

Man who denies Holocaust fined

By Kristi Heim

Staff writer

LOS ANGELES — A Long Beach businessman won a \$3,000 court judgment Wednesday against the leader of a right-wing organization that claims the Holocaust never happened.

Mel Mermelstein, who has been waging legal battles with the organization for nearly a decade, was awarded the sum in Los Angeles Superior Court.

Mermelstein is suing the Institute for Historical Review and its founder, Willis A. Carto, for defamation stemming from an article in the institute's

newsletter.

Judge John Zebrowski imposed \$3,000 in sanctions against the defendants Wednesday for avoiding a response to Mermelstein's initial lawsuit.

"I am pleased," Mermelstein said. "I must say that I'm very grateful for our judicial system."

Orange County attorney William Hulsey, who is representing the institute, declined to



Mermelstein

comment on the case Thursday.

In the lawsuit, filed in 1986, Mermelstein alleges that Carto and his organization defamed him by referring to him as a "demonstrable fraud" in a September 1985 newsletter.

He is seeking in excess of \$10,000 in compensation and \$5 million in punitive damages, said Mermelstein's attorney, Jeff Mausner of Los Angeles.

The Institute for Historical Review, based in Torrance, offered \$50,000 in 1979 to anybody who could prove that Jews were gassed to death in the Auschwitz Nazi concentration camp. Mermelstein submitted

physical evidence along with his recollections of witnessing his mother and two sisters led to their deaths, and then sued the institute when he was not paid the reward.

In a separate legal action, the organization was eventually ordered by a court to pay Mermelstein \$90,000 and issue a formal apology to him.

"We have room for all kinds of expressions, extremists one way or another," Mermelstein said. "This country is greater than to eliminate those we don't agree with. But they should know what is right and wrong, not to injure another person."