

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of E. Geiger

Claim Number: 215480/WT

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Max Geiger.¹ This Award is to the unpublished account of E. Geiger (the “Account Owner”) at the St. Gallen branch of the [REDACTED] (the “Bank”).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 mother, Elizabeth (Erzsebet) Geiger, née Lang, who was married to [REDACTED]. The Claimant stated that his mother lived with her family at VIII. Baros utca 4 in Budapest, Hungary from 1933 until 1944. According to the Claimant, in 1943 his father attempted to obtain a residence permit for his family in Switzerland, but his request was denied. The Claimant explained that in October 1944 he was sent to Buchenwald concentration camp, where he was imprisoned until April 1945.

In a telephone conversation with the CRT held on 5 May 2009, the Claimant stated that his mother, who was Jewish, was arrested by Nazis in 1944 with her husband and son in Budapest, and that his mother died while being interrogated.

The Claimant submitted a copy of his own birth certificate, indicating that [REDACTED] was born on 16 May 1928 in Budapest to [REDACTED] and Erzsebet Geiger, née Lang.

The Claimant indicated that he was born on 16 May 1928 in Budapest.

¹ In a separate decision, the CRT treated the claim of Claimant [REDACTED] (the “Claimant”) to the account of Max Geiger. See *In re Account of Max Geiger* (approved on 2 November 2005).

The Claimant previously submitted an Initial Questionnaire (“IQ”) in 1999, asserting his entitlement to a Swiss bank account owned by his father, [REDACTED].²

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 E. Geiger. 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, numbered 35280. The Bank’s record indicates that the account was transferred to the Bank’s suspense account on 20 August 1970. The amount in the account on the date of its transfer was 6.50 Swiss Francs (“SF”).

The CRT’s Analysis

Identification of the Account Owner

The Claimant’s mother’s surname and first initial match the unpublished surname and first initial of the Account Owner. The CRT notes that the Bank’s record does not contain any specific information about the Account Owner other than her name.

In support of his claim, the Claimant submitted documents, including his own birth certificate, providing independent verification that the person who is claimed to be the Account Owner had the same surname and first initial as the Account Owner.

The CRT notes that there are no other equally plausible claims to this account.³ Taking all of these factors into account, the CRT concludes that the Claimant has plausibly identified the Account Owner.

² The CRT did not locate an account belonging to Samuel Geiger 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”).

³ As detailed in the section entitled “Information Available in the Bank’s Records,” very little information is available concerning the Account Owner in this case. Usually, in determining whether a claimant has identified an account owner as his or her relative, the CRT considers such factors as an account owner’s city or country of residence, profession, nationality, and/or names of family members. Since such information about the account owner is not available in this case, the CRT considers other, more detailed and nuanced factors. Such factors include, but are not limited to, whether a claimant identified an exact spelling of the account owner’s name; whether the claimant was able to provide documentation linking his or her surname to that of the account owner, thereby demonstrating a familial relationship to a person with the same name as the account owner; whether a claimant identified the account owner’s name prior to its publication, or despite the fact that the name was never published; and/or whether the fate of the claimant’s relative is consistent with the disposition of the claimed account. Based upon these considerations, matches between this account and less plausible claims were disconfirmed, and those claims were excluded from this decision.

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 his mother was Jewish, that in 1944 she was arrested by Nazi officers with her husband and her son in Budapest, and that she died while being interrogated.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting specific biographical information and documents indicating that he is the Account Owner's son. These documents include his own birth certificate, indicating that Tamas Geiger is the son of Erzsebet Geiger, née Lang. 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 suspended on 20 August 1970 and that it remains suspended 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 18 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was his mother, and that relationship justifies an Award. Third, the CRT has determined 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 as of 20 August 1970 was SF 6.50. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 390.00, which reflects standardized bank fees charged to the account between 1945 and 1970. Consequently, the adjusted balance of the account at issue is SF 396.50. 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.

Certification of the Award

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

Claims Resolution Tribunal
3 June 2009