944 and 1945. Both cases involve the expropriation of the wealth and assets of Hungarian Jewry as they were forcibly loaded onto the Defendants’ cattle cars for deportation to death camps. Both cases assert similar legal claims for violations of international law, conversion, unjust enrichment and an accounting.

The District of Columbia action, however, is more expansive than the Chicago suit. In addition to its allegations that parallel those in the Chicago action concerning the thefts of

¹ *Victims of the Hungarian Holocaust v. Hungarian State Railways*, Case No. 1:10-cv-00868. This case was filed on February 9, 2010. An amended complaint was filed on September 1, 2010, in an apparent attempt, *inter alia*, to correct discrepancies concerning the identity of the named plaintiffs in that action.

² *Simon, et al. v. Republic of Hungary, et al.*, Case No. 1:10-cv-01770. This case was filed on October 20, 2010.

property preceding transportation of Hungarian Jewry to, and their wholesale slaughter at, Auschwitz and other Nazi death camps in 1944, the District of Columbia action (a) names Hungary and MÁV Cargo as defendants; (b) brings claims on behalf of Hungarian Jewish victims who were deported by the Defendants to the killing fields of the Ukraine in 1941, well before the mass deportations and genocide perpetrated in 1944; and (c) asserts claims for breach of fiduciary duty and special duties imposed on common carriers, false imprisonment, torture, assault and battery, wrongful death, survival, intentional infliction of emotional distress, negligent infliction of emotional distress, recklessness, negligence, conspiracy, aiding and abetting, restitution and Alien Torts Claims Act violations.

As substantially all of the facts and issues in the Chicago case are embraced by the District of Columbia suit, centralization of these actions will promote their just and efficient conduct. It will facilitate the orderly resolution of the myriad substantive and procedural issues best handled by a single decision-maker. Transfer will further the convenience of the parties and witnesses. The United States District for the District of Columbia is the appropriate forum for transfer and consolidation because it has the resources and judicial expertise to properly conduct this case; the more comprehensive and complex of the two overlapping class actions has been filed there; and the forum is readily accessible to all parties.

II. ARGUMENT

A. Centralization of the Pending Class Actions in the United States District Court for the District of Columbia for Coordinated Pretrial Proceedings Is Appropriate.

Title 28 U.S.C. § 1407 authorizes the this Panel to transfer and consolidate two or more civil cases for coordinated pretrial proceedings upon a determination that (i) the cases “involv[e] one or more common questions of fact,” (ii) transfer will “be for the convenience of the parties

and witnesses,” and (iii) transfer “will promote the just and efficient conduct of such actions.” These requirements for transfer under 28 U.S.C. § 1407 are fully satisfied here. While the District of Columbia action names more defendants, alleges a broader fact pattern and contains additional claims for relief, the two actions share many facts and frame identical legal issues. Centralization will promote the convenience of the parties and witnesses and efficiency in the pretrial proceedings by eliminating duplicative discovery and the potential for inconsistent rulings.

1. The related actions involve common questions of fact.

The first requirement of § 1407 – that the actions to be transferred involve common questions of fact – is satisfied. Among the principal common questions of fact at issue in the two actions are:

- Whether the Defendants intentionally participated with the Nazis in their genocide of Hungary’s Jews;
- Whether Hungarian Jews were deported to concentration and death camps in Poland through the action of MÁV personnel and rail lines, using freight cars owned by MÁV and/or MÁV Cargo; and
- Whether Defendants, as a routine course of conduct, confiscated the property and possessions of Hungarian Jews contemporaneous with their deportation, and failed to return that stolen property to its rightful owners.

To be sure, the District of Columbia action is larger, embracing more defendants, more facts, and more claims for relief than the Chicago action. But that is no deterrent to transfer and consolidation. *See In re Neurontin Mktg. & Sales Practices Litig.*, 342 F. Supp. 2d 1350, 1351 (J.P.M.L. 2004); *In re Publ’n Paper Antitrust Litig.*, 346 F. Supp. 2d 1370, 1371 (J.P.M.L. 2004). In *In re Bextra & Celebrex Prods. Liab. Litig.*, 391 F. Supp. 2d 1377 (J.P.M.L. 2005), the Panel consolidated actions that focused on alleged increased health risks from taking two different anti-inflammatory prescription medications, and whether the manufacturer knew of the

increased risks and failed to disclose. The Panel rejected arguments that the presence of unique questions of fact relating to each drug or to the type of claims asserted (products liability and marketing/sales practices) were factors against centralization. Rather, the Panel stated that by consolidation, “[r]esolution of overlapping issues . . . will be streamlined.” *Id.* at 1379 (citing *Mangieri v. Cigna Corp. (In re Humana Inc. Managed Care Litig.)*, 2000 U.S. Dist. LEXIS 15927 (J.P.M.L. Oct. 23, 2000)).

Similarly, in *Neurontin*, the Panel ruled that there were common factual issues warranting transfer and consolidation where “[a]ll actions [we]re purported class actions involving allegations that common defendants have engaged in the illegal promotion and sale of the drug Neurontin for ‘off-label’ use.” 342 F. Supp. 2d at 1351. *See also In re Ephedra Prods. Liab. Litig.*, 314 F. Supp. 2d 1373, 1375 (J.P.M.L. 2004) (“Common factual questions arise because these actions focus on alleged side effects of ephedra-containing products, and whether defendants knew of these side effects and either concealed, misrepresented or failed to warn them”); *In re Columbia Univ. Patent Litig.*, 313 F. Supp. 2d 1383, 1385 (J.P.M.L. 2004) (“[a]ll actions can thus be expected to share factual and legal questions with respect to the ‘275 patent concerning patent validity and related questions such as double patenting, prosecution laches, and inequitable conduct”).

The Panel has specifically found that there are common issues warranting consolidation and transfer in cases concerning the Holocaust. *See In re Holocaust Era German Indus., Bank & Ins. Litig.*, 2000 U.S. Dist. LEXIS 11650 (J.P.M.L. Aug. 4, 2000); *In re Assicurazioni Generali S.P.A. Holocaust Era Ins. Litig.*, 2000 U.S. Dist. LEXIS 17853 (J.P.M.L. Dec. 4, 2000). In *Holocaust Era German Indus.*, which was brought against German companies including banks, insurance companies and industrial corporations, the Panel observed:

All the actions are connected to events arising out of Nazi rule in Germany. Further, they are now also linked to an important international agreement which promises to present significant common pretrial issues pertaining to the settlement or dismissal of the actions. Centralization of these actions under Section 1407 is thus necessary in order to eliminate duplicative pretrial proceedings, prevent inconsistent pretrial rulings, and conserve the resources of the parties, their counsel and the judiciary.

2000 U.S. Dist. LEXIS 11650, at *4.³ Likewise, the Panel in *Assicurazioni Generali* found that “[e]ach of the actions contains claims against Generali arising out of the same alleged factual core, namely, that Generali has deliberately and wrongfully failed to satisfy contractual obligations to victims of the Holocaust, their heirs and beneficiaries.” 2000 U.S. Dist. LEXIS 17853, at *3 (concluding that centralization would “streamline pretrial proceedings, prevent inconsistent pretrial rulings, and conserve the resources of the parties, their counsel and the judiciary.” *Id.*).

Moreover, the classes defined in the two cases at hand are substantially overlapping. Both propose a worldwide class on behalf of all victims, heirs to victims, or next-of-kin of victims of the Hungarian Holocaust who suffered at the hands of the Defendants, and had their personal property confiscated by MÁV during deportation to the death camps. The Panel has long recognized that overlapping or parallel class actions asserting similar claims for recovery are particularly well-suited for consolidation. *See In re Gen. Motors Corp. Type III Door Latch Prods. Liab. Litig.*, 1999 U.S. Dist. LEXIS 5075, at *1-2 (J.P.M.L. Apr. 14, 1999) (ordering transfer where “the three actions in this litigation involve common questions of fact concerning allegations that the ‘unmodified Type III door latches’ on certain GM vehicles are defective and

³ The Panel transferred 36 of the 48 cases. The Panel denied transfer for 12 of the cases where 10 were pending in a single court for over two years, and the remaining two were being heard by a court where one case had been pending for over three years. *Id.* at *4-5. No similar exceptional circumstances are present here, as both pertinent actions were filed this year and are at the preliminary stage of a complaint or amended complaint to which the Defendants have not yet responded.

prone to failure”); *In re Chrysler Corp. Vehicle Paint Litig.*, 1998 U.S. Dist. LEXIS 15675, at *2 (J.P.M.L. Oct. 2, 1998) (ordering transfer where “the actions in this litigation involve common questions of fact concerning allegations by overlapping classes of defects in the paint of certain Chrysler vehicles that will result in chipping, peeling and discoloration of the paint finish”).

2. Centralization of the class actions will further the convenience of the parties and the witnesses.

The convenience of the parties and witnesses will be well-served by centralization of both class actions in the District of Columbia. Significant time and cost savings will be achieved in pretrial proceedings (including discovery, class certification, and general pretrial motion practice) and trial. *See In re Polychloroprene Rubber (CR) Antitrust Litig.*, 360 F. Supp. 2d 1348, 1350-51 (J.P.M.L. 2005) (recognizing the efficiencies and conveniences of consolidation and transfer to parties and witnesses, as well as judicial economy and consistency of rulings that benefits parties, witnesses and the courts in litigation with multiple defendants); *accord In re Publication Paper Antitrust Litig.*, 346 F. Supp. 2d 1370, 1372 (J.P.M.L. 2004).

Absent centralization, Defendants will be subjected to inconsistent schedules, conferences, and hearings, as well as duplicative discovery demands including redundant depositions. Such redundancy could be especially problematic given the geographic breadth of the parties and classes in these actions. Centralization would enable a single judge to formulate a comprehensive pretrial program that would minimize witness inconvenience and overall expense. *See In re Cuisinart Food Processing Antitrust Litig.*, 506 F. Supp. 651, 655 (J.P.M.L. 1981) (transfer would “effectuate a significant overall savings of cost and a minimum of inconvenience to all concerned with the pretrial activities”). The Panel has traditionally used such savings to justify the centralization of actions in different jurisdictions. *See, e.g., Neurontin*, 342 F. Supp. 2d at 1351; *Columbia Univ. Patent Litig.*, 313 F. Supp. 2d 1385.

3. Centralization will promote just and efficient conduct of the related actions.

Finally, centralization of the pending class actions will promote the third criterion under Section 1407(a), “the just and efficient conduct of such actions,” in at least three ways, by: (a) preventing duplicative discovery, (b) preventing inconsistent pretrial rulings and (c) facilitating consistent resolution of class action issues. *See In re St. Jude Med. Inc., Silzone Heart Valves Prods. Liab. Litig.*, 2001 U.S. Dist. LEXIS 5226, at *3 (J.P.M.L. Apr. 18, 2001) (“Centralization under Section 1407 is necessary in order to eliminate duplicative discovery, prevent inconsistent pretrial rulings (especially with respect to questions of privilege issues, confidentiality issues and class certification), and conserve the resources of the parties, their counsel and the judiciary.”).

i. Centralization of these actions will prevent duplicative discovery.

Transfer of these lawsuits to a single court will prevent duplicative discovery by enabling the parties and the courts to coordinate discovery of these actions, rather than forcing them to engage in simultaneous, parallel discovery in competing jurisdictions. As discussed above, the over-arching factual issues in the two cases are the same. Centralization will therefore reduce the time and effort expended by the parties and the courts in resolving disputes regarding the nature and scope of discovery. Additionally, centralization will prevent costly and time-consuming repetitive discovery, including but not limited to depositions. As no discovery has taken place in either case to date, the discovery process can be coordinated from the start. *See Neurontin*, 342 F. Supp. 2d at 1351; *In re Oxycontin Antitrust Litig.*, 314 F. Supp. 2d 1388, 1390 (J.P.M.L. 2004); *Ephedra Prods. Liab. Litig.*, 314 F. Supp. 2d at 1375; *In re Japanese Elec. Prods. Antitrust Litig.*, 388 F. Supp. 565, 567 (J.P.M.L. 1975); *European Rail Pass Antitrust*

Litig., 2001 U.S. Dist. LEXIS 1417, at *3 (J.P.M.L. Feb. 7, 2001) (ordering transfer to a single district to “eliminate duplicative discovery”).

ii. Centralization of these actions will prevent inconsistent pretrial rulings.

Centralization will also avoid inconsistent pretrial rulings regarding various pivotal issues, as judicial oversight and management of the proceedings will be unitary and rulings will apply to all. *See In re Prempro Prods. Liab. Litig.*, 254 F. Supp. 2d 1366, 1367 (J.P.M.L. 2003) (ordering transfer of six actions because refusal to consolidate would mean that “many of the judges assigned to the various actions would be required to needlessly replicate other judges’ work on such matters as class action certifications, medical monitoring claims, the structuring of confidentiality and other discovery orders, the scheduling of depositions and other discovery, rulings on motions to dismiss, and so forth.”).

If these cases are not centralized, inconsistent rulings could occur even though the underlying alleged wrongdoing is the same. *See In re Polychloropene Rubber*, 360 F. Supp. 2d at 1350-51; *In re Publication Paper*, 346 F. Supp. 2d at 1372 (recognizing that even when there exist certain factual differences between the claims against different defendants, consolidation and transfer to a single judge is still appropriate when there are overarching claims against the defendants that involve significantly similar factual bases). *See also In re A. H. Robins Co. “Dalkon Shield” IUD Prods. Liab. Litig.*, 406 F. Supp. 540, 542 (J.P.M.L. 1975) (transfer necessary to prevent duplication of discovery and eliminate possibility of conflicting pretrial rulings); *In re Hawaiian Hotel Room Rate Antitrust Litig.*, 438 F. Supp. 935, 936 (J.P.M.L. 1977) (consolidation of five actions was necessary “in order to prevent duplication of discovery, eliminate the possibility of inconsistent pretrial rulings, and streamline the rest of the pretrial rulings as well”).

iii. Centralization of these actions will facilitate a uniform class certification decision.

The risk of inconsistent pretrial rulings from separately-managed actions is of particular concern because these actions seek class-wide relief. Here, because the purported class alleged in each of these cases is virtually identical, the arguments presented both for and against class certification will presumably be substantially the same.

This Panel has “consistently held that transfer of actions under 28 U.S.C. § 1407 is appropriate, if not necessary, where possibility of inconsistent class determinations exists.” *In re Sugar Indus. Antitrust Litig.*, 395 F. Supp. 1271, 1273 (J.P.M.L. 1975). *See also In re TMJ Implants Prods. Liab. Litig.*, 844 F. Supp. 1553, 1554 (J.P.M.L. 1994) (“Centralization under Section 1407 is necessary to . . . prevent inconsistent pretrial rulings (especially with respect to class certifications and summary judgments)”); *In re Hawaiian Hotel Room Rate Antitrust Litig.*, 438 F. Supp. 935, 936 (J.P.M.L. 1977) (“Section 1407 centralization is especially important to ensure consistent treatment of the class action issues.”); *In re Plumbing Fixtures Cases*, 298 F. Supp. 484, 493 (J.P.M.L. 1968) (holding that transfer was necessary to avoid “pretrial chaos in conflicting class action determinations”); *In re Cement & Concrete Antitrust Litig.*, 437 F. Supp. 750 (J.P.M.L. 1977), *rev’d on other grounds*, 490 U.S. 93 (1989) (where duplicating or overlapping classes are sought in actions, transfer to single district is desirable in order to avoid possibility of inconsistent class determinations).

In sum, each criterion in 28 U.S.C. § 1407(a) is satisfied, and the Panel should transfer and consolidate the related actions to a single district.

B. The District Court for the District of Columbia Is the Appropriate Forum for Centralization of the two Cases.

1. The District Court for the District of Columbia has the resources and judicial expertise to properly conduct this case.

The District of Columbia action is broader than the Chicago action. The United States District Court for the District of Columbia has the demonstrated capacity and capability to manage multidistrict litigation in an expeditious and fair manner. Moreover, that court has a particular expertise in adjudicating lawsuits that involve significant interests of foreign nations.

2. The District of Columbia is a convenient forum for the parties and witnesses.

Title 28 U.S.C. § 1407(a) provides for centralization of cases “for the convenience of parties and witnesses” and to “promote the just and efficient conduct of such actions.” In deciding whether a particular forum is convenient, the Panel may consider the location of the parties, documents and potential witnesses relative to the district.” *See In re Cigarette Antitrust Litig.*, 2000 U.S. Dist. LEXIS 8209, at *4 (J.P.M.L. June 7, 2000).

The District of Columbia is geographically accessible and is a logical venue for the parties and witnesses because, among other things, the Hungarian Defendants have an embassy in Washington, D.C., and thus have a physical presence and governmental representatives in the District of Columbia. The United States Department of State is also located in the District of Columbia and could assist the parties in possible attempts to settle this case.

By contrast, the other relevant district in which this action is pending, the Northern District of Illinois, bears no significant relationship to any of the matters at issue. The First Amended Complaint in the Chicago action asserts that the “[v]enue is proper because many members of the Plaintiff class reside in this District.” *See Victims of the Hungarian Hoocaust v. Hungarian State Railways* First Amended Complaint, at ¶ 33 (“First Amended Complaint”).

However, only one of the named plaintiffs in that action resides in Illinois. Of the remaining 27 named plaintiffs in both overlapping actions, two live in New Jersey, five live in New York, three live in Florida, and 13 live overseas. There is no geographical information provided for the last four of the remaining 27 plaintiffs, all of whom are listed as named plaintiffs in the Chicago action. Furthermore, there is no assertion in that case that Hungary maintains even a consulate in Chicago. In sum, based on the location of the majority of the named plaintiffs and the Defendants, the District of Columbia is a significantly more convenient forum than the Northern District of Illinois.

Additionally, the District of Columbia is geographically accessible to the majority of plaintiffs. Not only is it more accessible to the plaintiffs in the District of Columbia action, which has a larger and more diverse group of plaintiffs than the Chicago case, but it is more accessible to the majority of the plaintiffs listed in the Chicago action based on the geographical information provided in the Amended Complaint.

3. The Complaint Filed in the District of Columbia Better Protects The Interests of the Putative Class Than the Action Filed in Chicago.

The Chicago action contains serious limitations. Chief among these is that there is only one defendant, the Hungarian national railway, MÁV, when much of the horror for the Hungarian Jewry stemmed from the actions of Hungary itself. At the same time, MÁV Cargo has substantial liability because it provided the actual freight cars in which many victims died and in which hundreds of thousands of others were transported to their torture, death, or enslavement.

Another obvious defect in the Chicago action, which raises questions about the representation that the Class would receive there, is that it fails to name a plaintiff in the caption

of the case. While the body of the complaint contains the names of plaintiffs,⁴ Rule 10(a) of the Federal Rules of Civil Procedure requires that “[t]he *title* of the complaint *must* name all the parties; the title of other pleadings, after naming the first party on each side, may refer generally to other parties.” Fed. R. Civ. P. 10(a) (emphasis added). Thus, under Rule 10(a), “the initial pleading in an adversary proceeding (the complaint) [must] include a complete caption with the names of all parties.” See *In re: Morrison*, 375 B.R. 179, 193 (Bankr. W.D. Pa. 2007). See also *Kedra v. City of Philadelphia*, 454 F. Supp. 652, 657 n.1 (E.D. Pa. 1978) (“Joseph Kedra is named as a plaintiff in the body of the complaint but not in the caption. This . . . violated federal pleadings rules . . .” (citations omitted)).

4. Counsel for the Class in the District of Columbia Action Are Well Suited To Represent the Interests of the Class.

Counsel for the plaintiffs in the District of Columbia action are eminently qualified and unquestionably competent to serve the plaintiffs and the class well. They are experienced attorneys who have achieved successful results for clients in class action, international law, and/or complex civil litigation. Counsel include Charles S. Fax, Esq. (Rifkin, Livingston, Levitan & Silver, LLC, Bethesda, Maryland), Paul G. Gaston, Esq. (Law Offices of Paul G. Gaston, Washington, D.C.), David H. Weinstein, Esq. (Weinstein Kitchenoff & Asher LLC, Philadelphia, Pennsylvania), and L. Marc Zell, Esq., Zell & Co., Jerusalem, Israel).

Mr. Fax has a particular concentration in civil procedure and complex discovery, having co-authored two texts on the subject. He is currently serving as an Adjunct Professor of Law at the University of Baltimore School of Law teaching Discovery Practice and Procedure, and authors a column on developments in civil procedure that appears regularly in the American Bar

⁴ The original complaint failed to even name a plaintiff in the body of the complaint, and only attached an appendix listing names. Curiously, of the almost 100 plaintiffs listed in the appendix of the original complaint, only three appear as plaintiffs in the First Amended Complaint.

Association Section of Litigation on-line and hard copy magazine, “Litigation News.” Mr. Gaston has concentrated in international litigation for the past thirty years, including, most recently, claims against state sponsors of terrorism such as Libya and Iran, as well as other international disputes including import relief proceedings. Mr. Weinstein has concentrated his practice on commercial class action and complex litigation in courts throughout the country for over thirty-eight years. He was appointed pro bono Lead Counsel to supervise and coordinate over 100 separate asylum habeas corpus cases involving Chinese refugees smuggled aboard the S.S. Golden Venture, and he was one of two Co-Lead Counsel who negotiated a class-action settlement that resulted in the replacement of defective plumbing pipe in approximately 340,000 homes nationwide, at a value in excess of \$1.1 billion. Finally, Mr. Zell, who practiced in Washington, D.C., before emigrating to Israel in 1986, and who continues to maintain his membership in the D.C. bar, as well as the bars of Maryland, Virginia, Israel and United States federal trial and appellate courts, concentrates in international litigation and business transactions throughout the world, and is an expert in private international law. Mr. Zell is intimately familiar with the Holocaust, having translated two Holocaust memoirs from Yiddish and Hebrew to English (requiring extensive historical research), and having contributed to the Holocaust research materials on the JewishGen Website, www.jewishgen.org.

The combined experience and areas of professional concentration of these attorneys are well-suited to representation of the interests of the Class.

III. CONCLUSION

For all of the foregoing reasons, the centralization of these actions in the District of Columbia will further “the convenience of the parties and witnesses and will promote the just and efficient conduct of such actions.” 28 U.S.C. § 1407(a). Accordingly, plaintiffs Rosalie

Simon, Helen Herman, Charlotte Weiss, Helena Weksberg, Rose Miller, Tzvi Zelikovitch, Magda Kopolovich Bar-Or, Zehava (Olga) Friedman, Yitzhak Pressburger, Alexander Speiser, Ze'ev Tibi Ram, Vera Deutsch Danos and Ella Feuerstein Schlanger, through their counsel, respectfully request this Panel to enter an order transferring the Chicago action to the United States District Court for the District of Columbia for consolidated and coordinated pretrial proceedings.

Respectfully submitted,

 /s/ Charles S. Fax

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