

Upon the facts hereinabove found we conclude beyond a reasonable doubt that the defendants Krupp, Loeser, Houdremont, Mueller, Janssen and Eberhardt are guilty on Count Two of the Indictment. The reasons upon which these findings of guilt are based have been set forth heretofore in the discussion of each specific act of spoliation.

The nature and extent of their participation was not the same in all cases and therefore these differences will be taken into consideration in the imposition of the sentences upon them.

The evidence presented against the defendants Karl Pfirsch, Heinrich Korschach, Max Ihn and Friedrich von Buelow we deem insufficient to support the charge of spoliation against them as set forth in Count Two, and we, therefore acquit Karl Pfirsch, Heinrich Korschach, Max Ihn, and Friedrich von Buelow of Count Two of the Indictment.

The defendants Werner Lehmann and Hans Kupke were not charged with this offense.