

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED 1]
also acting on behalf of [REDACTED 2]

in re Account of Germaine Bloch

Claim Number: 208144/PY

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED 1] (the “Claimant”) to the published account of Germaine Bloch (the “Account Owner”) at the Lausanne branch of the [REDACTED] (the “Bank”).

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 his mother, Germaine Bloch, née Levy, who was born on 10 August 1908 in Pont-à-Mousson, near Nancy, France, the daughter of [REDACTED] and [REDACTED]. The Claimant indicated that Germaine Levy was married to [REDACTED], who was born in 1892 in Switzerland, and that the couple had two children: [REDACTED 1] (the Claimant) and [REDACTED 2]. The Claimant indicated that Jules Bloch was a Swiss national, and that his relatives lived in Lausanne, Switzerland.

The Claimant stated that from 1928 onward his parents lived in Paris, France. The Claimant explained that his parents, who were Jewish, moved to Saint-Jean-de-Luze and Saint-Raphaël, France in 1938, stayed in the French Free Zone until 1942, and that from 1942 to 1945 they lived in Lausanne. According to the information provided by the Claimant, his mother returned to Paris in 1945, where she lived until her death in 1983. The Claimant indicated that his father, [REDACTED], died in 1959 in Paris. According to the family tree submitted by the Claimant, he and his sister, [REDACTED 2], whom he represents, are the only heirs of Germaine Bloch. In support of his claim, the Claimant submitted his parents’ family booklet, indicating that he and his sister are the children of [REDACTED] and Germaine Bloch of Paris; a copy of his mother’s marriage certificate; a copy of the Claimant’s birth certificate, indicating that the Claimant’s mother’s name was Germaine Bloch, née Levy; and an official extract from the family register indicating the Claimant’s name change from [REDACTED] to [REDACTED].

The Claimant indicated that he was born on 26 September 1937 in Boulogne-sur-Seine near Paris, France. The Claimant is representing his sister, [REDACTED 2], who was born on 24 March 1940 in Nice, France.

Information Available in the Bank's Records

The Bank's records consist of a customer card and printouts from the Bank's database. According to these records, the Account Owner was *Mme* (Mrs.) Germaine Bloch who resided in Paris, France. The Bank's records indicate that the Account Owner held a demand deposit account that was opened on 21 September 1938 and closed on 7 October 1940. The amount in the account on the date of its closure is unknown.

There is no evidence in the Bank's records that the Account Owner or her heirs closed the account and received the proceeds themselves.

The CRT's Analysis

Identification of the Account Owner

The Claimant's mother's name and city of residence match the published name and city of residence of the Account Owner. The Claimant stated that his father's relatives lived in Lausanne, and this information is consistent with the fact that the Account Owner held the account in the Bank's Lausanne branch. In support of his claim, the Claimant submitted documents, including his parents' family booklet indicating that he and his sister are the children of [REDACTED] and Germaine Bloch of Paris, providing independent verification that the person who is claimed to be the Account Owner had the same name and place of residence as the person recorded in the Bank's records as the Account Owner. The CRT also 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 she escaped from the Nazi-occupied part of France to the Free French Zone, and later to Switzerland.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he and his sister, whom he represents, are related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was his mother. These documents include his parents' family booklet, which indicates that the Claimant and his sister's parents are [REDACTED] and Germaine Bloch, and an official extract from the family register indicating the Claimant's name change from

[REDACTED] to [REDACTED]. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The CRT notes that the account was closed on 7 October 1940, at which time, according to information provided by the Claimant, the Account Owner resided in the French Free Zone. However, given that the French Free Zone was administered by the Vichy government which collaborated closely with the Nazis; that the Bank's records do not indicate to whom the account was closed; that the Account Owner may have had relatives remaining in Nazi-occupied France, and that she may therefore have yielded to Nazi pressure to turn over her account to ensure her relatives' safety; that the Account Owner and her heirs would not have been able to obtain information about her account after the Second World War from the Bank, 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 (a)(ii), (h) and (j), as provided in Article 28 of the Rules Governing the Claims Resolution Process, as amended (see Appendix A), the CRT concludes that it is plausible that the account proceeds were not paid to the Account Owner or her 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 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 the Account Owner was his and his sister's mother, and that relationship justifies an Award. Third, the CRT has determined that it is plausible that neither the Account Owner nor her heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one demand deposit account. Pursuant to Article 29 of the Rules, when the value of an account is unknown, as is the case here, 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 investigation carried out pursuant to the instructions of the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation"), in 1945 the average value of a demand deposit account was 2,140.00 Swiss Francs (SF). The current value of this amount is calculated by multiplying it by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of SF 26,750.00.

Division of the Award

According to Article 23(1)(c) of the Rules, if the Account Owner's spouse has not submitted a claim, the award shall be in favor of any descendants of the Account Owner who have submitted a claim, in equal shares by representation. In this case, the Claimant is representing his sister.

Accordingly, the Claimant and his sister are each entitled to one half of the total award amount.

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