

CLAIMS RESOLUTION TRIBUNAL

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 Ida Haas

Claim Number: 205249/MBC

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Ida Haas (the “Account Owner”) at the Murten 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 paternal grandmother, Ida Haas, née [REDACTED], who was born on 10 November 1864 in Lipnik, then Austria-Hungary, and was married to [REDACTED] on 28 April 1892 in Lipnik. The Claimant stated that her grandmother had six children: [REDACTED], née [REDACTED], who was born on 3 December 1893 and died on 4 July 1961 in Portland, Oregon, the United States; [REDACTED] (the Claimant’s father), who was born on 17 August 1898 in Vienna, Austria, and died on 18 September 1970 in Portland; [REDACTED], who was born in the 1890s and died in the 1950s in Israel; [REDACTED], née [REDACTED], who was born in 1902 and died in 1966 in Portland; [REDACTED], who was born on an unknown date and died as a young man in the 1920s or 1930s; and another child who died in infancy.

The documents submitted by the Claimant indicate that his grandmother resided in Vienna when the Claimant’s father was born in 1898. The Claimant explained that his grandmother, who was Jewish, lived in Vienna until 1939 or 1940, when she fled to Shanghai, China, with her four adult children. The Claimant further explained that his grandmother died in Shanghai in 1942, and that she was a widow at the time of her death. In support of his claim, the Claimant submitted documents, including his birth certificate, identifying his father as [REDACTED] of

Vienna; and his father's birth certificate, identifying his mother as Ida Haas of Vienna. The Claimant's birth certificate stated that he was born on 2 July 1938 in Vienna. The Claimant is representing his mother, [REDACTED], née [REDACTED], who was born on 19 December 1905 in Tarnow, Poland.

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 Ida Haas. The Bank's record does not indicate the Account Owner's place of residence. According to the Bank's record, the Account Owner's last contact with the Bank took place on 19 December 1934. The Bank's record indicates that the Account Owner held one account, but does not indicate the type of account. The Bank's record further indicates that the account was transferred to a suspense account for dormant assets on 27 October 1961. The amount in the account on the date of its transfer was 14.85 Swiss Francs. The account remains open in the Bank's suspense account.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. His grandmother's name matches the published name of the Account Owner. In support of his claim, the Claimant submitted documents, including his own and his father's birth certificates, demonstrating that his paternal grandmother's name was Ida Haas, providing independent verification that the person who is claimed to be the Account Owner had the same name as the person recorded in the Bank's record as the Account Owner. The CRT notes that the name Ida Haas appears only once on the February 2001 published list of accounts determined to be probably or possibly those of victims of Nazi persecution (the "List"). Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Ida Haas, and indicates that her date of birth was 10 November 1864, which 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 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, and that she lived in

Vienna until 1939 or 1940, when she fled to Shanghai. As noted above, a person named Ida Haas was included in the CRT's database of victims.

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, including his father's and his own birth certificates, demonstrating that he is the Account Owner's grandson.

The Issue of Who Received the Proceeds

The Bank's record indicates that the account remains open in the Bank's suspense account.

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 grandmother, and that relationship justifies an Award. Finally, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

Amount of the Award

The Bank's record indicates that the value of the account as of 27 October 1961 was 14.85 Swiss Francs. According to Article 29 of the Rules, if the amount in an account of unknown type was less than 3,950.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 3,950.00 Swiss Francs. 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 49,375.00 Swiss Francs.

Division of the Award

The Claimant is representing his mother in these proceedings. According to Article 23(1)(c) of the Rules, in absence of the Account Owner's will, if the Account Owner's spouse has not submitted a claim, the award shall be in favor any descendants of the Account Owner who have submitted a claim, in equal shares by representation. The CRT notes that the Claimant is a direct descendant of the Account Owner and that the Claimant's mother is related to the Account Owner by marriage. Consequently, as the Account Owner's direct descendent, the Claimant is entitled to receive the total award amount.

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 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
31 December 2003