

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of J. Heidelberg

Claim Number: 222323/MBC

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of [REDACTED].¹ This Award is to the unpublished account of J. Heidelberg (the “Account Owner”) at the [REDACTED] (the “Bank”).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 maternal grandmother, Johanna Heidelberg, who was born in Germany and was married to [REDACTED] in Germany. According to the Claimant, Johanna and [REDACTED] had one daughter, [REDACTED], née [REDACTED], the Claimant’s mother, who was born in Germany on 1 February 1921. The Claimant stated that her grandmother came from a wealthy family, and that her grandfather owned a successful business in Germany. The Claimant indicated that her grandparents, who were Jewish, were persecuted by the Nazis, and that they probably died in Germany.

In support of her claim the Claimant submitted documents, including a copy of her mother’s German passport, dated 1936, and her mother’s United States certificate of naturalization, indicating that the Claimant’s mother was [REDACTED], née [REDACTED], and that she was born in Rheydt, Germany.

The CRT notes that the book, *Juden in Mönchengladbach*, indicates that Johanna Heidelberg, née [REDACTED], was the daughter of [REDACTED], the co-owner of a well-known textile factory named *Odenkirchener Kleiderfabrik G. Steinwasser & Cie*, which was located in Odenkirchen, Rheydt, Germany. The book further indicates that in

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

1920 Johanna [REDACTED] was married to [REDACTED], who in the mid-1920s became the sole owner of *Oderkirchener Kleiderfabrik G. Steinwasser & Cie*. According to this book, in December 1936 Johanna and [REDACTED] sent their daughter, [REDACTED], who was born in 1921, to Philadelphia, Pennsylvania, where other family members resided. The book indicates that [REDACTED]'s property was confiscated and aryanized by the Nazis in the late 1930s, and that Johanna and [REDACTED] escaped to the Netherlands. Finally, the book states that after the German invasion of the Netherlands, Johanna and [REDACTED] were interned in the concentration camp in Westerbork, the Netherlands, and were probably deported to the east, never to be heard from again.²

The Claimant stated that she was born in Philadelphia, Pennsylvania, on 20 September 1949.

Information Available in the Bank's Records

The Bank's records consist of a list of suspended accounts and a printout from the Bank's database of suspense accounts. According to these records, the Account Owner was J. Heidelberger. The Bank's records indicate that the Account Owner held an account of unknown type.

The account was transferred to a collective account for dormant assets on 30 June 1937. The amount in the account on the date of its transfer was 300.00 Swiss Francs. The account remains open and dormant.

The CRT's Analysis

Identification of the Account Owner

The Claimant's grandmother's first initial and last name match the unpublished first initial and last name of the Account Owner. The CRT notes that the Bank's records do not contain any specific information about the Account Owner other than his or her first initial and last name. The CRT recognizes that the Claimant identified her grandfather as "[REDACTED]," [REDACTED], while the book *Juden in Mönchengladbach* identifies her grandfather as "[REDACTED]" [REDACTED].³ The CRT notes that the Claimant submitted a copy of her mother's German passport along with her mother's United States certificate of naturalization, indicating that the Claimant's mother's was [REDACTED], née [REDACTED], and that she was born in Rheydt, Germany. The CRT further notes that the information and documents provided by the Claimant are consistent with the information provided in the book, *Juden in Mönchengladbach*, which supports the

² Günter Erckens, *Juden in Mönchengladbach. Bd. 2.* (Jews in Mönchengladbach, Vol. 2), 222, 231-233 (1989).

³ The CRT notes that the omitted "l" in the Claim Form is immaterial in light of other information available to identify the Account Owner.

credibility of the information provided by the Claimant. Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Johanna Heidelberger, née [REDACTED], who was born on 10 March 1895 in Odenkirchen, Rheydt, Germany, where she also resided. This information matches the information about the Claimant's grandmother provided by the Claimant and in the book, *Juden in Mönchengladbach*. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel. 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 resided in Germany during the time of the Nazi Regime. As noted above, a person named Johanna Heidelberger, née [REDACTED], was included in the CRT's database of victims. According to this database, Johanna Heidelberger was deported in 1943 to Sobibor, where she perished.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting biographical information and documents, including her mother's German passport and United States certificate of naturalization, demonstrating that the Account Owner was her grandmother. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The Bank's records indicate that the account remains open and dormant.

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 her 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

In this case the Account Owner held one account of unknown type. The Bank's records indicate that the value of the account was 300.00 Swiss Francs as of 30 June 1937. 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. Consequently, the total award amount in this case is 49,375.00 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 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 November 2003