

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Illés Fillenz

Claim Number: 206733/MBC

Award Amount: 47,400.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the Account of Illés Fillenz (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 father, Illés Fillenz, who was born on 12 September 1889 in Dunaharaszti, Hungary and was married to [REDACTED] on 4 October 1923. The Claimant stated that her father, who was Jewish, lived in Budapest at Szent István KRT 11 from 1927 to 1944, and that he was the General Director of the Zsolnay Porcelain Factory. The Claimant further indicated that, after the German occupation of Hungary, her father was taken first to a work camp and then deported to a concentration camp, where he perished in 1945. The Claimant stated that her mother died in 1985 and that she is her father’s only child and heir.

Information Available in the Bank Records

The bank records consist of an extract from a suspense account ledger and printouts from the Bank’s database. According to the bank records, the Account Owner was Illés Fillenz, who lived in Hungary, and had the title “General Director.” The bank records indicate that the Account Owner held an account of unknown type, numbered 3516, and that the assets were transferred by the Bank to a collective account on 30 November 1955 for book-keeping and administrative purposes, because there had been no activity on the account for at least ten years. The value of the account on the date of its transfer was 59.50 Swiss Francs and the account still remains open.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. Her father's name matches the published name of the Account Owner. The Claimant has also identified her father's title, which matches unpublished information about the Account Owner contained in the bank records.

Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has provided plausible evidence that her father was a Victim of Nazi Persecution. The Claimant has indicated that her father was Jewish and that the Nazis deported him to a concentration camp, where he perished.

Moreover, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Illes Fillenz and indicates that his date of birth was 12 September 1889, which matches information about the Account Owner provided by the Claimant. The database is a compilation of names from various sources, including Yad Vashem Memorial of Israel.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly shown that she is related to the Account Owner by submitting a copy of her own marriage certificate, which includes her father's name, demonstrating that she is the daughter of the Account Owner. She indicated that the Account Owner perished in a concentration camp in 1945 and that the Account Owner's widow died in 1985. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The bank records indicate 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 23 of the Rules Governing the Claims Resolution Process (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was her father, 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

The bank records indicate that the value of the account as of 30 November 1955 was 59.50 Swiss Francs. In accordance with Article 37(1) of Rules, this amount is increased by an adjustment of 715.00 Swiss Francs, which reflects standardized bank fees charged to the account between 1 January 1945 and 30 November 1955. Consequently, the adjusted balance of the account at

issue is 774.50 Swiss Francs. According to Article 35 of the Rules, if the amount in an account of an 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 present value of the amount of the award is determined by multiplying the balance as determined by Article 35 by a factor of 12, in accordance with Article 37(1) of the Rules, to produce a total award amount of 47,400.00 Swiss Francs.

Article 37(3)(a) of the Rules provides that where the value of an award is calculated using the value presumptions provided in Article 35 of the Rules, the initial payment to the claimant shall be 35% of the Certified Award, and the claimant may receive a second payment of up to 65% of the Certified Award when so determined by the Court. In this case, the CRT has used the value presumptions of Article 35 of the Rules to calculate the account value and 35% of the total award amount is 16,590.00 Swiss Francs.

Scope of 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 4.1 million Swiss bank accounts which existed between 1933 and 1945).

Certification of Award

The CRT certifies this Award for approval by the Court and payment by the Special Masters.

Claims Resolution Tribunal