

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Eugen Haas

Claim Numbers: 733987/HB; 215891/HB

Award Amount: 10,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published account of Eugen Haas (the “Account Owner”) at the Kriens 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 an Initial Questionnaire (“IQ”) and a Claim Form identifying the Account Owner as her paternal grandfather, Eugene (Jeno) Haas (Haasz), who was born on 11 May 1876 in Máramarossziget, Hungary (now Sighetu Marmăției, Romania), and was married to [REDACTED], née [REDACTED], with whom he had two children: [REDACTED] (the Claimant’s father), and [REDACTED]. According to the Claimant, her grandfather, who was Jewish, resided in Budapest, Hungary, at V Szekely Bertalan u.23 V, and owned a textile business. The Claimant stated that during the Second World War her grandfather was forced to live in a ghetto and performed slave labor, and that his spouse and daughter perished in Budapest in January 1945. According to the Claimant, her grandfather owned Swiss bank accounts, including a safe deposit box, and after the Second World War he tried to retrieve his accounts but was unsuccessful. The Claimant stated that her grandfather died on 30 November 1956 in Budapest. In support of her claim, the Claimant submitted a copy of her own Hungarian passport, indicating that [REDACTED]’s maiden name is [REDACTED]. The Claimant indicated that she was born on 24 August 1943 in Budapest.

The Claimant previously submitted an additional IQ to the Court in 1999, asserting her entitlement to a Swiss bank account owned by her grandmother, Piroska Haasz Jenone, née Grun.¹

¹ The CRT will treat the claim to this account in a separate determination.

Information Available in the Bank's Records

The Bank's records consist of a suspense account ledger and printouts from the Bank's database. According to these records, the Account Owner was Eugen Haas. The Bank's records do not indicate the Account Owner's domicile. The Bank's records indicate that the Account Owner held one savings/ passbook account, numbered 824, which was transferred to a collective suspense account on or before 3 March 1965. The amount in the account on the date of its transfer was 12.90 Swiss Francs ("SF"). The account remains suspended.

The CRT's Analysis

Joinder of Claims

According to Article 37(1) of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), claims to the same or related accounts may be joined in one proceeding at the CRT's discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

Identification of the Account Owner

The Claimant's grandfather's name matches the published name of the Account Owner.² The CRT notes that the Bank's records do not contain any specific information about the Account Owner other than his name. The CRT further notes that the name Eugen Haas appears only once on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons to be probably or possibly those of victims of Nazi persecution ("ICEP" or the "ICEP List"). The CRT notes that the Claimant filed an IQ with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Jenő Haasz, prior to the publication of the ICEP List. This indicates that the Claimant has based her present claims not simply on the fact that an individual identified on the ICEP List as owning a Swiss bank account bears the same name as her relative, but rather on a direct family relationship that was known to her before the publication of the ICEP List. It also indicates that the Claimant had reason to believe that her 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. The CRT notes that there are no other claims to this account. Taking all of these 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, was forced to live in a ghetto and performed slave labor, and that his spouse and daughter perished in the Holocaust.

² The CRT notes that Jenő and Eugene are variations of the name Eugen.

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. There is no information to indicate that the Account Owner has other surviving heirs. The CRT notes that the Claimant filed an IQ with the Court in 1999, identifying the relationship between the Account Owner and the Claimant, prior to the publication of the ICEP List. The CRT further notes that the Claimant submitted a copy of her own passport, which provides independent verification that the Claimant's relative 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 Forms.

The Issue of Who Received the Proceeds

The Bank's records indicate that the account was transferred to a collective suspense account on or before 3 March 1965, where it remains today.

Basis for the Award

The CRT has determined that an Award may be made in favor of the Claimant. First, the claims are admissible in accordance with the criteria contained in Article 18 of the Rules. Second, the Claimant has plausibly demonstrated that the Account Owner was her 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 a savings/ passbook account. The Bank's records indicate that the value of the savings/ passbook account as of 23 March 1965 was SF 12.90. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 315.00, which reflects standardized bank fees charged to the savings/ passbook account between 1945 and 1965. Consequently, the adjusted balance of the account at issue is SF 327.90. According to Article 29 of the Rules, if the amount in a savings/ passbook was less than SF 830.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be presumed value for that type of account. 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 10,375.00.

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 claims 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 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
19 December 2007