

# 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 Basia Fromovicz**

Claim Number: 003393/HB<sup>1,2</sup>

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published account of Basia Fromovicz (the “Account Owner”) at the Geneva 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 paternal great-aunt, [REDACTED], who was born in Romania. The Claimant indicated that her great-aunt was the daughter of [REDACTED] and [REDACTED], and the sister of [REDACTED], the Claimant’s paternal grandfather. According to the Claimant, in approximately 1920, her great-aunt moved from Romania to Nice, France, where she owned a shoe business. The Claimant stated that her great-aunt, who was Jewish, visited her family in Bacau, Romania, in 1938, and that her father maintained regular correspondence with [REDACTED] until 1942. The Claimant further stated that in 1942, her great-aunt was deported to an extermination camp, where she perished. The Claimant indicated that when she was a child, her father told her that her great-aunt was not married. The Claimant further indicated that to the best of her knowledge, her great-aunt had no children.

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<sup>1</sup> The Claimant submitted three Claim Forms, which were registered under the Claim Numbers [REDACTED], [REDACTED] and [REDACTED]. The CRT has determined that these claims are duplicate claims and is treating them under the consolidated Claim Number [REDACTED].

<sup>2</sup> The Claimant submitted ten additional claims, which are registered under the Claim Numbers [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED]. The CRT will treat these claims in separate determinations.

The Claimant submitted documents in support of her claim, including her own birth and marriage certificates, identifying her as [REDACTED] , née [REDACTED] ; and a certificate issued by the center of study of the history of the Jewish community in Romania, indicating that [REDACTED], née [REDACTED] , and her family, were victims of Nazi persecution. In a telephone conversation with the CRT on 17 October 2003, the Claimant stated that all the documents and correspondence concerning her great-aunt were destroyed after her father died.

The Claimant previously submitted an Initial Questionnaire (“IQ”) to the Court in 1999, asserting her entitlement to Swiss bank accounts owned by [REDACTED] , [REDACTED] , and [REDACTED] .<sup>3</sup> The Claimant indicated that she was born on 19 September 1929 in Bacau.

### **Information Available in the Bank’s Record**

The Bank’s record consists of a list of accounts transferred to a suspense account for dormant assets. According to this record, the Account Owner was *Mme.* (Mrs.) Basia Fromovicz, who resided in Nice, France. The Bank’s record indicates that the Account Owner held one account, the type of which is not indicated. The Bank’s record further indicates that the account was transferred on 31 December 1946 to a suspense account for dormant assets. The amount in the account on the date of its transfer was 946.40 Swiss Francs (“SF”). The account remains suspended.

### **The CRT’s Analysis**

#### Identification of the Account Owner

The Claimant’s great-aunt’s name and city and country of residence match the published name and city and country of residence of the Account Owner.<sup>4</sup> The CRT notes that the name [REDACTED] appears only once on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons (“ICEP” or the “ICEP Investigation”) to be probably or possibly those of victims of Nazi persecution. The CRT further notes that the Claimant filed an Initial Questionnaire with the Court in 1999, asserting her entitlement to Swiss bank accounts owned by [REDACTED], [REDACTED], and [REDACTED], 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 had reason to believe that her relatives owned Swiss bank accounts 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

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<sup>3</sup> The CRT will treat the claims to these accounts in separate determinations.

<sup>4</sup> The CRT notes that the Claimant identified her great-aunt’s surname as [REDACTED], [REDACTED], [REDACTED], or [REDACTED], that the documents submitted by the Claimant identify the Claimant’s surname as [REDACTED], and that the Account Owner’s surname was Fromovicz. The CRT further notes that [REDACTED] is plausibly a Romanian variation of Fromovicz, and concludes that these names are all sufficiently similar to render it plausible that they refer to the same person.

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 resided in Nice until 1942, when she was deported her to an extermination camp in Germany by the Nazis, where she perished.

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

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific biographical information, demonstrating that the Account Owner was the Claimant's great-aunt. The CRT notes that the Claimant submitted copies of her birth certificate and marriage certificate, identifying the Claimant as [REDACTED], née [REDACTED], which provide independent verification that the Claimant's relatives bore the same family name as the Account Owner. 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. There is no information to indicate that the Account Owner has other surviving heirs.

#### The Issue of Who Received the Proceeds

The Bank's record indicates that the account was transferred to a suspense account, where it remains.

#### 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 (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was her great-aunt, 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 account of unknown type. The Bank's record indicates that the value of the account on 31 December 1946 was SF 946.40. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 30.00, which reflects standardized bank fees charged to the account in 1945 and in 1946. Consequently, the adjusted balance of the account at issue is SF 976.40. 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 a total award amount of SF 49,375.00.

### **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 record 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  
23 June 2006