

**Draft**

The District President

14 II (13) ZK. 436.579

Düsseldorf, the 12.30.1957

Cecilienalle 2

In the compensation case of Mister Fred Grunwald (previously Fritz Grunwald), born on the 05.15.1898 in Gelsenkirchen, residing in Los Angeles, California, USA, 747 South Curson Avenue, represented by Mister Dr. Fritz Goode, 707 South Broadway, Los Angeles 14, California, according to the federal law for the compensation of victims of the nationalistic-socialistic presecution (BEG) of the 06.29.1956, the following

Partial notice is issued.

- 1.) The applicant is to be paid, due to the damages that he has suffered during his entrepreneurial profession, a compensation in the amount of

**5,130.—DM**

is acknowledged.

- 2.) The applicant has no annuity option.

The determined amount is immediately payable.

About the further claims, a notice will be offered.

Reasons:

The applicant claims that he was, due to the persecution measures of the NS, damaged in his occupational advancement.

For this, he requests compensation according to BEG.

His application is well based according to the measure of the decision formula.

Due to the evidence collecting, it is certain that the applicant was persecuted due to ethnic reasons by the NS-brutality measures and, therefore, was damaged in his occupational advancement.

He, therefore, has a claim to compensation according to §§ 1, 64 ff BEG.

The applicant had his last internal residence in the jurisdiction of this law, namely in Wuppertal-Elberfeld, until his migration on the 03.03.1939. Stemming from this, the claim prerequisite according to § 4 BEG and the local applicability of the compensation chamber according to § 185 of the law.

Individually the following can be determined:

1.) General persecution facts and compensation period

The plaintiff is Jewish in the sense of the nationalistic-socialistic ethnic legislation. He was the owner of the company ("Fritz Grunewald") in Wuppertal-Elberfeld, Neunteich 89.

The company was registered in the commercial register on the 07.29.1930. His income from the company is stated by the applicant as at average yearly 18,000.—RM. Official documents could not be obtained due to war destruction.

Due to starting boycott-measures as well as persecution measures, the applicant dissolved his company on the 03.31.1938. The biggest part of his inventory was taken over by the company von Baum, Wuppertal-Elberfeld, Hofaue 35/39.

After completion of business, the applicant then migrated to Los Angeles. There it was initially not possible for him to find occupation.

In March 1940, he founded a public company with Mr. Ludwig Marx. The income derived from it was minor at the beginning. Since the year 1943 however, he had income to be noted, that was close to the income he had before the persecution.

The beginning of the compensation period is set to the 04.01.1938, the day of the dissolution of his company.

The damage period ends on the 12.31.1942, with the day on which the applicant, due to his re-establishing of his occupational basis, again reached a sufficient living standard in the sense of § 75 section 1 BEG.

The damage period spans 4 years, 9 months = 57 months.

## 2.) Type of compensation and calculation base

The applicant receives for this time period an asset compensation. It is according to § 76 BEG on the basis of 3/4 of the service remuneration of a comparable public servant group. For this, the applicant is to be aligned with a comparable public servant group. For classification, his professional education and his economic standing before the persecution are decisive.

The applicant has exercised the profession of an entrepreneurial merchant. Before the persecution, he earned yearly 18,000.—RM according to his statement.

Based on this income, his schooling and professional education, he is being rated according to a comparable public servant group of the higher service.

Due to his age (40 years old) at the beginning of the persecution the age level II is applicable to him.

## 3.) Calculation of the compensation

The asset compensation amounts under consideration of a 20% added value, according to §76, section 3 BEG to	5,400.—RM,
or monthly	450.-- RM, therefore
for 57 months	25,650.—RM, according to § 11
BEG converted 10:2	5,130.—DM.

The execution of the differential procedure according to § 77 BEG is not necessary because the other income only finds consideration starting 07.01.1948.

Also a cutback according to §§ 121 ff BEG did not have to take place.

#### 4.) Annuity option

The applicant has no annuity option, due to having an occupation in the time frame of the decision that ensures him an adequate living standard.

The maturity of the claim results from § 169 BEG.

The decision about the costs stems from § 207 BEG.

Against this notice, a complaint can be raised within 6 months after the date of delivery. The complaint is to be filed against the district of Nord Rhine Westphalia – represented by the district president in Düsseldorf – to be addressed to and must be received by the district court Düsseldorf – compensation chamber- in Düsseldorf, Wasserstr. 8, within the previously mentioned schedule. The complaint is to be in writing, if possible in duplicate edition, to be addressed to the protocol of the court office of the district court Düsseldorf.

In the process before the district court, there is no compulsion of representation by an attorney.