

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to the Estate of Claimant Moshe Blaufeld¹

in re Account of Adolf Krämer

Claim Number: 004342/AX

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of Moshe Blaufeld (the “Claimant”) to the published account of Adolf Krämer (the “Account Owner”) at 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 his brother-in-law, Adolf Krämer, who was born in 1900 in Nadvorna, Austria-Hungary (today, the Ukraine), and was married to the Claimant’s sister, Elsa Krämer, née Blaufeld, in Berlin, Germany. The Claimant further indicated that his sister and her husband, who were Jewish, lived in Berlin at Elsasserstrasse before the Second World War. The Claimant indicated that his sister and brother-in-law were both killed in the Holocaust. The Claimant indicated that he was born on 27 October 1906 in Austria.

The Claimant previously submitted an Initial Questionnaire (“IQ”) with the Court in 1999, asserting his entitlement to a Swiss bank account owned by Elsa Krämer, née Blaufeld.²

¹ In a telephone conversation with the CRT on 30 July 2002, the Claimant’s daughter informed the CRT that the Claimant had passed away.

² The CRT did not locate an account belonging to the Claimant’s relative, Else Krämer, née Blaufeld, 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 Estate of the Claimant should be aware that the CRT will carry out further research on his claim to determine whether an award may be made upon the information provided by the Claimant or upon information from other sources.

Information Available in the Bank's Record

The Bank's record consists of a list of accounts closed to the Bank's profit and loss account and of accounts transferred to a suspense account. According to this record, the Account Owner was Adolf Krämer, whose domicile is not indicated. The Bank's record indicates that the Account Owner held one account, the type of which is not indicated. The Bank's record indicates that the value of the account was 31.45 Swiss Francs ("SF"). The auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation") determined that the date of the balance was 4 November 1950. The Bank's record indicates that the account was closed to the Bank's profit and loss account, but the date of closure is not indicated.

The CRT's Analysis

Identification of the Account Owner

The Claimant's brother-in-law's name matches the published 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 name.

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Adolf Kraemer, and indicates that he was from Berlin, and that he was married to Else Blaufeld, 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 the Claimant filed an IQ with the Court in asserting his entitlement to a Swiss bank account owned by his sister, Else Krämer, née Blaufeld, indicating that her husband was Adolf Krämer, prior to the publication in February 2001 of the list of accounts determined by the ICEP to be probably or possibly those of Victims of Nazi Persecution (the "ICEP List"). This indicates that the Claimant has based his present claim not simply on the fact that an individual identified on the ICEP List as owning a Swiss bank account bears the same name as his relative, but rather on a direct family relationship that was known to him before the publication of the ICEP List. It also indicates that the Claimant had reason to believe that his relative owned a Swiss bank account prior to the publication of the ICEP List. This supports the credibility of the information provided by the Claimant.

The CRT notes that the other claims to this account were disconfirmed because those claimants provided a spelling of their relative's last name which differed from that of the Account Owner or provided a date of death for their relative which is inconsistent with the period during which the account existed. 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 he was killed in the Holocaust.

As noted above, a person named Adolf Kraemer 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 information, demonstrating that the Account Owner was the Claimant's brother-in-law. The CRT notes that the Claimant filed an IQ with the Court in 1999, identifying the relationship between the Account Owner and the Claimant, prior to the publication in February 2001 of the ICEP List; and that the Claimant also identified information which matches information contained in the Yad Vashem records. 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 a family member, and all of this information supports the plausibility that the Claimant is related to the Account Owner, as he has asserted in his Claim Form.

The Issue of Who Received the Proceeds

The Bank's records indicate that the account was closed to the Bank's profit and loss account.

Basis for the Award

The CRT has determined that an Award may be made in favor of the Estate 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 brother-in-law, and that relationship justifies an Award. Third, the CRT has determined that neither the Account Owner nor his 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 account had a value of SF 31.45. The auditors who carried out the ICEP Investigation determined that the date of this balance was 4 November 1950. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 90.00, which reflects standardized bank fees charged to the account between 1945 and 1950. Consequently, the adjusted balance of the account at issue is SF 121.45. 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 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 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
21 September 2005