

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Reuven Furer

and to Claimant Pnina Waldmann

in re Account of R. Fuhrer

Claim Numbers: 003661/MBC; 719481/MBC; 724496/MBC;¹ 724497/MBC²

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claims of Reuven (Robert) Furer (“Claimant Furer”) and Pnina Waldmann, née Fuhrer (“Claimant Waldmann”) (together the “Claimants”) to the accounts of Hermann (Hersch, Grischa, Zvi) Fuhrer and Dora (Dvora) Fuhrer.³ This Award is to the unpublished account of R. Fuhrer (the “Account Owner”) at the Zurich-Seefeld branch of the [REDACTED] (the “Bank”).

All awards are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

Information Provided by the Claimants

The Claimants, who are siblings, submitted a Claim Form and Initial Questionnaires identifying the Account Owner as their paternal grandfather, Reuven Fuhrer, who was married to Bluma Fuhrer. The Claimants indicated that their grandparents, who were Jewish, resided in Suceava, Bucovina, Romania; that they were part of a very wealthy family; and that they had several

¹ In addition to his Claim Form, in 1999, Reuven Fuhrer (“Claimant Fuhrer”) also submitted Initial Questionnaire (“IQs”), numbered HEB-0224127 and HEB-0341198, to the Court in the United States. Although these IQs were not Claim Forms, the Court, in an Order signed on 30 July 2001, ordered that those Initial Questionnaires which can be processed as claim forms be treated as timely claims. Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001). The IQs were forwarded to the CRT and have been assigned claim numbers 719481 and 724496, respectively.

² Pnina Waldmann (“Claimant Waldmann”) did not submit a Claim Form to the CRT. However, in 1999, she submitted an IQ, numbered HEB-0341199, to the Court. The IQ was forwarded to the CRT and has been assigned claim number 724497.

³ The CRT did not locate an account belonging to Hermann (Hersch, Grischa, Zvi) Fuhrer or Dora (Dvora) Fuhrer in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“ICEP” or “ICEP Investigation”), which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules Governing the Claims Resolution Process, as amended (the “Rules”).

children, including the Claimants' father Hermann (Hersch, Grischa, Zvi) Fuhrer, who was born in approximately January 1900, and was married to Dora (Dvora) Fuhrer, née Schwartz. The Claimants stated that their parents also resided in Suceava, where their father was a successful factory owner. According to the Claimants, in approximately October or November 1941, their family's assets were looted by the Nazis and they were deported to a series of ghettos and concentration camps. The Claimants explained that their father was a slave laborer in Tulczin, Ukraine during the Second World War. Finally, the Claimants indicated that their family was liberated by the Russian army in 1945; that they returned to Suceava; and that they later emigrated to Israel, where their father and mother died in 1976 and 1984, respectively.

Claimant Waldmann indicated that she was born on 22 May 1933 in Suceava, and Claimant Furer indicated that he was born on 22 May 1936 in Suceava.

Information Available in the Bank's Record

The Bank's record consists of a printout from the Bank's database. According to this record, the Account Owner was R. Fuhrer. The Bank's record does not indicate the Account Owner's domicile. The Bank's record indicates that the Account Owner held an account, the type of which is not indicated, which was suspended by the Bank on 19 August 1975, when it held a balance of 18.85 Swiss Francs ("SF"). The account remains suspended.

The CRT's Analysis

Identification of the Account Owner

The Claimants' grandfather's first initial and surname match the unpublished first initial and surname of the Account Owner. The CRT notes that the Bank's record does not contain any specific information about the Account Owner other than his or her first initial and surname.

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a page of testimony submitted in 1956 by the Claimants' father, Zvi Fuhrer, regarding his siblings and sister-in-law, indicating that his family members resided in Suceava and that his parents were Reuven and Bluma Fuhrer.

The CRT notes that there are no other claims to this account. Taking all of these factors into account, the CRT concludes that the Claimants have plausibly identified the Account Owner.

Status of the Account Owner as a Victim of Nazi Persecution

The Claimant stated that the Account Owner was Jewish and that he resided in Suceava. Although the Claimants did not indicate the Account Owner's fate during the Second World War, they did state that the Account Owner's heirs, including his children and grandchildren were deported to a series of ghettos and concentration camps during the War. As noted above,

persons corresponding to the Claimants' paternal family members were included in the CRT's database of victims.

The Claimants' Relationship to the Account Owner

The Claimants have plausibly demonstrated that they are related to the Account Owner by submitting specific information, demonstrating that the Account Owner was the Claimants' grandfather. The CRT further notes that the Claimants identified the Account Owner without the publication of his name in connection with a Swiss bank account; and that the Claimants also identified information which matches information contained in the Yad Vashem records. 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 Claimants as a family member, and all of this information supports the plausibility that the Claimants are related to the Account Owner, as they have asserted in their claims. The CRT notes that the Yad Vashem records indicate that the Account Owner may have other surviving heirs, but that because they are not represented in the Claimants' claims, the CRT will not treat their potential entitlement to the Account Owner's account in this decision.

The Issue of Who Received the Proceeds

The Bank's record indicates that the account remains suspended.

Basis for the Award

The CRT has determined that an Award may be made in favor of the Claimants. First, the claims are admissible in accordance with the criteria contained in Article 18 of the Rules Governing the Claims Resolution Process (the "Rules"). Second, the Claimants have plausibly demonstrated that the Account Owner was their grandfather, and that relationship justifies an Award. Third, the CRT has determined that neither the Account Owner nor his 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 as of 19 August 1975 was SF 18.85. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 465.00, which reflects standardized bank fees charged to the account between 1945 and 1975. Consequently, the adjusted balance of the account at issue is SF 483.85. 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.

Division of the Award

According to Article 23(1)(c) of the Rules, if the Account Owner's spouse has not filed a claim, the award shall be in favor of any descendants of the Account Owner who have filed a claim, in equal shares by representation. In this case, the Claimants are siblings and the grandchildren of the Account Owner. Accordingly, Claimant Furer is entitled to one-half of the total award amount and Claimant Waldmann is entitled to one-half of the total award amount.

Scope of the Award

The Claimants should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on their claims to determine whether there are additional Swiss bank accounts to which they 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
21 December 2007