

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Accounts of Paul Beck

Claim Number: 728396/AX^{1,2}

Award Amount: 60,943.25 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to an account of Pal Beck. This Award is to the unpublished account of Paul Beck (the “Account Owner”) at the [REDACTED] (“Bank 1”) and the published account of Paul Beck at the Winterthur branch of the [REDACTED] (“Bank 2”) (together, the “Banks”).³

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 an Initial Questionnaire (“IQ”) with the Court in 1999 identifying the Account Owner as her husband, Pal Beck,⁴ who was born on 30 September 1917 in Budapest, Hungary. The Claimant indicated that before the Second World War her husband resided in Budapest at Zarda u. 40. In a telephone conversation with the CRT on 4 August 2005, the

¹ The Claimant did not submit a Claim Form to the CRT. However, in 1999 she submitted an Initial Questionnaire (“IQ”), numbered HUN 0011065, to the Court in the United States. Although this IQ was not a Claim Form, the Court, in an Order signed on 30 July 2001, ordered that those Initial Questionnaires which can be processed as claim forms be treated as timely claims. Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001). The IQ was forwarded to the CRT and has been assigned claim number 728396.

² The Claimant submitted an additional claim to the account of [REDACTED], which is registered under the Claim Number 728312. The CRT will treat the claim to this account in a separate determination.

³ The CRT notes that different auditors carried out the investigation of Bank 1 and Bank 2 to identify accounts of Victims of Nazi Persecution pursuant to the ICEP Investigation, and so no determination was made as to whether the same person held both accounts. However, given that there is no information to the contrary, the CRT has determined that, for the purposes of this Award, the accounts shall be treated as having been held by the same person.

⁴ The CRT notes that the Claimant’s husband name is Pal Beck, while the Account Owner’s name is Paul Beck. However, the CRT further notes that Pal is a Hungarian version of Paul.

Claimant indicated that her husband, who was Jewish, owned the *Müller Ink Factory* in Budapest. According to the Claimant, in 1942 her husband was forcibly enlisted in a labor battalion, and in 1944 he was deported to the Theresienstadt concentration camp, where he perished in 1945. In support of her claim, the Claimant submitted her marriage certificate, indicating that her husband was Pal Beck. The Claimant indicated that she was born on 13 April 1921.

Information Available in the Banks' Records

Bank 1

Bank 1's record consists of a list of savings/passbook accounts prepared by 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"). According to this record, the Account Owner was Paul Beck. This record does not indicate the Account Owner's domicile. Bank 1's record indicates that the Account Owner held one savings/passbook account, numbered 221, which had a balance of 0.46 Swiss Francs ("SF") on 1 January 1999. The auditors who carried out the ICEP Investigation indicated that the account remains open and dormant.

Bank 2

Bank 2's records consist of printouts from Bank 2's database. According to these records, Bank 2's records indicate that the Account Owner was Paul Beck. These records indicate the Account Owner's address as "Frohsinn," but do not contain any other details regarding the Account Owner's domicile. Bank 2's records indicate that the Account Owner held one account, numbered 33597, the type of which is not indicated. According to these records, the account was opened on 23 December 1941, and Bank 2's last contact with the Account Owner was on 9 October 1942. Bank 2's records indicate that this account was transferred to a suspense account for dormant assets on 25 November 1968. The amount in the account on the date of its transfer was SF 2.80. The account remains in the suspense account.

The CRT's Analysis

Identification of the Account Owner

The Claimant's husband's name matches the published and unpublished name of the Account Owner.⁴ The CRT notes that the Banks' records does not contain any specific information about the Account Owner other than his name. In support of her claim, the Claimant submitted documents, including her marriage certificate, indicating that her husband was Pal Beck, providing independent verification that the person who is claimed to be the Account Owner had the same name recorded in the Banks' records as the name of the Account Owner.

The CRT notes that the Claimant filed an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Pal Beck, prior to the publication in February 2001 of the list of accounts determined by ICEP to be probably or possibly those of Victims of Nazi Persecution (the "ICEP List"). This indicates that the Claimant has based her present claim not simply on the fact that an individual identified on the ICEP List as owning a Swiss bank account bears the same name as her relative, but rather on a direct family relationship that was known to her before the publication of the ICEP List. It also indicates that the Claimant had reason to believe that her relative owned a Swiss bank account prior to the publication of the ICEP List. This supports the credibility of the information provided by the Claimant.

The CRT 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, and that he was deported to a slave labor camp in 1942, and that in 1944 he was deported to the Theresienstadt concentration camp, where he perished in 1945.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was the Claimant's husband. These documents include her marriage certificate, indicating that her husband was Pal Beck. There is no information to indicate that the Account Owner has other surviving heirs.

The CRT notes that the Claimant filed an Initial Questionnaire with the Court in 1999, identifying the relationship between the Account Owner and the Claimant, prior to the publication in February 2001 of the ICEP List. Finally, the CRT notes that the foregoing information is 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 Banks' records indicate that the account at Bank 1 remains open and dormant, and that the account at Bank 2 remains suspended.

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.

Third, the CRT has determined that neither the Account Owner nor his heirs received the proceeds of the claimed account.

Amount of the Award

With respect to the account held at Bank 1, Bank 1's record indicates that the Account Owner held one savings/passbook account. The auditors who carried out the ICEP Investigation indicated that the balance of the account on 1 January 1999 was SF 0.46. 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 account between 1945 and 1999. Consequently, the adjusted balance of the account at issue is SF 925.46. 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 an award amount of SF 11,568.25 for this account.

With respect to the account held at Bank 2, Bank 2's records indicate that the Account Owner held one account of unknown type. Bank 2's records further indicate that the balance of the account on 25 November 1968 was SF 2.80. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 360.00, which reflects standardized bank fees charged to the account between 1945 and 1968. Consequently, the adjusted balance of the account at issue is SF 362.80. According to Article 29 of the Rules, if the amount in an account of unknown type was less than SF 3,950.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 3,950.00. The current value of the amount of the award is determined by multiplying the balance as determined by Article 29 by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce an award amount of SF 49,375.00 for this account.

Thus, the total award amount is SF 60,943.25.

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
30 November 2005