

Aging Nazi victims say panel obstructs justice or else

The international commission that is supposed to help victims of Nazis collect on insurance policies was sued Thursday by two Holocaust survivors -- one from the San Fernando Valley, the other from Covina -- who say it has worked to deny decades-old claims.

The lawsuit in state court accuses the International Commission on Holocaust Era Insurance Claims, which was formed five years ago to resolve claims from survivors and their heirs, of unfair business practices.

European insurers have been sued for refusing to honor many pre-World War II life insurance policies because there was no documentation of the policyholders' deaths.

Members of the commission, which is headed by former U.S. Secretary of State Lawrence Eagleburger, say they have loosened restrictions on honoring insurance claims and extended deadlines for filing claims. In a written statement Thursday, Eagleburger said the commission would respond to lawsuits "when, where and as appropriate."

In the lawsuit, Manny Steinberg, 78, of West Hills, and Jack Brauns, 79, a retired surgeon living in Covina, accuse the commission of conspiring with Italian insurance giant Assicurazioni Generali to reduce the firm's potential payout to Holocaust victims from \$1 billion to a mere \$100 million.

The insurer also is facing about 20 federal lawsuits.

Steinberg, who spent six years in Polish and German concentration camps, said he has been rebuffed for decades in his attempt to get payment from Generali, which contends that his father's policy didn't exist.

"This has been going on for years and years and years," he said in an interview. "They said I didn't have a policy. They denied it not only to me, but to all the camp survivors."

Steinberg, who owns homes in Palm Springs and West Hills, said he is seeking justice, not just monetary compensation. Generali has fattened itself with profits while denying legitimate Holocaust-era claims, he said.

Brauns, a Dachau survivor, said he has been trying since 1945 to collect on a \$2,000 annuity from Generali. He said he visited the company's Rome headquarters in 1961, after moving to California, and was told there was no record of his annuity.

"It was like I didn't ever exist," Brauns said in a telephone interview. "I'm not talking about money. It's a question of principle."

The men contend that the international commission has aided Generali in seeking dismissal of lawsuits filed against the insurer by California survivors and their heirs. They seek a court order for the commission to extend a deadline for filing claims and to publish on its Web site the names of an estimated 100,000 policyholders that Generali acknowledges existed.

At a congressional hearing this month, Eagleburger testified that the commission has spent \$56 million on itself -- 60 percent more than the \$35 million that insurance companies had offered to settle 2,600 claims. Payment offers have been received on only about 5 percent of the 54,000 claims submitted, he said.

Many Holocaust survivors, including Brauns, say the commission has withheld payments because it is funded by the same insurance companies that stand to lose money through payouts to survivors.

"(Eagleburger) was getting money from the insurance companies deciding who to pay and who not to pay -- so why would he worry about me?" Brauns asked.

In his written statement, Eagleburger said the international commission has paid millions of dollars in claims and set aside more than \$130 million for the social welfare of Holocaust survivors. The commission "is continuing these efforts to bring some measure of justice to Holocaust survivors and their heirs," Eagleburger wrote.

Christopher Carnicelli, president of Generali in New York, called the lawsuit groundless.

"The lawsuit is baseless, misleading and does not reflect that reality that thousands of individual claimants ... have (been) and will continue to be paid and offered generous amounts through (the commission)," he said. "Generali's focus will remain on resolving Holocaust-era claims as fairly and expeditiously as possible."

The insurance commission is funded by Generali and other large European insurers and includes representatives of the companies, survivor organizations, the Israeli government and state insurance commissioners from California, New York and Florida, where many Holocaust survivors live.

California Insurance Commissioner John Garamendi said he understands the frustration of Holocaust victims and he welcomes the suit if it speeds up the resolution of claims for the aging survivors.

"The process has taken far too long, and insurers have failed to live up to their moral obligation to ensure that justice is done," he said in a written statement.