

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Friedrich Bauer

Claim Number: 216434/MI

Award Amount: 12,625.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the account of Arthur Bauer.¹ This Award is to the published account of Friedrich Bauer (the “Account Owner”) at the Zurich branch of the [REDACTED] (the “Bank”).²

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 owner, and the bank have been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form identifying the Account Owner as her brother, Fritz Bauer, who was born in May 1925 in Liboch, Czechoslovakia (now the Czech Republic). The Claimant indicated she and her brother were the children of [REDACTED] and [REDACTED]. The Claimant further indicated that their father, who was a businessman, deposited money in Switzerland for security reasons, and that the family resided in Liboch and Prague, Czechoslovakia (now the Czech Republic). The Claimant indicated that her father, who was Jewish, was politically active, that he knew about the location of ammunition warehouses, that he was jailed by the Gestapo in 1940, and both he and his wife (the Claimant’s mother) later perished in Maidanek. The Claimant indicated that her brother, who was also Jewish, did not survive the Second World War.

¹ The CRT will treat the claim to this account in a separate determination.

² 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”), the name Friedrich Bauer appears three times, and the name Fritz Bauer appears twice. The CRT further notes that on the List of Account Owners Published in 2005 (the “2005 List”), the name Fritz Bauer appears once. Upon careful review, the CRT has determined that the other persons named Friedrich Bauer, the other Fritz Bauer on the ICEP List, and the Fritz Bauer on the 2005 List, are not the same person addressed in the current decision and, consequently, the Claimant did not identify these other account owners as her relative.

The Claimant indicated that she was born on 23 July 1923 in Nieder Koblitz, Czechoslovakia (now Dolni Chobolice, the Czech Republic).

Information Available in the Bank's Records

The Bank's records consist of a list of Account Owners and a printout from the Bank's database. According to these records, the Account Owner was Friedrich Bauer, who used an address in Zurich, Switzerland. The Bank's records do not indicate the Account Owner's domicile. The Bank's records indicate that the Account Owner held a savings/passbook account, numbered 1000375. The amount in the account as of 6 August 1999 was 85.00 Swiss Francs ("SF"). The account remains open and dormant.

The CRT's Analysis

Identification of the Account Owner

The Claimant's brother's name matches the published name of the Account Owner.³ The CRT notes that the Bank's records do not contain any specific information about the Account Owner other than his name. Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Fritz Bauer, and indicates that his date of birth was 27 May 1925, which matches the information about the Account Owner provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel. The CRT further notes that there are no other claims to this account. Taking all of these factors into account, the CRT concludes that the Claimant has plausibly identified the Account Owner.

Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has made a plausible showing that the Account Owner was a Victim of Nazi Persecution. The Claimant stated that the Account Owner was Jewish, that he resided in Nazi-occupied Czechoslovakia, and that he perished during the Second World War. The Claimant further stated that the Account Owner's parents perished in Maidanek. As noted above, a person named Fritz Bauer was included in the CRT's database of victims.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific biographical information, demonstrating that the Account Owner was the Claimant's brother. There is no information to indicate that the Account Owner has other surviving heirs. The CRT further notes that the Claimant identified information which matches information contained in the Yad Vashem records. Finally, the CRT notes that the foregoing information is

³ The CRT notes that Fritz is a variation of the name Friedrich.

of the type that family members would possess and indicates that the Account Owner was well known to the Claimant as a family member, and all of this information supports the plausibility that the Claimant is related to the Account Owner, as she has asserted in her Claim Form.

The Issue of Who Received the Proceeds

The Bank's records indicate that the account remains open and dormant.

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 Governing the Claims Resolution Process (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was her brother, and that relationship justifies an Award. Third, the CRT has determined that neither the Account Owner nor his heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one savings/passbook account. The Bank's records indicate that the value of the savings/passbook account as of 6 August 1999 was SF 85.00. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 925.00, which reflects standardized bank fees charged to the savings/passbook account between 1945 and 1999. Consequently, the adjusted balance of the account at issue is SF 1,010.00. The current value of the amount of the award is determined by multiplying the adjusted balance by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of SF 12,625.00.

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 her claim to determine whether there are additional Swiss bank accounts to which she 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
4 February 2008