

CLAIMS RESOLUTION TRIBUNAL

In re Holocaust Victim Assets Litigation
Case No. CV96-4849

Certified Award

to Claimant [REDACTED]
represented by Erez Bernstein

in re Accounts of Rudolf Askonas, Hanni Askonas, and Thea Egert

Claim Number: 501092/AV/AC

Award Amount: 1,715,296.38 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the published accounts of Rudolf Askonas and Johanna Askonas. This Award is to the published and unpublished accounts of Rudolf Askonas (“Account Owner Rudolf Askonas”), to the published and unpublished accounts of Johanna (Hanni) Askonas (“Account Owner Hanni Askonas”), over one of which Account Owner Rudolf Askonas held power of attorney, and to the published account of Thea Egert (“Account Owner Egert”) (together the “Account Owners”), at the Zurich branch of the [REDACTED] (“Bank I”) and the Zurich branch of [REDACTED] (“Bank II”) (together the “Banks”).¹

All awards are published, but where a claimant has requested confidentiality, as in this case, the names of the claimant, any relatives of the claimant other than the account owners, and the bank have been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form identifying Account Owner Rudolf Askonas as his father, Rudolf Askonas, who was born to [REDACTED] and [REDACTED], née [REDACTED], on 13 January 1885 in Vienna, Austria. The Claimant also identified Account Owner Hanni Askonas as his mother, Johanna (Hanni) Askonas, née [REDACTED], who was born on 21 March 1887 in Vienna. The Claimant indicated that his parents, who were Jewish, were married in Vienna, where his father was a company director. According to the Claimant, his parents first lived at Zelinkagasse 4 in Vienna, and then at Hasenauerstrasse 23. The Claimant stated that his parents

¹ The CRT notes that, on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons (“ICEP”) to be probably or possibly those of Victims of Nazi Persecution (the “ICEP List”), Rudolf Askonas is indicated as having four accounts, over which Thea Egert held power of attorney, and Thea Egert is indicated as having one account. Upon careful review of Bank I’s records and the records available from the Austria State Archives, the CRT has concluded that Rudolf Askonas held three accounts at Bank I, one account at Bank II, and that he held one account jointly with Thea Egert at Bank I.

fled Vienna after the incorporation of Austria into the Reich in March 1938 (the “*Anschluss*”), and that they subsequently settled in the United Kingdom.

In support of his claim, the Claimant submitted his father’s birth certificate, indicating that Rudolf Askonas was born to [REDACTED] and [REDACTED] on 13 January 1885 in Vienna. The Claimant indicated that he was born on 1 November 1919 in Vienna.

Information Available in the Banks’ Records

Bank I

Bank I’s records consist of deposit and instruction forms, an account opening contract, power of attorney forms, signature sample cards, and printouts from Bank I’s database.

Account Owner Hanni Askonas

Bank I’s records indicate that Account Owner Hanni Askonas was Hanni Askonas, who resided at Zelinkagasse 4 in Vienna, Austria. Bank I’s records further indicate that Account Owner Hanni Askonas held one custody account, numbered 37770, that was opened no later than 24 May 1934. According to Bank I’s records, Account Owner Hanni Askonas granted power of attorney over her account to Rudolf Askonas, to whom correspondence was sent at Gonzagasse 23 in Vienna. Bank I’s records indicate that unidentified securities were transferred to the account on 19 June 1934, and that the account was closed on 23 August 1938. Bank I’s records do not indicate the value of this account. There is no evidence in Bank I’s records that Account Owner Hanni Askonas, Account Owner Rudolf Askonas or their heirs closed the account and received the proceeds themselves.

Account Owner Thea Egert and Account Owner Rudolf Askonas

Bank I’s records indicate that Account Owner Egert was *Frl.* (“Miss”) Thea Egert, who resided at Opernring 13 in Vienna, and who used a temporary address at Hohe Strasse 1a in Coburg, Germany, and that Account Owner Rudolf Askonas was *Herr* (Mr.) *Kommerzialrat*² Rudolf Askonas, who resided at Gonzagasse 23 in Vienna. Bank I’s records also indicate that Account Owner Thea Egert and/or Account Owner Rudolf Askonas used an address in Nanterre, France.

Bank I’s records indicate that Account Owner Egert held a custody account, numbered 37778, which was opened no later than 31 May 1934, and that she was authorized to access the account only together with Account Owner Rudolf Askonas. Bank I’s records further indicate that Account Owner Rudolf Askonas was added as a joint account owner of this account on 15 October 1935. The records further indicate that on 31 May 1934 the custody account contained securities identified as 4½% *Schweizerische Bundesbahnen 1928* bonds with a nominal value of 5,000.00 Swiss Francs (“SF”), and 4½% *Schweizerische Eidgenossenschaft 1930* bonds with a

² The CRT notes that “*Kommerzialrat*” is an honorary title bestowed on prominent businessmen and financiers.

nominal value of SF 5,000.00. The records indicate that the account was closed on 16 November 1938, but they do not show the value of this account on the date of its closure. There is no evidence in Bank I's records that Account Owner Egert, Account Owner Rudolf Askonas, or their heirs closed the account and received the proceeds themselves.

Account Owner Rudolf Askonas

Based on the information available in the records of the Austrian State Archive, the auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation") reported that Account Owner Rudolf Askonas held a custody account and a demand deposit account at Bank I. These accounts are described in detail below.

Bank II

The CRT notes that the auditors who carried out the ICEP Investigation did not report an account belonging to Account Owner Rudolf Askonas during their investigation of Bank II. The information regarding Account Owner Rudolf Askonas' account at Bank II is available from the Austrian State Archive, which is described below.

Information Available from the Austrian State Archive

Rudolf Askonas

By decree on 26 April 1938, the Nazi Regime required all Jews who resided within the Reich, or who were nationals of the Reich, including Austria, and who held assets above a specified level to register all their assets as of 27 April 1938 (the "1938 Census"). In the records of the Austrian State Archive (Archive of the Republic, Finance), there are documents concerning the assets of Rudolf Askonas, numbered 18818. These indicate that he was born on 13 January 1885 and that he lived at Hasenauerstrasse 23 in Vienna. In addition, the records indicate that Rudolf Askonas was married to Johanna Askonas, née Heller, who was born on 21 March 1887 in Vienna, with whom he had two children: [REDACTED], who was born on 13 August 1913, and [REDACTED], who was born on 1 November 1919.

According to these records, Rudolf Askonas was assessed "flight tax" (*Reichsfluchtsteuer*) of 795,626.00 Reichsmark ("RM") on total assets of RM 3,182,506.00 on 18 July 1939, at which time he was already residing in London, England; this assessment was revised downward to RM 557,527.00 on 24 February 1940.

In his Census declaration, signed 15 July 1938, Rudolf Askonas listed his assets as including a residence at Lammgasse 8 in Vienna worth RM 213,000.00, a one-fourth share, worth RM 5,000.00, of another residence at Getreidegasse 25 in Salzburg, Austria; a one-half share of three businesses, his shares being worth a total of RM 193,475.00; insurance policies with a repurchase value of RM 113,758.92; and several securities and bank accounts held at banks in Austria and Czechoslovakia.

In addition, Richard Askonas listed assets held at two Swiss banks: He declared two accounts at Bank I: a custody account, which contained 7% *Intern. S.F.G. Loan Austr. Gov. amer. Tr.* bonds with a nominal value of 12,000.00 United States Dollars (“US \$”) and an undetermined market value on 27 April 1938, and a demand deposit account with a balance of SF 999.50 on 27 April 1938. He further declared a custody account at Bank II, which contained the following securities:

- 4% *Anl. Stadt Wien 1931* bonds with a nominal value of SF 6,000.00 and a market value of SF 1,920.00;
- 4¾% *Tiroler Landes hyp.* bonds with a nominal value of SF 1,000.00 and a market value of SF 330.00;
- 7% *Austrian Gov. engl. Tr.* bonds with a nominal value of 700.00 Pound Sterling (£) and a market value of SF 6,076.00;
- 5% *Oe. Abrechgs. Schuldversch. Kat. E II Ausg.* bonds with a nominal value of £ 650.00, the market value of which could not be determined (“*keine Notierung*”);
- 4½% *Rum. Konsol. Anl. 1934* bonds with a nominal value of 2,100.00 French Francs (“FFR”) together with partial certificates with a nominal value of FFR 25.00, the market value of which could not be determined (“*keine Notierung*”);
- 6% *Rum. Konsol. Anl. 1925* bonds with a nominal value of 70,000.00 Lira (“ITL”), the market value of which could not be determined (“*keine Notierung*”);
- 5% *Oe. Abrechgs. Schuldv.* bonds with a nominal value of £1,000.00, the market value of which could not be determined (“*keine Notierung*”).

Rudolf Askonas noted at the end of his 1938 Census declaration that, according to Gestapo Order GZ 1288/38, his assets had been seized (*beschlagnahmt*) and in part already confiscated (*eingezogen*). The records further contain a letter from Rudolf Askonas’ attorney, Gustav Rinesch, to the Office in the Ministry for Economics and Labor charged with registering and administering Jewish-owned property (*Vermögensverkehrsstelle*), dated 30 December 1938, stating that most of Rudolf Askonas’ assets, including his residence at Lammgasse 8 in Vienna, his businesses, and his Austrian-held securities and bank accounts were confiscated by order of the Gestapo on 10 June 1938. According to this letter, the custody accounts held by Rudolf Askonas in Zurich contained Austrian securities whose market value after 27 April 1938 sank to just a fraction of their previous value, so that the total proceeds of the sale of the securities in the two custody accounts amounted to only SF 13,000.00. Mr. Rinesch further stated that the proceeds of the sale were used by Rudolf Askonas and his family for their maintenance and travel expenses.³ This letter further indicates that, although the Gestapo Order addressed only assets held by Rudolf Askonas, the assets owned by the other members of the family, *i.e.*, Johanna Askonas, Rudolf Askonas’ wife, his son (the Claimant) and his daughter, were seized as well.

The records finally contain official correspondence dealing with the confiscation of all remaining assets following the confiscation and denationalization order dated 29 July 1941.

³ The original text reads: “*Die beiden Bankdepots in Zürich haben Oesterreichische-Wertpapiere enthalten deren Kurswert seit der Anmeldung per 27.4.1938 auf einen Bruchteil gesunken ist. Insgesamt wurden hierfür Fr. 13.000.- erzielt. Dieser Betrag wurde von Herrn Rudolf Askonas und seiner Familie zur Bestreitung des Lebensunterhalts, sowie für Reisespesen bereits vollkommen aufgebraucht.*”

Johanna Askonas

The records of the Austrian State Archive (Archive of the Republic, Finance) also contain documents from the 1938 Census concerning the assets of Johanna Askonas, numbered 18848. These indicate that she was born on 21 March 1887, that she was married to Rudolf Askonas, and that she lived at 23 Hasenauerstrasse in Vienna. The records also show that she owned a one-half share in an apartment house located at Gusshausstrasse 14 in Vienna, her share being worth RM 34,000.00. Additionally, the records show that Johanna Askonas held several accounts and securities, valued at a total of RM 27,264.67, at a bank in Austria.

In addition, Johanna Askonas stated in her 1938 Census declaration that she owned two demand deposit accounts at Bank I. These accounts were not reported by the auditors who carried out the ICEP Investigation. The first of these demand deposit accounts had a balance of SF 295.00 as of 27 April 1938, and the second demand deposit account had a balance of US \$10.00 as of 27 April 1938. The records contain no further information regarding these accounts.

The CRT's Analysis

Identification of the Account Owners

The Claimant has plausibly identified Account Owner Rudolf Askonas and Account Owner Hanni Askonas. The Claimant's parents' names and city and country of residence match the published names and city and country of residence of Account Owner Rudolf Askonas and Account Owner Hanni Askonas. The Claimant identified Account Owner Rudolf Askonas' occupation and Account Owner Hanni Askonas' street address, which match unpublished information about Account Owner Rudolf Askonas and Account Owner Hanni Askonas contained in the Banks' records, as well as information about Rudolf Askonas and Johanna Askonas indicated in their 1938 Census records. Moreover, the 1938 Census records show that [REDACTED] was the son of Rudolf and Johanna Askonas. The CRT notes that the Claimant has not identified Account Owner Egert. The CRT concludes, however, that this is immaterial in light of the strength of the Claimant's identification of Account Owner Rudolf Askonas and Account Owner Hanni Askonas, particularly because there is no evidence that Account Owner Egert was related to Account Owner Rudolf Askonas or Account Owner Johanna Askonas.

In support of his claim, the Claimant submitted documents, including his father's birth certificate, providing independent verification that the person who is claimed to be Account Owner Rudolf Askonas had the same name and resided in the same city recorded in the Banks' records and the 1938 Census records as the name and city of residence of Account Owner Rudolf Askonas.

The CRT further notes that the names Rudolf Askonas and Hanni Askonas each appear only once on the February 2001 published list of accounts determined by ICEP to be probably or possibly those of victims of Nazi persecution (the "ICEP List"). Finally, the CRT notes that there are no other claims to these accounts.

Status of the Account Owners as Victims of Nazi Persecution

The Claimant has made a plausible showing that Account Owner Rudolf Askonas and Account Owner Hanni Askonas were Victims of Nazi Persecution. The Claimant stated that Account Owner Rudolf Askonas and Account Owner Hanni Askonas were Jewish, and that they fled Vienna after the *Anschluss*. Further, the records from the Austrian State Archive indicate that the assets belonging to the Account Owners and their family were confiscated by the Nazis.

The Claimant's Relationship to the Account Owners

The Claimant has plausibly demonstrated that he is related to Account Owner Rudolf Askonas and Account Owner Hanni Askonas by submitting information matching that in the 1938 Census records, which in turn indicate that the Claimant was the son of Account Owners Rudolf and Hanni Askonas.

The Issue of Who Received the Proceeds

Regarding the accounts documented in the 1938 Census records, namely Account Owner Rudolf Askonas' custody account and demand deposit account at Bank I and his custody account at Bank II, as well as Account Owner Hanni Askonas' two demand deposit accounts at Bank I, the facts of this case are similar to other cases that have come before the CRT in which Jewish residents and/or nationals of the Reich reported their assets in the 1938 Census, and, subsequently, their accounts were closed unknown to whom or were transferred to banks in the Reich. Given that the CRT's precedent indicates that it is plausible in such situations that the proceeds of the account were ultimately confiscated by the Nazi regime; that Account Owner Rudolf Askonas and Account Owner Hanni Askonas reported these accounts in the 1938 Census; and given the application of Presumptions (d) and (j) as provided in Article 28 of the Rules Governing the Claims Resolution Process, as amended (the "Rules") (see Appendix A), the CRT concludes that it is plausible that, but for the SF 13,000.00 paid to Account Owner Rudolf Askonas from the sale of certain securities in his custody accounts for the maintenance and travel expenses of his family, the account proceeds were not paid to Account Owner Rudolf Askonas, Account Owner Hanni Askonas, or their heirs.

Bank I's records indicate that Account Owner Hanni Askonas' custody account, numbered 37770, was closed on 23 August 1938, and that the custody account jointly owned by Account Owner Rudolf Askonas and Account Owner Egert, numbered 37778, was closed on 16 November 1938. The Claimant did not specify exactly when after the *Anschluss* Account Owner Rudolf Askonas and Account Owner Hanni Askonas fled Austria. Accordingly, it is unclear whether Account Owner Rudolf Askonas and Account Owner Hanni Askonas were still in Austria when the accounts were closed. However, even if Account Owner Rudolf Askonas and Account Owner Hanni Askonas had already fled Austria and were outside Nazi-dominated territory when the accounts were closed, given that Account Owner Rudolf Askonas' 1938 Census file indicates that the Gestapo seized most of his family's assets around the same time as these accounts were closed, that Account Owner Rudolf Askonas and Account Owner Hanni Askonas fled their country of origin due to Nazi persecution, that Account Owner Rudolf Askonas and Account Owner Hanni Askonas may have had relatives remaining in their country

of origin and that they may therefore have yielded to Nazi pressure to turn over their accounts to ensure their safety, that Account Owner Rudolf Askonas and Account Owner Hanni Askonas and their heirs would not have been able to obtain information about their accounts after the Second World War from the Banks, even for the stated purpose of obtaining indemnification from the German authorities, due to the Swiss banks' practice of withholding or misstating account information in their responses to inquiries by account owners because of the banks' concern regarding double liability, and given the application of Presumptions (h) and (j), as provided in Article 28 of the Rules, the CRT concludes that it is plausible that the account proceeds were not paid to the Account Owners or their heirs.

Based on its precedent and the Rules, the CRT applies presumptions to assist in the determination of whether or not Account Owners or their heirs received the proceeds of their accounts.

Basis for the Award

The CRT has determined that an Award may be made in favor of the Claimant. First, the claim is admissible in accordance with the criteria contained in Article 18 of the Rules. Second, the Claimant has plausibly demonstrated that Account Owner Rudolf Askonas and Account Owner Hanni Askonas were his parents, and those relationships justify an Award. Third, the CRT has determined that it is plausible that neither the Account Owners nor their heirs received the proceeds of the claimed accounts.

Amount of the Award

In this case, the Account Owners held a total of seven accounts: Account Owner Rudolf Askonas held one custody account and one demand deposit account at Bank I and a custody account at Bank II, and Account Owner Hanni Askonas held one custody account, numbered 37770, and two demand deposit accounts at Bank I. In addition, Account Owner Rudolf Askonas and Account Owner Egert jointly held one custody account, numbered 37778, at Bank I.

Pursuant to Article 29 of the Rules, when the value of an account is unknown, as is the case with custody account 37770 held by Account Owner Hanni Askonas at Bank I, the average value of the same or a similar type of account in 1945 is used to calculate the current value of the account being awarded. Based on the ICEP Investigation, in 1945 the average value of a custody account was SF 13,000.00.

With respect to custody account 37778, jointly held at Bank I by Account Owner Egert and Account Owner Rudolf Askonas, Bank I's records indicate that, as of 31 May 1934, the custody account contained securities identified as 4½% *Schweizerische Bundesbahnen 1928* bonds with a nominal value of SF 5,000.00, and 4½% *Schweizerische Eidgenossenschaft 1930* bonds with a nominal value of SF 5,000.00. The records indicate that the account was closed on 16 November 1938, as of which date the 4½% *Schweizerische Bundesbahnen 1928* bonds had a market value of SF 5,412.50, and the 4½% *Schweizerische Eidgenossenschaft 1930* bonds had a market value

of SF 5,320.00, for a combined market value of SF 10,732.50.⁴ According to Article 29 of the Rules, if the amount in a custody account was less than SF 13,000.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 13,000.00. The CRT notes that Bank I's records do not indicate whether these bonds constituted the entire contents of Account Owner Hanni Askonas' custody account, or whether it also contained additional assets. In the absence of evidence to the contrary, and consistent with Article 29 of the Rules, the CRT determines that the value of this account shall be SF 13,000.00.

With respect to Account Owner Rudolf Askonas' demand deposit account held at Bank I and Account Owner Hanni Askonas' demand deposit account held in Swiss Francs at Bank I, the 1938 Census records indicate that the balances of these accounts as of 27 April 1938 were SF 999.50 and SF 295.00, respectively. With respect to Account Owner Hanni Askonas' demand deposit held in United States Dollars at Bank I, the 1938 Census records indicate that the balance of the account as of 27 April 1938 was US \$10.00, which was then equivalent to SF 43.70.⁵ According to Article 29 of the Rules, if the amount in a demand deposit account was less than SF 2,140.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 2,140.00, for a combined value of SF 6,420.00 for three demand deposit accounts.

With respect to the custody account held by Account Owner Rudolf Askonas at Bank I, the 1938 Census records indicate that the account contained 7% *Intern. S.F.G. Loan Austr. Gov. amer. Tr.* bonds with a nominal value of US \$12,000.00, which was equivalent to SF 52,440.00. According to the Guidelines for the Valuation of Securities, circulated to the CRT by Special Master Helen B. Junz, as a general rule, the nominal value of bonds not in default shall be awarded if the market value was below the nominal value on the date the account owner is deemed to have lost control over the account. It is presumed that the account owner, if able to decide freely, could have opted to hold the bond to maturity to avoid a capital loss. According to the *Compass Finanzielle Jahrbücher*,⁶ the market value of these bonds was \$4,389.60 as of 27 April 1938, which was then equivalent to SF 19,182.55. Since this value is below the nominal value of the bonds and the bond was not in default before the *Anschluss* and consistent with Special Master Junz's Guidelines, the CRT determines the value of this account to be SF 52,440.00.⁷

With respect to Account Owner Rudolf Askonas' custody account at Bank II, the 1938 Census records indicate that the account contained the following securities as of 27 April 1938:

⁴ When available, the CRT uses the market values of securities traded in Switzerland. In this case, the market values for these securities are from the 30 December 1938 issue of the *Kursblatt der Zürcher Effektenbörse*.

⁵ The CRT uses official exchange rates when converting the amounts in foreign currencies into Swiss Francs.

⁶ *Compass Finanzielle Jahrbücher* (Vienna: Compass-Verlag) (1939) *Deutsche Reich: Land Österreich und Rumänien*. According to the Special Master Junz's Guidelines, the Compass Series of annual yearbooks are accepted as appropriate sources to consult for market values, especially for bonds issued in Central and Eastern European countries.

⁷ According to Special Master Junz, the 7% *Intern. S.F.G. Loan Austr. Gov. amer. Tr.* bonds were in default in 1938. However, the default was associated with the *Anschluss* and the bond was a quality issue in 1937. The CRT therefore awards this bond at nominal value.

- *4% Anl. Stadt Wien 1931* bonds with a nominal value of SF 6,000.00 and a market value of SF 1,920.00. Since the market value is below the nominal value and the bond was not in default, and consistent with Special Master Junz's Guidelines, the CRT determines the value of these bonds to be SF 6,000.00.
- *4¾% Tiroler Landes hyp.* bonds with a nominal value of SF 1,000.00 and a market value of SF 330.00. Since the market value is below the nominal value and the bond was not in default, and consistent with Special Master Junz's Guidelines, the CRT determines the value of these bonds to be SF 1,000.00.
- *7% Austrian Gov. engl. Tr.* bonds with a nominal value of £700.00, which was equivalent to SF 14,959.00, and a market value of SF 6,076.00. Since the market value is below the nominal value and the bond was not in default, and consistent with Special Master Junz's Guidelines, the CRT determines the value of these bonds to be SF 14,959.50.
- *5% Oe. Abrechgs. Schuldversch. Kat. E II Ausg.* bonds with a nominal value of £650.00, which was equivalent to SF 13,890.50. According to the *Compass Finanzielle Jahrbücher*, the market value of these bonds was £599.82 at the end of 1937, which was then equivalent to SF 12,818.15. Since the market value is below the nominal value and the bond was not in default, and consistent with Special Master Junz's Guidelines, the CRT determines the value of these bonds to be SF 13,890.50.
- *4½% Rum. Konsol. Anl. 1934* bonds with a nominal value of FFR 2,100.00 together with partial certificates with a nominal value of FF 25.00, for a combined nominal value of FF 2,125.00, which was equivalent to SF 267.75. According to *Moody's Government Manual*, interest payments on Romanian bonds were reduced beginning on 1 October 1933, so that only 25 to 49 percent of the interest was paid on the bonds.⁸ These bonds were therefore in default, which Special Master Junz, consistent with normal market usage, has defined as being either a breach in the interest payment or the repayment obligation or both. As the bond remained in default as compared with its original issue obligations, and consistent with Special Master Junz's Guidelines, the market value is the appropriate value for the determination of the award amount. According to the *Compass Finanzielle Jahrbücher*, the combined market value of these bonds was FF 743.75, which was then equivalent to SF 93.71, at the end of 1937. The CRT therefore determines the value of these bonds to be SF 93.71.
- *6% Rum. Konsol. Anl. 1925* bonds with a nominal value of ITL 70,000.00, which was then equivalent to SF 16,100.00, and a market value of ITL 35,000.00, which was then equivalent to SF 8,050.00. As the bond remained in default as compared with its original issue obligations, and consistent with Special Master Junz's Guidelines, the CRT determines the value of these bonds to be SF 8,050.00.
- *5% Oe. Abrechgs. Schuldv.* bonds with a nominal value of £1,000.00, which was equivalent to SF 21,370.00, and a market value of £968.40 at the end of 1937, which was then equivalent to SF 20,716.63. Since the market value is below the nominal value and the bond was not in default, and consistent with Special Master Junz's Guidelines, the CRT determines the value of these bonds to be SF 21,370.00.

The combined value of the securities in Account Owner Rudolf Askonas' custody account at Bank II was therefore SF 65,363.71.

⁸ *Moody's Government Manual* for 1940, p. 1947.

The historic values and, where applicable, the Article 29 values of the Account Owners' seven accounts therefore total SF 150,223.71. The 1938 Census records also indicate that the securities held by Account Owner Rudolf Askonas in his custody accounts at Bank I and Bank II were sold far below value for SF 13,000.00, which amount Account Owner Rudolf Askonas and his family received and used for their travel and maintenance expenses. This amount is therefore deducted from the total value of the awarded accounts, for a balance of SF 137,223.71.

The current value of the amount of the award is determined by multiplying the historic values and, where applicable, the balances as determined by Article 29, by a factor of 12.5, in accordance with Article 31(1) of the Rules. Consequently, the total award amount in this case is SF 1,715,296.38.

Scope of the Award

The Claimant should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on his claim to determine whether there are additional Swiss bank accounts to which he might be entitled, including research of the Total Accounts Database (consisting of records of 4.1 million Swiss bank accounts which existed between 1933 and 1945).

Certification of the Award

The CRT certifies this Award for approval by the Court and payment by the Special Masters.

Claims Resolution Tribunal
31 December 2005