

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to the Estate of Claimant [REDACTED]¹

in re Account of Carl Meyer

Claim Number: 204258/NB²

Award Amount: 15,500.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the accounts of Karl and Isidor Meyer.³ This Award is to the published account of Carl Meyer (the “Account Owner”) at the Montreux branch of the [REDACTED] (the “Bank”).⁴

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 his paternal uncle, Karl (Carl) Gustov (Gustav) Meyer, who was born on 16 January 1879 in Reichelsheim, Germany, and was married to [REDACTED], née [REDACTED]. The Claimant stated that his uncle, who was Jewish, was a horse trader in Frankfurt am Main, Germany, before the Second World War. The Claimant explained that his aunt died in 1931 in Reichelsheim, and that his uncle was imprisoned by the Nazis in Frankfurt am Main from 1935 to 1938. The Claimant stated that his

¹ The CRT notes that [REDACTED] (the “Claimant”) passed away on 28 January 2003.

² The Claimant submitted one additional claim, which is registered under the Claim Number 204259. In a separate decision, the CRT treated the Claimant’s claim to the account of Carl Weil. See *In re Account of Carl Weil* (approved on 4 June 2007).

³ The CRT did not locate an account belonging to Isidor Meyer in the Account History Database (“AHD”) 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”).

⁴ The CRT notes that 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 name Carl Meyer appears twice and the names Karl Mayer, Karl Israel Mayer, Carl Meier, Karl Meier, and Karl H. Meyer also appear. Upon careful review, the CRT has determined that none of these individuals is the same person addressed in the current decision and, consequently, that the Claimant did not identify any of these other account owners as his relative.

uncle perished on 3 January 1938, shortly after his release. Finally, the Claimant stated that his aunt and uncle had at least one child, [REDACTED], who died in 1950 in Israel.

The Claimant indicated that he was born on 30 July 1922 in Reichelsheim. The CRT notes that the Claimant passed away on 28 January 2003.

The Claimant previously submitted Initial Questionnaires (“IQs”) to the Court in 1999, asserting his entitlement to a Swiss bank account owned by his father, Isidor Meyer.⁵

Information Available in the Bank’s Records

The Bank’s records consist of documents pertaining to the 1945 freeze of assets held in Switzerland by the citizens of Germany and the territories incorporated into the Third Reich (the “1945 Freeze”). According to these records, the Account Owner was Carl Meyer, who resided in Germany and used the address of a hotel in Montreux, Switzerland.

The Bank’s records indicate that the Account Owner held a safe deposit box, which was frozen on 20 August 1945, and was forcibly opened by the Bank in 1952 in accordance with a settlement agreement regarding the 1945 Freeze. The contents of the safe are unknown.

The CRT’s Analysis

Identification of the Account Owner

The Claimant’s uncle’s name and country of residence match the published name and country of residence of the Account Owner.⁶ Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a page of testimony submitted by a relative of the Claimant in 1992, which indicates that [REDACTED] was born on 16 January 1879 in Reichelsheim to [REDACTED] and [REDACTED], née [REDACTED]; that he was a livestock trader in Frankfurt am Main; and that he was married to [REDACTED], née [REDACTED], which matches the information about the Account Owner provided by the Claimant. This database also contains a page of testimony for the Claimant’s father, which indicates that [REDACTED] was born in Reichelsheim to [REDACTED] and [REDACTED], and that he was a livestock trader in Frankfurt am Main, which matches the information about the Account Owner’s brother 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 Initial Questionnaires with the Court in 1999, asserting his entitlement to a Swiss bank account owned by his father [REDACTED], the Account Owner’s brother, prior to the publication in February 2001 of the list of accounts determined by the Independent Committee of Eminent Persons (“ICEP”) to be probably or possibly those of

⁵ As noted above, the CRT did not locate an account belonging to Isidor Meyer in the AHD.

⁶ The CRT notes that Karl and Carl are spelling variations of the same name.

Victims of Nazi Persecution (the “ICEP List”). This indicates that the Claimant had reason to believe that his relatives owned one or more Swiss bank accounts 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 different country of residence than the country of residence of the Account Owner and/or did not identify the exact spelling of the Account Owner's surname. 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 resided in Nazi-Germany, that he was imprisoned by Nazi authorities from 1935 to 1938, and that he perished shortly after his release. As noted above, a person named [REDACTED] 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 biographical information, demonstrating that the Account Owner was the Claimant's uncle. The CRT further notes that the Claimant filed Initial Questionnaires with the Court in 1999, identifying [REDACTED] of Reichelsheim as his father, 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, indicating that [REDACTED] was the brother of [REDACTED] and that they were both born in Reichelsheim. 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. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The Bank's records indicate that the safe deposit box was included in the 1945 Freeze and subsequently opened by the Bank in 1952.

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 (the “Rules”). Second, the Claimant has plausibly demonstrated that the Account Owner was his uncle, 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 safe deposit box. 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 ICEP's instructions (the "ICEP Investigation"), in 1945 the average value of a safe deposit account was 1,240.00 Swiss Francs ("SF"). The current value of this amount is calculated by multiplying it by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of SF 15,500.00.

Certification of the Award

The CRT certifies this Award for approval by the Court and payment by the Special Masters.

Claims Resolution Tribunal
29 September 2009