



Swiss high court rejects Gypsy Holocaust suit versus IBM, cites time limit

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GENEVA (AP) - Switzerland's supreme court has dismissed a lawsuit accusing IBM Corp. (NYSE:IBM) of aiding the Nazi Holocaust because too much time has elapsed, the organization that filed the case said Friday.

Gypsy International Recognition and Compensation Action said it had been given notice of the decision by the Federal Tribunal in Lausanne that the statute of limitations applied to the case. It said the court's explanation will be released in several weeks.

The organization said the ruling ends the legal case before any study of the merits of the case.

"However, it will certainly not silence the voices of those victims of criminals against humanity who have decided to sue the companies which provided logistical support for their crimes," the group said.

IBM's reaction to the decision was not immediately available.

The lawsuit was filed after U.S. author Edwin Black - in his 2001 book *IBM and the Holocaust* - said IBM's punch-card machines were used to codify information about Jews and other persecuted groups sent to concentration camps.

The Gypsy group said IBM's Geneva office was the company's hub for trade with the Nazis, an allegation the company has rejected.

IBM, one of the world's largest information-technology services providers, also has consistently denied it was in any way responsible for the way its machines were used in the Holocaust.

The Gypsies' lawyers maintain that the company's Geneva office continued to co-ordinate Europewide trade with the Nazis, acting on clear instructions from IBM's world headquarters in Armonk, N.Y.

The Gypsy group sued IBM for "moral reparation" and \$20,000 US each in damages on behalf of four Gypsies, or Roma, from Germany and France and one Polish-born Swedish Gypsy. All five plaintiffs were orphaned in the Holocaust.

In addition to six million Jews, the Nazis are believed to have killed around 600,000 Gypsies, although Roma groups say the number could have been as high as 1.5 million.

IBM's German division has paid into Germany's government-industry initiative to compensate people forced to work for the Nazis during the war.

In April 2001, a class-action lawsuit against IBM in New York was dropped after lawyers said they feared it would slow payments from the German Holocaust fund. German companies had sought freedom from legal actions before committing to the fund.



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