spoliation in Poland and Alsace-Lorraine to justify a finding of guilt based on those particulars of the Indictment. But Kugler was an active participant, as one of the representatives of Farben, in the negotiations and other steps leading to the Francolor agreement. It is true that he did not act independently in this matter and was under the direction of two Vorstand members, von Schnitzler and ter Meer, both of whom had authority and policy-making functions far superior to those of Kugler. He participated in the preliminary discussions with the Armistice Commission and in the meetings at Wiesbaden in November 1940, at which the Farben demands were served on the French dyestuffs representatives and pressure was exerted to force the French to agree to Farben's desire for a 51% interest in the French industry. It was Kugler who arranged with the authorities during the military occupation that pressure should be applied, and who obtained support for the suggestion "that no alleviations are offered to production which might weaken the opponent's will to negotiate." Kugler was fully advised of all of the steps taken and knew that the Francolor agreement was being imposed on the French against their will and without their free consent. He participated in the meeting at which the Francolor agreement was reached and subsequently served on one of the important committees of Francolor. While he was not the dominant figure initiating the policies leading to the unlawful acquisitions, he was criminally connected with the execution of the entire enterprise and must be held Guilty under Count Two.