

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant [REDACTED]

**in re Account of Sylvia L. Camerling**

Claim Number: 215938/SH

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of Odette Galia (the “Claimant”) to the Account of Sylvia L. Camerling (the “Account Owner”) at the Zurich 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 her mother, Sylvia Camerling, née Fain, who was Jewish and was born on 22 March 1900 in Bucharest, Romania. The Claimant stated that on 22 October 1918 her mother was married to [REDACTED], who was a retail merchant, in Zurich, Switzerland. According to the Claimant, her mother lived in Zurich from 1916 until 1922, when she and her husband returned to Bucharest. In a telephone conversation with the CRT, the Claimant stated that her mother lived in Bucharest until 1950, and had an apartment on Domniței Street and a house on Popasoire Street. In 1950, the Claimant’s mother moved to Israel. The Claimant indicated that her mother died in London in 1993. In support of the claim, the Claimant submitted her own birth and marriage certificates, and her mother’s death certificate.

The Claimant stated that she was born in Zurich on 24 November 1919.

### **Information Available in the Bank Records**

The bank records consist of suspense account ledgers dated 4 March 1953 and 31 December 1958, an extract from the numbered accounts database and a central registry card dated 15 July 1945. According to the bank records, the Account Owner was Sylvia L. Camerling of Bucharest. The bank records indicate that the Account Owner originally held a numbered demand deposit account, numbered 10277, and that the Account Owner requested that the Bank hold all

correspondence at an unknown date. According to a notice on the central registry card the account at issue was included in the freeze of Swiss bank accounts held by Romanian nationals, imposed on 20 August 1948 by a decision of the Swiss Federal Council. The account was transferred to a suspense account on or before 4 March 1953. The amount in the account on the date of its transfer was 73.50 Swiss Francs. According to the bank records in 1958 the Bank subtracted fees and commission of 10.50 Swiss Francs for the years 1949-1958 from the account. The account was reopened on 23 October 1958.

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”) did not find this account in the Bank’s system of open accounts, and they therefore presumed that it was closed. These auditors indicated that there was no evidence of activity on this account after 1945.

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

## **CRT’s Analysis**

### Identification of the Account Owner

The Claimant has plausibly identified the Account Owner as her mother. Her mother’s name and place of residence match the published information about the Account Owner. The Claimant indicated that her mother resided in Zurich from 1916 until 1922, which matches unpublished information about the bank branch in which the account was held. In support of her claim, the Claimant submitted documents, including her mother’s death certificate. The CRT notes that there were no other claims for this account.

### 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 lived in Romania from 1922 until 1950.

### The Claimant’s Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting documents including her own birth and marriage certificates, demonstrating that the Account Owner was her mother. The Claimant indicated that she is her mother’s only child.

### The Issue of Who Received the Proceeds

Given the application of Presumptions (h), (i), and (j), as provided in Article 28 of the Rules Governing the Claims Resolution Process (the “Rules”) (see Appendix A,<sup>1</sup> the CRT concludes

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<sup>1</sup> An expanded version of Appendix A appears on the CRT II website -- [www.crt-ii.org](http://www.crt-ii.org).

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 made in favor of the Claimant. First, the Claim is admissible in accordance with the criteria contained in Article 23 of the Rules. Second, the Claimant has plausibly demonstrated that the Account Owner was her mother, and that relationship justifies an award. Finally, 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

The bank records indicate that the Account Owner held a demand deposit account and that the value of the demand deposit account as of 4 March 1953 was 73.50 Swiss Francs. In accordance with Article 37(1) of Rules, this amount is increased by an adjustment of 810.00 Swiss Francs, which reflects numbered account fees and standardized bank fees charged to this account between 1945 and 4 March 1953. Consequently, the adjusted balance of the account at issue is 883.50 Swiss Francs. According to Article 35 of the Rules, if the amount in a demand deposit account was less than 2,140.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 2,140.00 Swiss Francs. The present value of the amount of the award is determined by multiplying the balance as determined by Article 35 by a factor of 12.5, in accordance with Article 37(1) of the Rules, to produce a total award amount of 26,750.00 Swiss Francs.

#### **Scope of the Award**

The Claimant should be aware that, pursuant to Article 25 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  
June 1, 2004