

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Monika Hoffman

in re Account of Monika Hofmann

Claim Number: 710152/MI¹

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of Monika Hoffman (the “Claimant”) to the account of Martin Hoffman.² This Award is to the published account of Monika Hofmann 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 an Initial Questionnaire (“IQ”) identifying the Account Owner as herself, Monika Hoffman. The Claimant indicated that her father, [REDACTED], lived in Swinemünde, Germany, where he owned a theater with five stages that specialized in string puppets. The Claimant stated that her father, who was Romani, owned the theatre until 1934, when either the Gestapo or the SS looted the theatre and took everything contained in it. The Claimant indicated that her father was forced to do labor for the German military between 1944 and 1945. In a telephone conversation with the CRT, the Claimant stated that she was born in approximately 1933 in Swinemünde. The Claimant further stated that variations in the spelling of her family name include Hoffmann, Hofmann and Hofman.

¹ Monika Hoffman (the “Claimant”) did not submit a Claim Form to the CRT. However, in 1999 she submitted an Initial Questionnaire (“IQ”), numbered GER 0055 041, to the Court in the United States. Although this IQ was not a Claim Form, the Court, in an Order signed on 30 July 2001, ordered that those Initial Questionnaires which can be processed as claim forms be treated as timely claims. Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001). The IQ was forwarded to the CRT and has been assigned claim number 710152.

² The CRT did not locate an account belonging to Martin Hoffman 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”).

The Claimant submitted a copy of a document her father submitted to the German Office for Compensation in Bremerhaven, Germany, indicating that [REDACTED] was forced to perform military service for the Germans between 12 March 1944 and 15 May 1945 in France and Holland.

Information Available in the Bank's Record

The Bank's record consists of printouts from the Bank's database. According to this record, the Account Owner was Monika Hofmann. 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. The Bank's record further indicates that the account was transferred on 10 November 1976 to a suspense account. The amount in the account on the date of its transfer was 65.05 Swiss Francs ("SF"). The account remains in the Bank's suspense account.

The CRT's Analysis

Identification of the Account Owner

The Claimant's name matches the published name 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. The CRT notes that the Claimant did not claim her own account. However, the CRT further notes that the Claimant was born in 1933, and considers it plausible that a family member may have opened the account in her name without her knowledge. The CRT further notes that the name Monika Hofmann 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 Martin Hoffman, prior to the publication in February 2001 of the ICEP List. This indicates that the Claimant has based her present claim not simply on the fact that an individual identified on the ICEP List as owning a Swiss bank account bears her name, 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 family owned a Swiss bank account prior to the publication of the ICEP List. This supports the credibility of the information provided by the Claimant. Finally, 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 she, the Account Owner, was a Victim of Nazi Persecution. The Claimant stated that she and her father were Romani and that she was born in approximately 1933 in Nazi Germany. The Claimant stated further that in 1934, either the

Gestapo or the SS looted her father's theatre and took everything contained in it, and that he was forced to do labor for the German military between 1944 and 1945.

The Claimant also submitted a copy of a document her father sent to the German Office for Compensation in Bremerhaven, Germany, indicating that [REDACTED] was forced to perform military service for the Germans between 12 March 1944 and 15 May 1945 in France and Holland.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is the Account Owner by submitting specific biographical information, demonstrating that she is the Account Owner. The CRT further notes that the Claimant filed an IQ with the Court in 1999, identifying herself, prior to the publication in February 2001 of the ICEP List. The CRT further notes that the Claimant submitted a copy of a document her father sent to the German Office for Compensation in Bremerhaven, Germany, indicating that [REDACTED] was forced to perform military service for the Germans between 12 March 1944 and 15 May 1945 in France and Holland, which provides independent verification that the Claimant's relatives bore a substantially similar 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 herself, and all of this information supports the plausibility that the Claimant is the Account Owner, as she has asserted in her Claim Form.

The Issue of Who Received the Proceeds

The Bank's record indicates that the account remains 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 (the "Rules"). Second, the Claimant has plausibly demonstrated that she is the Account Owner, and that 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 of unknown type as of 10 November 1976 was SF 65.05. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 480.00, which reflects standardized bank fees charged to the account of unknown type between 1945 and 1976. Consequently, the adjusted balance of the account at issue is SF 545.05. 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.

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
18 December 2007