

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

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

## **in re Account of Karli Fischer**

Claim Number: 220653/LK<sup>1</sup>

Award Amount: 11,271.12 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Karli Fischer (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 his maternal aunt, Karli (Karly) Fischer, née [REDACTED], who was born on 4 April 1909 in Prague, Czechoslovakia, and was married to [REDACTED], who was born on 3 June 1901 in Lysa Nad Labem, Czechoslovakia. The Claimant stated that his aunt, uncle, and their only child, [REDACTED], who were Jewish, were killed in Auschwitz in 1943. The Claimant further stated that his aunt was a fashion designer and also assisted in the management of the Federer-Piesen Corset Company in Prague. The Claimant asserted that his aunt lived at Ovenecka Ulice 43 in Bubeneč in 1938 and lived at Truhlaarska Ulice and Schillerova Ulice in Prague by 1941. The Claimant indicated that he was born on 8 February, 1934 in Prague and that his mother, [REDACTED], née [REDACTED], born in Prague on 26 December 1911, was Karli Fischer’s sister. In support of his claim, the Claimant submitted his parents’ marriage certificate, U.S. naturalization documents and birth certificates for himself and his parents, and a family tree. The Claimant also provided a letter from the Theresienstadt Initiative Institute that gives information about various members of his family including his aunt, Karli Fischer, and her husband and son. The Claimant stated that he is representing his sister, [REDACTED], née [REDACTED], in these proceedings.

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<sup>1</sup> The Claimant submitted an additional claim to the account of Otto Fischer, which is registered under the claim number 220444. The CRT will treat the claim to this account in a separate decision.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by Karli Fischer.

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

The bank records consist of extracts from a suspense account ledger and printouts from the Bank's database. According to these records, the Account Owner was Karli Fischer. The bank records indicate that the Account Owner held a savings/passbook account. The account was transferred on 15 June 1977 to a suspense account and remains open today. The amount in the account on the date of its transfer was 6.85 Swiss Francs.

### **The CRT's Analysis**

#### Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. His aunt's name matches the published name of the Account Owner. The CRT notes that the bank records do not contain any specific information about the Account Owner other than her name. Thus, the additional information provided by the Claimant cannot be compared with the bank information. However, the CRT notes that the Claimant filed an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by Karli Fischer, 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 his 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 his relative, but rather on a direct family relationship that was known to him before the publication of the ICEP List. It also indicates that the Claimant had reason to believe that his 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. There are no other claimants to the account of Karli Fischer.

#### 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 was killed in Auschwitz in 1943.

Moreover, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Karly Fischer, and indicates that her date of birth was 16 April 1908 and place of birth was Prague, Czechoslovakia, which substantially matches the information about the Account Owner provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

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

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting documents demonstrating that Karli Fischer was his maternal aunt. The Claimant stated that he is also representing his sister, [REDACTED], in his claim and 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 was transferred to a suspense account and remains open today.

### 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 his aunt, and that relationship justifies an Award. Finally, the CRT has determined that it is plausible 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 savings/passbook account as of 15 June 1977 was 6.85 Swiss Francs. In accordance with Article 37(1) of Rules, this amount is increased by an adjustment of 932.41 Swiss Francs, which reflects standardized bank fees charged to the savings account between 1945 and 15 June 1977. Consequently, the adjusted balance of the account at issue is 939.26 Swiss Francs. The present value of the amount of the award is determined by multiplying the adjusted balance by a factor of 12, in accordance with Article 37(1) of the Rules, to produce a total award amount of 11,271.12 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 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