

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant [REDACTED]

**in re Account of Gustav Lefo**

Claim Number: 210929/MD

Award Amount: 25,680.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Gustav Lefo (the “Account Owner”) at the Basel 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 grandfather’s cousin, Gustav Lefo, who was born in 1866. The Claimant stated that Gustav Lefo, who was a manufacturer, was married to [REDACTED], and that the couple lived in Mannheim, Germany. The Claimant further stated that Gustav and [REDACTED] Lefo did not have any children. The Claimant submitted excerpts from a book called *Deportation Mannheimer Juden nach Gurs* (“The Deportation of the Jews of Mannheim to Gurs”), demonstrating that Gustav Lefo and his wife, who were Jewish, committed suicide on 22 October 1940 to avoid deportation to the concentration camp in Gurs, France. Furthermore, the Claimant submitted an address list indicating that Gustav Lefo lived at Werderstrasse 20 in Mannheim. In support of her claim, the Claimant submitted her father’s birth certificate and her parent’s marriage certificate, indicating that her grandfather, [REDACTED], and her father, [REDACTED], lived in Mannheim. The Claimant indicated that she was born on 3 June 1944 in Edo de Mexico, Mexico.

### **Information Available in the Bank Record**

The Bank's record consists of a bank customer card. According to this record, the Account Owner was Gustav Lefo who resided in Mannheim. The Bank's record indicates that the Account Owner held a demand deposit account, which was opened on 10 June 1931 and closed on 28 August 1933. The value of the account on the date of closure is unknown. There is no

evidence in the Bank's record that the Account Owner or his heirs closed the account and received the proceeds themselves.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. Her relative's name matches the published name of the Account Owner. The Claimant stated that Gustav Lefo resided in Mannheim, which matches unpublished information about the Account Owner contained in the bank record. The CRT notes that a database containing the names of victims of Nazi persecution includes a person named Gustav Lefo, and indicates that he was born on 1 October 1866 and committed suicide on 22 October 1940, 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. Moreover, the Claimant submitted excerpts from a book called *Deportation Mannheimer Juden nach Gurs* ("The Deportation of the Jews of Mannheim to Gurs"), demonstrating that Gustav Lefo and his wife, who were Jewish, committed suicide on 22 October 1940 to avoid deportation to the concentration camp in Gurs, France. The CRT also notes that there are no other claims to this account.

### 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 committed suicide to avoid deportation to the concentration camp in Gurs, France. As noted above, a person named Gustav Lefo 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 specific biographical information demonstrating that the Account Owner was her grandfather's cousin.

### 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 its Jewish nationals through the enforcement of flight taxes and other confiscatory measures, including confiscation of assets held in Swiss banks; the Account Owner remained in Nazi Germany until he committed suicide on 22 October 1940 to avoid deportation to the concentration camp in Gurs, France, and would not have been able to repatriate his account to Germany without its confiscation; and the application of Presumptions (a), (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,<sup>1</sup> the CRT concludes that it is plausible that the account proceeds were not paid to the Account Owner or his heirs. Based on its precedent and

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<sup>1</sup> Appendix C appears on the CRT II website -- [www.crt.ii.org](http://www.crt.ii.org).

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 grandfather's first cousin, and that relationship justifies an Award. Finally, the CRT has determined that it is plausible 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 demand deposit 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 Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation"), in 1945 the average value of a demand deposit account was 2,140.00 Swiss Francs. The current value of this amount is calculated by multiplying it by a factor of 12, in accordance with Article 31(1) of the Rules, to produce a total award amount of 25,680.00 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  
June 3, 2003