

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Lore Julie Schore¹

in re Account of Dr. Siegmund Lissner

Claim Numbers: 212510/SJ

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claims of Lore Julie Schore, née Lichtenstein, (the “Claimant”) to the account of Siegmund Lissner (the “Account Owner”) at the Zurich 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 cousin, Siegmund Lissner, who was born in 1896 in Posen, Germany. According to the Claimant, her maternal aunt, Friederike Lissner, was Siegmund Lissner’s stepmother. The Claimant stated that Friederike was the sister of her mother, Charlotte Lichtenstein. The Claimant further stated that her cousin, Siegmund, who was Jewish, was a German lawyer who fled to France in 1940. In support of her claim, the Claimant submitted a detailed family tree, and a letter written by Siegmund Lissner from France on 25 September 1940. This letter discussed, among other things, his internment by the Nazis, his time living in Berlin, Germany, and his escape to Avignon, France and later to Grenoble, France. The letter also includes greetings to Lotte, which is a nickname of the Claimant’s mother’s first name; and Lore, which is the first name of the Claimant. The Claimant indicated that she was born on 18 January 1924 in Berlin, Germany.

Information Available in the Bank’s Records

The Bank’s records consist of the account opening card and printouts from the Bank’s database. According to these records, the Account Owner was Dr. Siegmund Lissner who resided in Berlin, Germany. The Bank’s records indicate that the Account Owner held a demand deposit

¹ The Claimant submitted an additional claim to the account of Friederike Lissner, which is registered under the Claim Number 212511. The CRT will treat the claim to this account as a separate decision.

account. The account was closed on 20 January 1934. The Bank's records do not show to whom the account at issue was paid, nor do these records indicate the value of this account. There is no evidence in the Bank's records 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 cousin's name matches the published name of the Account Owner. The Claimant identified her cousin's place of residence as Germany, which matches published information about the Account Owner contained in the Bank's records. Additionally, the Claimant stated that her cousin was an attorney, and the Bank's records indicate that the Account Owner used the professional title "Dr.," a title consistent with the title used by attorneys at the time, which matches unpublished information about the Account Owner contained in the Bank's records. In support of her claim, the Claimant submitted a detailed family tree and a letter dated 25 September 1940, which indicates a familial relationship between Siegmund Lissner and the Claimants. 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, that he was interned by the Nazis, and that he was forced to flee Germany for France.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting detailed biographical information and a letter from Siegmund Lissner, demonstrating that she is the cousin of the Account Owner. There is no information to indicate that the Account Owner has other surviving heirs.

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 Jewish nationals in Germany through the enforcement of flight taxes and other confiscatory measures, including the confiscation of assets held in Swiss banks; that the Account Owner's account was closed in 1934 when he lived in Germany; that he was interned by the Nazis before he was able to escape by fleeing to France in 1940; that he would have been unable to repatriate his account to Germany when it was closed without its confiscation; that there is no record of payment of the Account Owner's account to him; that the Account Owner and his heirs would not have been able to obtain information about his account after the Second World War from the Bank due to the Swiss banks' practice of withholding or misstating account information in their

responses to inquiries by account owners because of the Bank's concern regarding double liability; and given 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,² 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 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 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 12.5, in accordance with Article 29(1) of the Rules, to produce a total award amount of 26,750.00 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

² Appendix C appears on the CRT II website -- www.crt-ii.org.