

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Clara Bauer

in re Account of Tibor Bauer

Claim Number: 211218/PY

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of Clara¹ Bauer, née Schäffer, (the “Claimant”) to the account of Clara Schäffer.² This Award is to the account of Tibor Bauer (the “Account Owner”) at the [REDACTED] (the “Bank”).

All awards are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form identifying the Account Owner as her late husband, Tibor Bauer, who was born in 1922, and was married to the Claimant on 16 April 1951 in Tel Aviv, Israel. In a telephone conversation with the CRT on 5 November 2002, the Claimant stated that her husband was the owner of a factory in Hungary before the Second World War. According to the Claimant, her husband, who was Jewish, was taken to a forced labor camp, where he remained until the end of the Second World War, when he left Europe for Palestine. The Claimant stated that her husband died in 1984 in Israel. The Claimant submitted her birth certificate and her marriage certificate, which indicates that her husband was Tibor Bauer. The Claimant indicated that she was born on 16 April 1928 in Tekovske Luzany, Czechoslovakia.

Information Available in the Bank’s Records

The Bank’s records consist of printouts from the Bank’s database. According to these records,

¹ The Claimant indicated that her first name can be spelled as either Klara or Clara.

² The CRT previously issued a Certified Award to the Claimant based on her claim to the account of Clara Schäffer.

the Account Owner was Tibor Bauer. The Bank's records do not contain information as to the place of residence of the Account Owner. The Bank's records indicate that the Account Owner held one account of unknown type, which was transferred to a suspense account for dormant assets on 25 June 1973. The amount in the account on the date of its transfer was 54.60 Swiss Francs. The account remains open and dormant.

The CRT's Analysis

Identification of the Account Owner

The Claimant's late husband's name matches the published name of the Account Owner. In support of her claim, the Claimant submitted her marriage certificate, which demonstrates that her husband's name was Tibor Bauer, providing independent verification that the person who is claimed to be the Account Owner had the same name as the person recorded in the Bank's records as the Account Owner. The CRT further notes that the name Tibor Bauer appears only once on the 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"). Finally, the CRT notes that this is the only claim 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, and that he was interned in a forced labor camp.

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 and documents, including her marriage certificate, demonstrating that she is the Account Owner's widow.

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, as amended (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was her husband, and that relationship justifies an

Award. Finally, 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 account of unknown type. The Bank's records indicate that the value of the account of unknown type as of 25 June 1973 was 54.60 Swiss Francs. According to Article 29 of the Rules, if the amount in an account of unknown type was less than 3,950.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 3,950.00 Swiss Francs. The current value of the amount of the award is determined by multiplying the balance as determined by Article 29 of the Rules by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of 49,375.00 Swiss Francs.

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
6 February 2004