

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Meta Haase

Claim Numbers: 216929/PY¹

Award Amount: 162,500.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the account of Meta Haase (the “Account Owner”) at the Zurich 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 grandmother, Meta Haase, née [REDACTED], who was born on 18 April 1878, in Rosenberg, Germany, and was married to [REDACTED] in Elbing, Germany, on 21 April 1903. The Claimant stated that her grandparents resided until 1937 in Berlin, Germany, where the Claimant’s grandfather owned a clothing business named *Jenny Jacoby & Selly Haase*. The Claimant stated that her grandmother was a housewife who also worked in her husband’s clothing business. The Claimant stated further that her grandparents, who were Jewish, fled from Germany to the United States in December 1937 via Antwerp, Belgium. According to the Claimant, her grandfather died on 10 February 1955 in New York, and her grandmother died on 27 December 1959, also in New York. The Claimant stated further that her father, [REDACTED], died on 21 December 1982, and that her mother, [REDACTED], died on 24 May 2000.

In support of her claim, the Claimant submitted her grandmother’s German passport, which indicates that she resided in Berlin; the birth certificate of her father, [REDACTED], which indicates that his parents were [REDACTED] and Meta Haase, and that he was born in Berlin; her grandparents’ and parents’ marriage certificates and death certificates; an extract from the Berlin commercial register, indicating that her

¹ The Claimant submitted an additional claim to the account of [REDACTED], which is registered under the Claim Number 216928. The CRT will treat the claim to this account in a separate decision.

grandfather's business was located in Berlin, and that Meta Haase, who resided in Berlin, was authorized to act for and sign on behalf of the company; and her grandmother's will, which provided that in the event her husband predeceased her, her sole heir would be [REDACTED]; [REDACTED]'s will, which provided that in the event his wife, [REDACTED] (the Claimant's mother) predeceased him, his sole heir would be his daughter, the Claimant; and [REDACTED]'s will, in which the Claimant is named as her sole heir. The Claimant indicated that she was born on 22 March 1941 in New York.

Information Available in the Bank's Record

The Bank's record consists of a printout from the Bank's database. According to the Bank's record, the Account Owner was Meta Haase, who resided in Berlin, Germany. The Bank's record indicates that the Account Owner held a custody account, numbered 7798, which was opened on 16 August 1928 and closed on 16 December 1936. The amount in the account on the date of its closure is unknown. There is no evidence in the Bank's record that the Account Owner or her heirs closed the account and received the proceeds themselves.

The CRT's Analysis

Identification of the Account Owner

The Claimant's grandmother's name matches the published name of the Account Owner. The Claimant stated that her grandmother resided in Berlin, Germany, which matches published information about the Account Owner contained in the Bank's record. In support of her claim, the Claimant submitted numerous documents including her grandmother's German passport, which indicates that she resided in Berlin; the birth certificate of the Claimant's father, [REDACTED], which indicates that his parents were [REDACTED] and Meta Haase, and that he was born in Berlin; and an extract from the Berlin commercial register, indicating that her grandfather's business was located in Berlin, and that Meta Haase, who resided in Berlin, was authorized to act for and sign on behalf of the company. These documents provide independent verification that the person claimed to be the Account Owner had the same name as the Account Owner and resided in the same city recorded in the Bank's records as the residence of the Account Owner. The CRT further notes that the name Meta Haase appears only once on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons ("ICEP") to be probably or possibly those of victims of Nazi persecution. Furthermore, 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 fled from Germany to the United States in December 1937.

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 and numerous documents, demonstrating that the Account Owner was her grandmother. These documents include the birth certificate of the Claimant's father, [REDACTED], which indicates that his parents were [REDACTED] and Meta Haase; her grandmother's will, which provided that in the event that her husband predeceased her, her sole heir would be [REDACTED]; [REDACTED]'s will, which provided that in the event his wife, [REDACTED] (the Claimant's mother) predeceased him, his sole heir would be his daughter, the Claimant; and [REDACTED]'s will, in which the Claimant is named as her sole heir. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

Given that in 1933 the Nazis embarked on a campaign to seize the domestic and foreign assets of Jewish nationals in Germany through the enforcement of flight taxes and other confiscatory measures including confiscation of assets held in Swiss banks; that the Account Owner remained in Germany until December 1937, and would not have been able to repatriate her account, which was closed in 1936, to Germany without its confiscation; that there is no record of the payment of the Account Owner's account to her; that the Account Owner and her heirs would not have been able to obtain information about her account after the Second World War from the Bank due to the Swiss banks' practice of withholding or misstating account information in their responses to inquires by account owners because of the Banks' concern regarding double liability; and given the application of Presumptions (h) and (j), as provided in Article 28 of the Rules Governing the Claims Resolution Process, as amended (the "Rules") (see Appendix A) and Appendix C,² the CRT concludes that it is plausible that the account proceeds were not paid to the Account Owner or her heirs. Based on its precedent and the Rules, the CRT applies presumptions to assist in the determination of whether or not Account Owners or their heirs received the proceeds of their accounts.

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. Second, the Claimant has plausibly demonstrated that the Account Owner was her grandmother, and that relationship justifies an Award. Finally, the CRT has determined

² Appendix C appears on the CRT II website -- www.crt-ii.org.

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 custody account. Pursuant to Article 29 of the Rules, when the value of an account is unknown, as is the case here, the average value of the same or a similar type of account in 1945 is used to calculate the current value of the account being awarded. Based on the investigation carried out pursuant to the instructions of the ICEP, in 1945 the average value of a custody account was 13,000.00 Swiss Francs. The current value of this amount is calculated by multiplying it by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of 162,500.00 Swiss Francs.

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 records of 4.1 million 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