

- Page 30 -

of the operation with the code name of "Aktion Erntefest" (Operation Harvest Festival). The Jews who were still living in Galizia were shot on November 19, 1943.

III. Production of Evidence concerning Points I and II and the Organization of the Murder Process in Sobibór

The persecution of the Jews by the Nazi regime and the Sobibór extermination camp can be described by Dr. Dieter Pohl, expert witness. Dr. Dieter Pohl is also a qualified expert to report on the training in Trawniki and the general situation of the Ukrainian auxiliary guard forces. For the preparation of the expert opinion, documents in electronic form were sent to him together with a letter dated June 18, 2009. In addition to this, the order dated May 10, 1943 can be read out concerning the assimilation in status of the Ukrainian auxiliary guard forces with the members of the "Waffen-SS" - combat arm of SS - (LO 16-18, sheet 6718).

Prof. Dr. Johannes Houwink ten Cate will be able to comment on the victims from the Netherlands and their unsuspecting mind. Lists of victims regarding this matter exist and are to be found in the volumes LO 1 - 3 and in the book "Vernietigingskamp Sobibór - De transportlijsten" with respect to the individual deportation trains. These lists can be inspected. The witness Schelvis will also be able to make a statement concerning the unsuspecting mind of the Dutch victims. The family members of the private accessory prosecutors are stated in the deportation lists as follows:

- the sister of Rosa Wertheimer-Bokkie, private accessory prosecutor: Duifje Bokkie, born on September 7, 1924, murdered on July 9, 1943: listed in LO 3, sheet 1052, no. 1887;
- the parents of Ellen van der Spiegel, private accessory prosecutor: Salomon Cohen, born on May 29, 1913 listed in LO 1, sheet 262, no. 895, and Bertha Cohen Hartog, born on May 25, 1912, listed in LO 1 sheet 262 no. 889, both murdered on April 23, 1943;
- the members of the family of Charlotte Huffener-Veffler, private accessory prosecutor: her father, Jonas Veffler born on October 20, 1893, listed in LO 2, sheet 709, no. 441, her mother, Chatarina Veffler-Stuiver, born on March 14, 1895, listed in LO 2, page 712, no. 533, as well as her sister, Carla Veffler, born on April 23, 1928, listed in LO 2 sheet 864 no. 2039, all of them murdered on June 11, 1943;
- the father of Paul J. Hellmann, private accessory prosecutor: Bernhard Wolfgang Hellmann, murdered on April 2, 1943, listed in LO 1, sheet 107, no. 866;



- Page 31 -

- the members of the family of Judith Ashkenasy, private accessory prosecutor: her mother Helene Neuhaus-Seligmann, born on September 14, 1909, murdered on May 7, 1943, listed in LO I, sheet 338, no. 745, her father, Justin Jacob Neuhaus, born on September 30, 1900, murdered on May 21, 1943, listed in LO II, sheet 446, no. 1130, and her brother, David Peter Neuhaus, born on June 27, 1938, murdered on May 7, 1943, listed in LO 1, sheet 351, no. 1134;
- the wife of Jules Schelvis, private accessory prosecutor: Rachel Schelvis-Borzykowski, born on March 2, 1923, murdered on June 4, 1943, listed in LO 2, sheet 671, no. 2302.

The witness Kurt Gutmann will be able to report on the death of his mother, Jeanette Gutmann, born on May 26, 1888, and of his brother, Hans-Josef Gutmann, born on August 18, 1922.

The witness Thomas Blatt will be able to make a statement concerning the transport from Izbica to Sobibór extermination camp at the end of April 1943, and also on the activities of the Trawniki men (see his statement dated May 12, 2009, file III of the proceedings, sheet 1320 et. seq.).

Prof. Dr. Graw, expert witness, will provide an expert opinion concerning the cruelty of the murder method (see expert opinion dated June 19, 2009).

IV. The Accused's Pleadings to the Charge

1. Pleadings to the Charge (Alibi) 1978 to 2000

a) First Proceedings in the United States

In the first proceedings in the United States against John Demjanjuk with the aim of revoking his U.S. citizenship, he was charged with having made wrong statements when applying for his immigration visa and the U.S. citizenship concerning his whereabouts and activities during the war, in particular concerning the period of time from March until September 1943.

On April 20, 1978, in his first interrogation before the U.S. District Court for the Northern District of Ohio (Case no. C77-923), Demjanjuk stated among others with respect to this charge (U.S. vs Demjanjuk DocNo 85 = LO 18-6, sheet 3233):