

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Elinor Hedwig Knepler
also acting on behalf of Myrna Mae Knepler, Anne Judith Knepler,
and Elizabeth Pauline Knepler

in re Account of Hedwig Knepler

Claim Number: 300415/IG¹

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of Elinor Hedwig Knepler (the “Claimant”) to the account of Hedwig Knepler (the “Account Owner”) at the Basel branch of the [REDACTED] (the “Bank”).

All awards are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form identifying the Account Owner as her paternal grandmother, Hedwig Knepler, née Moser, who was born on 14 April 1888 in Vienna, Austria, to Adolf Moser and Rosa Moser, née Goldschmidt. The Claimant stated that her grandmother was married to Hugo Knepler on 1 September 1909 in Vienna, and that her grandparents had one son, Henry William Knepler (the Claimant’s father), who was born on 8 May 1922 in Vienna. The Claimant also stated that her grandfather was the owner of a concert management agency in Vienna, and that her grandparents resided in Vienna, at Krugarstrasse 1 and at Untere Viaduktgasse 10/6.

The Claimant explained that during the Second World War her grandmother, who was Jewish, was unable to obtain a visa to leave Austria and therefore she was forced to live in hiding in Vienna in the home of the family’s friends, who were not Jewish. The Claimant further explained that her grandfather escaped to Monte Carlo, but that he was captured, and deported to the Auschwitz concentration camp, and that he perished either in Auschwitz or during his deportation. The Claimant also explained that her father was sent from Austria to the United Kingdom prior to the Second World War on a *Kindertransport*. The Claimant added that her grandmother survived the Second World

¹ The Claimant submitted an additional claim to the account of her great-grandmother, Rosa Moser, which is registered under the Claim Number 300414. The CRT will treat the claim to this account in a separate decision.

War and died on 25 October 1962 in Chicago, Illinois, and that her father died on 13 March 1999, also in Chicago.

In support of her claim, the Claimant submitted her birth certificate, which indicates that Henry Knepler was her father; her father's birth certificate, which indicates that Hedwig Knepler was his mother; the birth certificate of her grandmother, Hedwig Knepler; her sisters' birth certificates; her grandparents' and her parents' marriage certificates; her grandmother's German passport and American passport; her grandmother's American identity card for displaced persons; and her father's death certificate.

The Claimant indicated that she was born on 4 May 1964 in Chicago. The Claimant is representing her mother, Myrna Mae Knepler, née Cohn, who was born on 11 September 1934 in Chicago, and her sisters, Elizabeth Pauline Knepler, who was born on 3 May 1962 in Chicago, and Anne Judith Knepler, who was born in Chicago on 7 November 1965.

Information Available in the Bank's Records

The Bank's records consist of lists of suspended accounts with related memoranda and an account statement. According to these records, the Account Owner was Mrs. (*Frau*) Hedwig Knepler, who resided in Vienna, Austria. The Bank's records indicate that the Account Owner held a demand deposit account, opened on an unknown date. The Bank's records indicate that the account was inactive from 1933 onward. The account was transferred on 12 July 1946 to a suspense account for dormant assets. The amount in the account on the date of its transfer was 21.50 Swiss Francs. The Bank's records indicate that on 23 January 1963 the account was closed to the Bank's profit and loss account.

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 Vienna, Austria, which matches published information about the Account Owner contained in the Bank's records. The Claimant indicated that Knepler was her grandmother's married name, which also matches published information regarding the Account Owner's marital status as recorded in the Bank's records. In support of her claim, the Claimant submitted her birth certificate which indicates that Henry Knepler was her father; her father's birth certificate, which indicates that Hedwig Knepler was his mother; her grandmother's, Hedwig Knepler, birth certificate; her sisters' birth certificates; her grandparents' and her parents' marriage certificates; her grandmother's German passport and American passport; her grandmother's American identity card for displaced persons; and her father's death certificate. These documents provide an independent verification that the

Claimant's grandmother had the same name as the Account Owner and she resided in the same city as the Account Owner.

The CRT notes that a database containing the names of victims of Nazi persecution includes a person named Hedwig Knepler, and indicates that her date of birth was 14 April 1888, and her place of birth was Vienna, Austria, which matches the information about the Claimant's grandmother provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel. The CRT further notes that the name Hedwig Knepler 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. 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 the Account Owner was a Victim of Nazi Persecution. The Claimant stated that the Account Owner was Jewish and that she was in hiding in Vienna during the Second World War. As noted above, a person named Hedwig Knepler was included in the CRT's database of victims.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting documents, including her birth certificate which indicates that Henry Knepler was her father, and her father's birth certificate, which indicates that Hedwig Knepler was his mother, demonstrating that the Account Owner was her grandmother. There is no information to indicate that the Account Owner has other surviving heirs besides the Claimant and her relatives, whom she is representing.

The Issue of Who Received the Proceeds

The Bank's records indicate the account was closed to the Bank's profit and loss account on 23 January 1963.

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 demand deposit account. The Bank's records indicate that the value of the demand deposit account as of 12 July 1946 was 21.50 Swiss Francs. According to Article 29 of the Rules, if the amount in a demand deposit account was less than 2,140.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 2,140.00 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 26,750.00 Swiss Francs.

Division of the Award

According to Article 23(1)(c) of the Rules, if the Account Owner's spouse has not submitted a claim, the award shall be in favor of any descendants of the Account Owner who have submitted a claim, in equal shares by representation. In this case, the Claimant is representing her mother, who is the Account Owner's daughter-in-law and therefore not a descendant of the Account Owner, and her two sisters, who are descendants of the Account Owner. Accordingly, the Claimant and her two sisters, as descendants of the Account Owner, are each entitled to one-third of 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 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
31 December 2003