

# CLAIMS RESOLUTION TRIBUNAL

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

## Certified Award

to Claimants [REDACTED 1]  
and [REDACTED 2],<sup>1</sup> represented by Paul Kertesz

**in re Account of Adalbert Löw-Beer, *Frau* Löw-Beer and *Frau* Nelly Haimann**

Claim Numbers: 003190/UM, 003191/UM, 214213/UM, 601304/UM<sup>2</sup>

Award Amount: 235,724.00 Swiss Francs

This Certified Award is based upon the claims of [REDACTED 1] (“Claimant [REDACTED 1]”) and [REDACTED 2], née [REDACTED], (“Claimant [REDACTED 2]”) (together the “Claimants”) to the published account of Adalbert Löw-Beer (“Account Owner Löw-Beer”), *Frau* (Mrs.) Löw-Beer (“Account Owner *Frau* Löw-Beer”) and *Frau* (Mrs.) Nelly Haimann (“Account Owner Haimann”) (together the “Account Owners”) at the Zurich branch of the [REDACTED] (the “Bank”).<sup>3</sup>

All awards are published, but where a claimant has requested confidentiality, as in this case, the names of the claimants, any relatives of the claimants other than the account owners, and the bank have been redacted.

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<sup>1</sup> Claimant [REDACTED 2] provided her name and some of her relatives’ names only in Hebrew characters in the Claim Forms. For the purpose of this written decision, the CRT has transliterated these names into Latin characters. However, to match names provided in the Claim Forms with names contained in the banks’ databases, the CRT has used a database created by Yad Vashem, Israel, which provided different variations in Latin characters for each of the names.

<sup>2</sup> Claimant [REDACTED 1] submitted two Claim Forms, which were registered under the Claim Numbers 214213 and 211992. The CRT has determined that these claims are duplicate claims and is treating them under the consolidated Claim Number 214213. Claimant [REDACTED 1] also submitted a claim, numbered B-00296, on 7 November 1997, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 601304.

<sup>3</sup> Claimant [REDACTED 2] submitted two Claim Forms: 003190 (to the published account of Adalbert Löw-Beer) and 003191 (to the published account of *Frau* (Mrs.) Löw-Beer). This award treats both of these claims as claims to the account of Adalbert Löw-Beer, *Frau* (Mrs.) Löw-Beer and *Frau* (Mrs.) Nelly Haimann. The CRT notes that Claimant [REDACTED 2] did not specifically claim the account of *Frau* (Mrs.) Nelly Haimann.

## Information Provided by the Claimants

### Claimant [REDACTED 1]

Claimant [REDACTED 1] submitted a claim to the Holocaust Claims Processing Office (“HCPO”) in 1997 and two Claim Forms identifying Account Owner Löw-Beer as his maternal uncle, Béla (Adalbert) Löv (Löw)-Beer, who was born in approximately 1894 in Bekecs, Zemplén-megye, Austria-Hungary (now Hungary), and who was not married. In a letter to the HCPO dated 5 August 1998, Claimant [REDACTED 1] identified Account Owner Haimann as Melanie (Melli) Haimann, his maternal aunt. Claimant [REDACTED 1] stated that his mother, Erna [REDACTED 1], née Löv (Löw)-Beer, his uncle and his aunt were the three children of Josef Löv (Löw)-Beer and Anna Löv (Löw)-Beer, née Rosenzweig, whom he identified as Account Owner *Frau* Löw-Beer. Claimant [REDACTED 1] indicated that all members of the family were Jewish. Claimant [REDACTED 1] further indicated that his uncle held both Romanian and Hungarian citizenship. In addition, Claimant [REDACTED 1] stated that his mother and uncle resided at Damjanich u. 28b in Budapest, Hungary from 1919 to 1924, and that, after the Claimant’s mother was married, his uncle moved to Timisoara, Romania, where he co-owned an electrical factory, the *Dura* factory, until 1938. Claimant [REDACTED 1] specified that his uncle’s factory produced various electrical appliances, and that it was located at Calea Buziasului. In addition, Claimant [REDACTED 1] stated that his uncle was forced to leave Timisoara due to increasing anti-Semitic and anti-Hungarian sentiment, and that he returned to Budapest in 1938, where he lived at Stefánia ut. 41a until he was deported to Auschwitz in 1944. Claimant [REDACTED 1] indicated that his uncle did not return from Auschwitz, and that he presumably perished there. In a letter to the HCPO dated 5 August 1998, Claimant [REDACTED 1] indicated that his aunt, who was widowed, survived the Second World War in the Budapest ghetto, but that she died shortly afterwards, and that his mother died in December of 1963.

According to Claimant [REDACTED 1], his uncle traveled to Switzerland twice, first in 1939 and again in approximately 1940, in order to deposit his savings into two banks in German-speaking Switzerland. Claimant [REDACTED 1] specified that his uncle transferred his assets in the form of diamonds, and stated that his uncle informed Claimant [REDACTED 1]’s mother that he had opened two anonymous accounts, each containing approximately 10,000.00 Swiss Francs (SF), at two different Swiss banks. Claimant [REDACTED 1] added that his uncle’s home was ransacked by neighbors and later by Nazi and Russian soldiers, and that no documents evidencing the existence of the Swiss bank accounts remained. Claimant [REDACTED 1] additionally stated that he contacted several Swiss banks in Geneva in August of 1946, and other banks throughout Switzerland between 1957 and 1985, but that he was unsuccessful in locating accounts belonging to his uncle. In a telephone conversation with the CRT on 14 December 2001, Claimant [REDACTED 1] stated that he visited the Bank’s Zurich office in 1957, and that he was told that he was barred from claiming any accounts belonging to his uncle because of a limitation period imposed by the Bank regarding older accounts.

Claimant [REDACTED 1] submitted his own birth certificate, identifying his mother as [REDACTED] and his father as Dr. [REDACTED]; his parents’ marriage certificate, which identifies his mother’s parents as [REDACTED] and Anna Löv-Beer, née Rosenzweig, indicates that Bela Löv-Beer, residing at Damjanich u. 28b in Budapest, was a witness to the June 1922

marriage, and states that Dr. [REDACTED] resided in Budapest; his mother's death certificate, indicating that his mother was born in Bekecs and that she died in Budapest in 1963; and a letter from an organization representing the Jewish community in Budapest, confirming that Claimant [REDACTED 1] performed forced labor in several labor camps in Hungary between 1944 and 1945.

In addition, Claimant [REDACTED 1] submitted several letters of his correspondence with the HCPO, as well as between the HCPO and the Bank, documenting his attempts to locate accounts belonging to his uncle. This correspondence includes a letter from the Bank to Claimant [REDACTED 1], dated 1 October 1946, stating that Adalbert Löw-Beer had the right of disposition over two accounts at the Bank, and that the accounts, numbered 4603 and 10805, were included in the freeze of Hungarian assets.<sup>4</sup> The letter further indicates that the value of the account numbered 10805 was 4,364.00 U.S. Dollars (US\$). In addition, the letter indicates that Claimant [REDACTED 1] visited the Bank, and supplied it with documents identifying Dr. [REDACTED] as his uncle's trustee, as well as with a power of attorney form from Dr. [REDACTED] for Claimant [REDACTED 1].

The submitted correspondence also includes a letter from the Bank to the HCPO, dated 10 June 1998, confirming the existence of the two accounts and their inclusion in the freeze of Hungarian assets, and stating that, "following the unblocking [in 1947], [the Bank] transferred the proceeds of Mr. Löw-Beer's accounts in accordance with customary bank procedures and applicable legal requirements." The Bank further noted that the account cards documenting the existence of the accounts each contained a handwritten note, which "indicates that [the Bank] transferred the account proceeds on June 21, 1950, and in this connection was apprised that Mr. Löw-Beer was deceased." The letter also asked Claimant [REDACTED 1] for "any additional information concerning who might have received the account proceeds upon account closure." The Bank attached copies of two account cards to its letter. The account card for the account numbered 10805, further described below, identifies Adalbert Löw-Beer, *Frau* (Mrs.) Löw-Beer and *Frau* (Mrs.) Nelly Haimann as the joint account owners.

The submitted correspondence also includes a letter from Claimant [REDACTED 1] to the HCPO, dated 5 August 1998, stating that [REDACTED] was his uncle's attorney and trustee, who retired sometime before June of 1950. Moreover, the correspondence includes a letter from the Bank to the HCPO, dated 6 November 1998, stating that it was unable to locate any other documentation relating to Claimant [REDACTED 1]'s uncle's accounts, and suggesting that Dr. [REDACTED] was replaced by another trustee after the former's retirement. In addition, the correspondence includes a letter from the HCPO to the Bank, indicating that Claimant [REDACTED 1] and his family lived in Hungary from 1949 to 1954, and noting that "any contact with the West resulted in extremely harsh repressive measures, including imprisonment." Finally, the correspondence includes a letter from the Bank to the HCPO, dated 18 March 1999, reiterating that the Bank could not locate any further documentation, and specifically noting that, in its November 1998 letter, it "did not mean to imply that [Claimant [REDACTED 1]] or his family received the assets."

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<sup>4</sup> In a decision dated 4 October 2002, the Court approved an Award to Claimant [REDACTED 1] to the account numbered 4603 held by Adalbert Löw-Beer and Nelly Haimann. See *In re Account of Adalbert Löw-Beer and Nelly Haimann*.

Claimant [REDACTED 1] indicated that he was born on 26 July 1923 in Budapest.

Claimant [REDACTED 1] previously submitted an Initial Questionnaire (“IQ”) with the Court in 1999, and an ATAG Ernst & Young claim form in 1998, asserting his entitlement to a Swiss bank account owned by Béla (Adalbert) Löw-Beer.

#### Claimant [REDACTED 2]

Claimant [REDACTED 2] submitted two Claim Forms identifying Account Owner *Frau* Löw-Beer and Account Owner Löw-Beer as her paternal aunt, Sara (Sari) Low-Beer, née Friedman, who was born in Lugoj, Romania in 1913, and her uncle, Adalbert (Bela) Low-Beer, respectively. Claimant [REDACTED 2] stated that her aunt and uncle, who were both Jewish, were married in Lugoj in 1935. In addition, Claimant [REDACTED 2] stated that her uncle was one of the owners of the *Dura* factory, which was located at 5 Calea Buziasului in Timisoara, Romania. Claimant [REDACTED 2] indicated that her aunt and uncle resided in Budapest as of 1940, and that they were required to wear a yellow star after April of 1944. Claimant [REDACTED 2] further indicated that her aunt and uncle were subsequently forced to live in a house marked with the Star of David, and that, after temporarily seeking refuge with the Red Cross, they were interned in the Budapest Ghetto. Finally, Claimant [REDACTED 2] indicated that, in late 1944, Nazi soldiers ransacked her aunt and uncle’s home, forced them from the home, and killed them. Claimant [REDACTED 2] submitted a certified translation of her own birth certificate, identifying her father as [REDACTED]; a letter from the Hungarian Resistance and Anti-Fascist Committee, based in Budapest, confirming that her aunt and uncle were married in 1935, and describing their fate after their return to Budapest in 1940; and a farewell letter, written by her aunt to her parents and two brothers, [REDACTED] and [REDACTED], from Budapest in 1944. Claimant [REDACTED 2] indicated that she was born on 16 October 1949 in Timisoara.

#### **Information Available in the Bank’s Records**

The Bank’s records consist of customer information cards and printouts from the Bank’s database. According to these records, Adalbert Löw-Beer, *Frau* (Mrs.) Löw-Beer and *Frau* (Mrs.) Nelly Haimann were the joint Account Owners of an account of unknown type, numbered 10805. Adalbert Löw-Beer is listed first on the customer information card, and *Frau* (Mrs.) Löw-Beer is listed immediately below him. The customer information card does not spell out *Frau* (Mrs.) Löw-Beer’s name. Instead, quotation marks placed immediately below Adalbert Löw-Beer’s last name indicate the existence of the second account owner. The title “*Frau*” is included next to the quotation marks, but neither the customer information card nor any of the other Bank’s records specify the first name of *Frau* (Mrs.) Löw-Beer. *Frau* (Mrs.) Nelly Haimann is listed as the third account owner. The Bank’s records indicate that the Account Owners resided in Timisoara, Romania, and that they held Romanian citizenship. The Bank’s records additionally indicate that Dr. [REDACTED], who resided in Budapest, was designated as the recipient of all correspondence relating to the account. The Bank’s records do not show when the account at issue was closed, or to whom it was paid, nor do these records indicate the value

of this account. 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”) did not find this account in the Bank’s system of open accounts, and they therefore presumed that it was closed. These auditors indicated that there was no evidence of activity on this account after 1945. There is no evidence in the Bank’s records that any of the Account Owners or their heirs closed the account and received the proceeds themselves.

## **The CRT’s Analysis**

### Joinder of Claims

According to Article 37(1) of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the claims of Claimant [REDACTED 1] and Claimant [REDACTED 2] in one proceeding.

### Identification of the Account Owners

Claimant [REDACTED 1] has plausibly identified Account Owner Löw-Beer and Account Owner Haimann. Claimant [REDACTED 1]’s uncle’s name and city and country of residence match the published name and city and country of residence of Account Owner Löw-Beer. Moreover, Claimant [REDACTED 1]’s aunt’s name is substantially similar to the published name of Account Owner Haimann. The CRT notes that the Bank’s record identifies Account Owner Haimann as *Frau* (Mrs.) Nelly Haimann. The CRT further notes that it is customary to refer to both women who were married and mature women as “*Frau*” in the German language, and that Claimant [REDACTED 1]’s indication that his aunt was widowed is consistent with the information in the Bank’s records. In addition, Claimant [REDACTED 1] identified his own father as Dr. [REDACTED], which matches the unpublished name and professional title of the contact person listed in the Bank’s records.<sup>5</sup> In support of his claims, Claimant [REDACTED 1] submitted documents, including his parents’ marriage certificate, which indicates that Bela Löw-Beer was a witness to the marriage, and states that Dr. Ernő [REDACTED 1] resided in Budapest. This document provides independent verification that the person who is claimed to be Account Owner Löw-Beer had the same name recorded in the Bank’s records as the name of Account Owner Löw-Beer, and that Claimant [REDACTED 1]’s father had the same name and professional title as the person recorded as the contact person in the Bank’s records. The CRT notes that the names Adalbert Löw-Beer and Frau (Mrs.) Nelly Haimann appear only once on the February 2001 published list of accounts determined by ICEP to be probably or possibly those of Victims of Nazi Persecution (the “ICEP List”). The CRT further notes that Claimant [REDACTED 1] filed an IQ with the Court in 1999, an ATAG Ernst & Young claim form in 1998, and an HCPO claim form in 1997, asserting his entitlement to a Swiss bank account owned by Béla (Adalbert) Löw-Beer, prior to the publication in February 2001 of the ICEP List. This indicates that Claimant [REDACTED 1] has based his present claim not simply on the fact that

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<sup>5</sup> The CRT notes that [REDACTED] is the both English and French equivalent of the Hungarian name “[REDACTED].”

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 Claimant [REDACTED 1] 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 Claimant [REDACTED 1].

Claimant [REDACTED 2] has plausibly identified Account Owner Löw-Beer and Account Owner *Frau* Löw-Beer. Claimant [REDACTED 2]'s uncle's name and city and country of residence match the published name and city and country of residence of Account Owner Löw-Beer, and her aunt's last name and city and country of residence match the published last name and city and country of residence of Account Owner *Frau* Löw-Beer. In support of her claim, Claimant [REDACTED 2] submitted documents, including a letter issued by the Hungarian Resistance and Anti-Fascist Committee, identifying Béla Löw-Beer as her aunt's husband, providing independent verification that the person who is claimed to be Account Owner Löw-Beer had the same name recorded in the Bank's records as the name of Account Owner Löw-Beer. Claimant [REDACTED 2] also submitted her own birth certificate, indicating that she was born in Timisoara, providing independent verification that Claimant [REDACTED 2]'s family resided in the same city as did Account Owner Löw-Beer and Account Owner *Frau* Löw-Beer. The CRT notes that Claimant [REDACTED 2] was born after the Second World War, rendering it plausible that she does not possess extensive documentation regarding her relatives. Taking all of these factors into account, the CRT concludes that Claimant [REDACTED 2] has plausibly identified Account Owner Löw-Beer and Account Owner *Frau* Löw-Beer.

The CRT notes that Claimant [REDACTED 1] indicated that he believes Account Owner *Frau* Löw-Beer was Account Owner Löw-Beer's mother, and stated that his uncle, Account Owner Löw-Beer, was not married, whereas the documentation provided by Claimant [REDACTED 2] demonstrates that Account Owner Löw-Beer was, in fact, married. However, the CRT also notes that Claimant [REDACTED 1] provided very specific information and documentation regarding his family, particularly regarding Account Owner Löw-Beer, and that he plausibly identified Account Owner Haimann. The CRT also notes that Claimant [REDACTED 2] did not identify Account Owner Haimann. However, the CRT also notes that Claimant [REDACTED 2] was related to Account Owner Löw-Beer by marriage only, and that it is plausible that she would not possess any information regarding Account Owner Löw-Beer's blood relatives, including Account Owner Haimann. Moreover, Claimant [REDACTED 2] submitted documents that provide independent verification that her relative had the same name as Account Owner Löw-Beer and that her family resided in the same city as did Account Owner Löw-Beer and Account Owner *Frau* Löw-Beer. Taking all these factors into account, the CRT concludes that it is plausible that both Claimants have identified the Account Owners as their relatives.

The CRT further notes that Claimant [REDACTED 2] identified Account Owner *Frau* Löw-Beer as the wife of Account Owner Löw-Beer, while Claimant [REDACTED 1] indicated that he believes Account Owner *Frau* Löw-Beer was Account Owner Löw-Beer's mother. The CRT notes that Account Owner *Frau* Löw-Beer's name is not spelled out in the Bank's records, that she instead is identified by quotation marks placed immediately below Account Owner Löw-Beer's last name on the customer information card, and that the Bank's records do not specify Account Owner *Frau* Löw-Beer's first name. Given the way in which Account Owner *Frau*

Löw-Beer's name is indicated in the Bank's records, the CRT finds it more plausible that Account Owner *Frau* Löw-Beer was Account Owner Löw-Beer's wife than his mother.

The CRT notes that there are no other claims to this account.

#### Status of the Account Owners as Victims of Nazi Persecution

##### Claimant [REDACTED 1]

Claimant [REDACTED 1] has made a plausible showing that Account Owner Löw-Beer and Account Owner Haimann were Victims of Nazi Persecution. Claimant [REDACTED 1] stated that Account Owner Löw-Beer was Jewish, that his home was ransacked by Nazi troops, and that in 1944 Account Owner Löw-Beer was deported from Budapest, Hungary to Auschwitz, where he presumably perished. In addition, Claimant [REDACTED 1] stated that Account Owner Haimann was Jewish, and that she was interned in the Budapest Ghetto during the Second World War.

##### Claimant [REDACTED 2]

Claimant [REDACTED 2] has made a plausible showing that Account Owner Löw-Beer and Account Owner *Frau* Löw-Beer were Victims of Nazi Persecution. Claimant [REDACTED 2] stated that Account Owner Löw-Beer and Account Owner *Frau* Löw-Beer were both Jewish, and that they were killed by Nazis after they ransacked their home in Budapest in 1944. Claimant [REDACTED 2] also submitted a letter from the Hungarian Resistance and Anti-Fascist Committee, describing the ransacking of their home and subsequent murder by Nazis.

The CRT notes that Claimant [REDACTED 1] and Claimant [REDACTED 2] have provided different accounts of their relatives' fates. However, the CRT further notes that Claimant [REDACTED 1] was interned in a slave labor camp in 1944, and that Claimant [REDACTED 2] was not born until after the Second World War. In light of both the general circumstances created by the Second World War and the Claimants' personal circumstances, the CRT concludes that the descriptions provided by Claimant [REDACTED 1] and Claimant [REDACTED 2], which are consistent with respect to dates and general locations, are sufficiently similar to establish that it is plausible that the Account Owners were Victims of Nazi Persecution.

#### The Claimants' Relationship to the Account Owners

##### Claimant [REDACTED 1]

Claimant [REDACTED 1] has plausibly demonstrated that he is related to Account Owner Löw-Beer and Account Owner Haimann by submitting specific information and documents, demonstrating that they were his maternal uncle and aunt. These documents include his own birth certificate, identifying his mother as Ernestina Löw-Beer and his father as Dr. [REDACTED], and his parents' marriage certificate, indicating that Bela Löw-Beer was a witness to the marriage. The CRT notes that Claimant [REDACTED 1]'s father is identified as

the contact person in the Bank's records, and that Claimant [REDACTED 1] filed an IQ with the Court in 1999, identifying the relationship between Account Owner Löw-Beer and Claimant [REDACTED 1], prior to the publication in February 2001 of the ICEP List. Furthermore, the CRT notes that the foregoing information is of the type that family members would possess and indicates that Account Owner Löw-Beer and Account Owner Haimann were well known to Claimant [REDACTED 1] as family members, and all of this information supports the plausibility that Claimant [REDACTED 1] is related to them, as he has asserted in his Claim Forms.

#### Claimant [REDACTED 2]

Claimant [REDACTED 2] has plausibly demonstrated that she is related to Account Owner Löw-Beer and Account Owner *Frau* Löw-Beer by submitting specific information and documents, demonstrating that they were her uncle and paternal aunt, respectively. These documents include a certified translation of her own birth certificate, identifying her father as [REDACTED]; a farewell letter, written by her aunt to her parents and two brothers, including Claimant [REDACTED 2]'s father, from Budapest in 1944; and a letter from the Hungarian Resistance and Anti-Fascist Committee, confirming that her aunt and uncle were married in 1935, and describing their fate after their return to Budapest in 1940. The CRT notes that it is plausible that these two letters are documents which most likely only a family member would possess. The CRT further notes that Claimant [REDACTED 2]'s own birth certificate provides independent verification that her relatives resided in Timisoara, Account Owner Löw-Beer and Account Owner *Frau* Löw-Beer's city of residence. As noted above, the timing of Claimant [REDACTED 2]'s birth render it plausible that she would not possess extensive documentation regarding her relatives.

#### The Issue of Who Received the Proceeds

Given that Account Owner Löw-Beer and Account Owner *Frau* Löw-Beer perished during the Second World War; that the account was included in the freeze of Hungarian assets; that the Bank indicated that the proceeds from the account were transferred in 1950, but that it did not know to whom they were transferred; that all of the Account Owners were deceased by the time of the transfer; that the Account Owners' heirs resided in Communist Hungary and Romania after the Second World War; that, as late as March of 1999, the Bank explicitly acknowledged that it did not know whether the Account Owners' heirs had received the proceeds; that Account Owner Haimann, the only Account Owner who survived the Second World War, and all three Account Owners' heirs would not have been able to obtain information about their 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 banks' concern regarding double liability; and given the application of Presumptions (e), (h), (i) and (j), as provided in Article 28 of the Rules (see Appendix A), the CRT concludes that it is plausible that the account proceeds were not paid to the Account Owners or their 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 Claimants. First, the claims are admissible in accordance with the criteria contained in Article 18 of the Rules. Second, Claimant [REDACTED 1] has plausibly demonstrated that Account Owner Löw-Ber and Account Owner Haimann are his maternal uncle and aunt, respectively, and those relationships justify an Award. Similarly, Claimant [REDACTED 2] has plausibly demonstrated that Account Owner *Frau* Löw-Ber and Account Owner Löw-Ber are her paternal aunt and her uncle, respectively, and those relationships justify an award. Third, the CRT has determined that it is plausible that neither the Account Owners nor their heirs received the proceeds of the claimed account.

### Amount of the Award

In this case, the Account Owners held one numbered account of unknown type. The 1 October 1946 letter from the Bank to Claimant [REDACTED 1] indicates that the value of this account was US\$ 4,364.00 as of that date, which the CRT notes was equal to SF 18,677.92.<sup>6</sup> In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 180.00, which reflects numbered account fees and standardized bank fees charged to the numbered account between 1945 and 1 October 1946. Consequently, the adjusted balance of the account at issue is SF 18,857.92. The current value of the amount of the award is determined by multiplying the adjusted balance by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of SF 235,724.00.

### Division of the Award

According to Article 23(1)(d) of the Rules, if neither the Account Owners' spouse nor any descendants of the Account Owners have submitted a claim, the award shall be in favor of any descendants of the Account Owners' parents who have submitted a claim, in equal shares by representation. Moreover, according to Article 25(1) of the Rules, if an account is a joint account and claimants related to each of the Account Owners have submitted claims to the account, it shall be presumed that each Account Owner was the owner of an equal share of the account. In this case, Claimant [REDACTED 1] is a grandson of Account Owner Löw-Ber and Account Owner Haimann's parents, and Claimant [REDACTED 2] is a granddaughter of Account Owner *Frau* Löw-Ber's parents. Accordingly, Claimant [REDACTED 1] is entitled to two-thirds of the total award amount, and Claimant [REDACTED 2] is entitled to one-third of the total award amount.

### **Scope of the Award**

The Claimants should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on their claims to determine whether there are additional Swiss bank accounts to

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<sup>6</sup> In calculating this amount, the CRT used official exchange rates prevailing at the time.

which they 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