

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED 1]
also acting on behalf of the Estate of [REDACTED 2],

to Claimant [REDACTED 3],

to Claimant [REDACTED 4],

and to Claimant [REDACTED 5]

in re Account of J. Meyer

Claim Numbers:
224440/NB;¹ 778935/NB;² 784657/NB;³ 785694/NB⁴

Award Amount: 26,750.00 Swiss Francs

¹ [REDACTED 1] (“Claimant [REDACTED 1]”) submitted sixteen additional claims, which are registered under the following Claim Numbers: 223105, 223106, 223107, 223108, 223116, 223117, 223118, 223119, 224280, 224281, 224282, 224283, 224441, 224442, 300658 and 300659. In separate decisions, the CRT awarded the accounts of Renate Meier, Bruno Meier, and Gustav Maier to Claimant [REDACTED 1]. See *In re Account of Renate Meier* (approved on 30 November 2005); *In re Account of Bruno Meier* (approved on 30 May 2007); and *In re Account of Gustav Maier* (approved on 27 February 2007). Additionally, in separate decisions, the CRT treated Claimant [REDACTED 1]’s claim to the accounts of Else Meier, Bernhard Meyer, Louis Meyer, and Rosa Meyer. See *In re Account of Else Meier* (approved 4 August 2008); *In re Account of Bernhard Meyer* (approved on 23 June 2008); *In re Account of Louis Meyer* (approved on 4 August 2008); and *In re Account of Rosa Meyer* (approved on 29 September 2008). In two other decisions, dated 11 November 2008, the CRT treated Claimant [REDACTED 1]’s claim to the accounts of August Mayer, Eduard Kann-Stiftung, Adelheid Kann-Stiftung, Jakob Goldschmidt, and S & H Goldschmidt. The CRT will treat Claimant [REDACTED 1]’s remaining claims in separate determinations.

² [REDACTED 3] (“Claimant [REDACTED 3]”) did not submit a Claim Form to the CRT. However, in 1999 she submitted an Initial Questionnaire (“IQ”), numbered ENG-0347160, to the Court in the United States. Although this IQ was not a Claim Form, the Court, in an Order signed on 30 July 2001, ordered that those Initial Questionnaires which can be processed as claim forms be treated as timely claims. Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001). The IQ was forwarded to the CRT and has been assigned claim number 778935.

³ [REDACTED 4] (“Claimant [REDACTED 4]”) did not submit a Claim Form to the CRT. However, in 1999 she submitted an IQ, numbered ENG-0574174, to the Court in the United States. This IQ was forwarded to the CRT and has been assigned claim number 784657. In a separate decision, the CRT awarded the account of Hans Meyer to Claimant [REDACTED 4]. See *In re Account of Hans Meyer* (approved on 7 June 2006).

⁴ [REDACTED 5] (“Claimant [REDACTED 5]”) did not submit a Claim Form to the CRT. However, in 1999 she submitted an IQ, numbered ENG-0612151, to the Court in the United States. This IQ was forwarded to the CRT and has been assigned claim number 785694.

This Certified Award is based upon the claim of [REDACTED 1] (“Claimant [REDACTED 1]”) to the published account of Johanna Meyer; the claim of [REDACTED 3], née [REDACTED], (“Claimant [REDACTED 3]”) to the account of Ada Glanz;⁵ the claims of [REDACTED 4], née [REDACTED], (“Claimant [REDACTED 4]”) and [REDACTED 5] (“Claimant [REDACTED 5]”) (together “the Claimants”) to the account of Otto and Ida Meyer.⁶ This Award is to the account of J. Meyer (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 Claimants

Claimant [REDACTED 1]

Claimant [REDACTED 1] submitted a Claim Form identifying the Account Owner as his great-grandfather’s brother’s wife, Johanna Maier (Meyer), née Lichtenstein, who was married to [REDACTED] on 15 August 1898. Claimant [REDACTED 1] stated that his family, who was Jewish, lived in Gambach (Münzenberg), Germany, a small town close to Frankfurt am Main, where they owned a prominent butcher business.

According to Claimant [REDACTED 1], Johanna Maier’s brother-in-law was his great-great grandfather [REDACTED], who was born on 3 August 1870 and married [REDACTED], née [REDACTED], on 13 July 1897, and resided in Gambach with their two children, [REDACTED] and [REDACTED] (the Claimant’s paternal grandmother). Claimant [REDACTED 1] stated that [REDACTED] married [REDACTED] on 17 December 1927, and together they had a son, [REDACTED] (Claimant [REDACTED 1]’s father), who was born on 16 October 1928 in Gambach.

Claimant [REDACTED 1] stated that his grandmother [REDACTED], his great-grandfather [REDACTED], and many of their relatives perished in concentration camps during the Holocaust, and that his father, [REDACTED], who died in 1955, was the only known survivor in his family.

In support of his claim, Claimant [REDACTED 1] submitted copies of documents, including:

- (1) his paternal grandmother’s birth certificate, which indicates that a child named [REDACTED] was born on 4 March 1903 to [REDACTED] and [REDACTED], née [REDACTED], who were Jewish;

⁵ In a separate decision, the CRT treated Claimant [REDACTED 3]’s claim to the account of Ada Glanz. See *In re account of Ada Glanz* (approved on 29 September 2008).

⁶ The CRT will treat the claim to these accounts in separate determinations.

- (2) his paternal grandparents' marriage certificate, which indicates that [REDACTED], a butcher, and [REDACTED] were married on 17 December 1927 in Gambach, and divorced on 7 July 1932;
- (3) his father's birth certificate, which indicates that [REDACTED] was born on 16 October 1928 in Gambach, that he was Jewish, and that his parents were [REDACTED], a butcher, and [REDACTED], née [REDACTED];
- (4) an excerpt from a Nazi-decreed census, which indicates that [REDACTED], born 3 August 1870 and who was Jewish, and [REDACTED], born on 16 October 1928 and who was Jewish, lived in Gambach;
- (5) his parents' marriage certificate, which indicates that [REDACTED], who was the 22 year old son of [REDACTED 1] and was employed as a butcher's assistant, was married to [REDACTED 2] on 4 November 1951 in England;
- (6) his father's death certificate, which indicates that [REDACTED], a 25 year old butcher's assistant, died on 15 July 1955 in England;
- (7) his own birth certificate, indicating that [REDACTED 1] was born on 27 October 1955 in England, that his father was [REDACTED], a butcher by profession and deceased at the time of the birth, and his mother was [REDACTED 2], née [REDACTED];
- (8) a letter from a Polish Holocaust museum, stating that [REDACTED], who was born on 16 October 1929 in Gambach, was imprisoned in Mauthausen during the Second World War and that his sister [REDACTED] perished in Auschwitz; and
- (9) a page from a book of Holocaust victims from Frankfurt am Main, which includes Claimant [REDACTED 1]'s father [REDACTED] and his sister [REDACTED].

Claimant [REDACTED 1] indicated that he was born on 27 October 1955 in London, England. Claimant [REDACTED 1] is representing his mother [REDACTED 2], née [REDACTED], who was born on 12 February 1932 in London.

Claimant [REDACTED 3]

Claimant [REDACTED 3] submitted an Initial Questionnaire ("IQ") identifying the Account Owner as her maternal uncle's wife's mother, Julia Meyer, née Wurm, who was born in England in 1885, and married to Dr. [REDACTED], a solicitor in Lwow (Lviv), Poland who was born in 1875. Claimant [REDACTED 3] stated that [REDACTED] and Julia Meyer, who were Jewish, were the parents of [REDACTED], née [REDACTED], who was born in Lwow in 1910 and was married to the Claimant's maternal uncle, Dr. [REDACTED], who was born in Lwow in 1905. According to Claimant [REDACTED 3], her mother [REDACTED], née [REDACTED], and her grandmother were deported to Auschwitz, where they later perished in 1944, and Claimant [REDACTED 3] went into hiding with her aunt, uncle, and her cousin [REDACTED] in the town of Przemsyl, Poland, until her other family members were discovered by the Nazis and sent to the Przemsyl ghetto, where they later perished. Claimant [REDACTED 3] stated that Julia and [REDACTED] perished in Lwow in 1942.

In support of her claim, Claimant [REDACTED 3] submitted a copy of an extract of a decision from the Municipal Court in Przemsyl, which indicates the following information about her family: that Dr. [REDACTED] was born in Lwow in 1905 where he resided, and died in Lwow in December 1943; that [REDACTED], née [REDACTED], was born in Lwow in 1910 where

she resided, and perished in the Przemsyl ghetto in September 1943; that [REDACTED], daughter of [REDACTED] and [REDACTED], was born in Sosnowiec, Poland in 1932 and resided in Przemsyl, where she perished in the Przemsyl ghetto in October 1943; that [REDACTED], née [REDACTED], was born in Lwow in 1907, resided in Przemsyl, and was deported from the Przemsyl ghetto to Auschwitz in May 1944 where she perished; that Dr. [REDACTED], father of [REDACTED], née [REDACTED], was born in Lwow in 1875 and was a solicitor in Lwow, and was killed in Lwow in 1942; and that Julia Meyer, née Wurm, the wife of Dr. [REDACTED] and the mother of [REDACTED], née [REDACTED], was born in England in 1885, resided in Prezemsyl and perished in Lwow in 1942.

Claimant [REDACTED 3] indicated that she was born on 25 September 1937.

Claimant [REDACTED 4] and Claimant [REDACTED 5]

Claimant [REDACTED 4] and Claimant [REDACTED 5], who are siblings, each submitted an IQ identifying the Account Owner as their great-grandmother, Johanna Meyer, née Jüdel, who was born on 16 August 1847 in Hanover, Germany, and was married to [REDACTED] on 17 November 1869.⁷ Claimant [REDACTED 4] stated that [REDACTED] and Johanna Meyer, who were Jewish, had five children: [REDACTED], [REDACTED] (who was Claimant [REDACTED 4] and Claimant [REDACTED 5]'s paternal grandfather), [REDACTED], [REDACTED], and [REDACTED]. Claimant [REDACTED 4] explained that [REDACTED] was the president of the Jewish Community of Lübeck, Germany, and that he owned an import/export business *H. Meyer & Co.* with offices in Lübeck and Hamburg, Germany.

Claimant [REDACTED 4] and Claimant [REDACTED 5] stated that their paternal grandparents, [REDACTED] and [REDACTED], together with their parents [REDACTED] and [REDACTED], née [REDACTED], fled Germany in 1937 to Rotterdam, the Netherlands, and went into hiding at Van Ostadelaan 4 in Huister Heide, Utrecht, the Netherlands. Claimant [REDACTED 4] and Claimant [REDACTED 5] stated that in late 1943, their grandparents fled to Switzerland, where a cousin, Dr. [REDACTED], had arranged for them to live, but that they were refused entry, sent back over the border, and captured by the Nazis. Claimant [REDACTED 4] and Claimant [REDACTED 5] explained that their grandparents were deported to Drancy, France, and then to Auschwitz, where they perished. According to Claimant [REDACTED 4] and Claimant [REDACTED 5], their parents remained in hiding in the Netherlands until the end of the Second World War, and then emigrated to the United States and subsequently to Israel.

In support of her claim, Claimant [REDACTED 4] submitted copies of documents, including:

- (1) her grandfather's birth certificate, indicating that [REDACTED] was born on 12 March 1874 in Lübeck, and that his parents were [REDACTED] and Johanna Meyer, née Jüdel;
- (2) her paternal grandparents' marriage certificate, indicating that [REDACTED] and [REDACTED] were married on 27 May 1903 in Hamburg;

⁷ The CRT notes that Claimant [REDACTED 5] did not submit any information or documents identifying the Account Owner as her great-grandmother but because Claimant [REDACTED 4], who is Claimant [REDACTED 5]'s sister, submitted detailed information and documents, the CRT therefore includes her in this Award.

- (3) her paternal grandfather's residency certificate for Hamburg, dated 4 May 1909;
- (4) a character reference, dated 9 June 1941, from Rabbi Joseph Israel Carlebach in Hamburg, supporting [REDACTED] for American citizenship;
- (5) a letter, dated 29 October 1941, issued by the SS (*Schutzstaffel*) and the police for occupied Dutch territories (*Polizeiführer beim Reichskommissar für die besetzten niederländischen Gebiete*), indicating that [REDACTED] and his wife had officially lost their German citizenship and were required to turn in their passports;
- (6) Claimant [REDACTED 4]'s birth certificate, indicating that [REDACTED 4] was born on 6 January 1933 in Hamburg and that her parents were [REDACTED] and [REDACTED], née [REDACTED];
- (7) Claimant [REDACTED 4]'s marriage certificate, indicating that [REDACTED] and [REDACTED 4] were married on 25 March 1956 in Haifa, Israel;
- (8) a comprehensive family history and chronology, indicating that [REDACTED] was born to [REDACTED] and Johanna Meyer; and
- (9) a letter written by [REDACTED], describing the fate of [REDACTED] and [REDACTED].

Claimant [REDACTED 4] indicated that she was born on 6 January 1933 in Hamburg. Claimant [REDACTED 5] indicated that she was born on 15 March 1935.

Information Available in the Bank's Records

The Bank's records consist of copies of ledger sheets and printouts from the Bank's database. According to these records, the Account Owner was Mme. (Madame) J. Meyer, sel. (*selig*, or deceased) by 1945. The Bank's records do not indicate the Account Owner's domicile, but do refer to Basel, Switzerland, the branch of the Bank at which the account was held. The Bank's records indicate that the Account Owner held a demand deposit account.

The Bank's records indicate that the account contained a balance of 69.30 Swiss Francs ("SF") when it was suspended on 30 June 1945, and was ultimately closed on 23 January 1964. The amount in the account on the date of its closure is unknown.

There is no evidence in the Bank's records that the Account Owner or her 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 four claims of the Claimants in one proceeding.

Identification of the Account Owner

Claimant [REDACTED 1]

The name of the wife of Claimant [REDACTED 1]'s great-grandfather's brother, matches the published name of the Account Owner. Further, Claimant [REDACTED 1] indicated that his relative was married, and died prior to 30 June 1945, which matches unpublished information about the Account Owner contained in the Bank's records.

In support of his claim, Claimant [REDACTED 1] submitted documents, including an excerpt from a Nazi-decreed census, which contains the name [REDACTED], the Account Owner's brother-in-law, and which provides independent verification that the person who is claimed to be the Account Owner had the same family name recorded in the Bank's records as the name of the Account Owner.

Claimant [REDACTED 3]

The name of the mother of the wife of Claimant [REDACTED 3]'s maternal uncle matches the published name of the Account Owner. Further, Claimant [REDACTED 3] indicated that her relative was married, and died prior to 30 June 1945, which matches unpublished information about the Account Owner contained in the Bank's records.

In support of her claim, Claimant [REDACTED 3] submitted documents, including an extract of a decision from the Municipal Court in Przemyśl, which indicates that Julia Meyer, née Wurm, perished in Lwow in 1942, which provides independent verification that the person who is claimed to be the Account Owner had the same name recorded in the Bank's records as the name of the Account Owner.

The CRT notes that Claimant [REDACTED 3] filed an IQ with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Julia Meyer, prior to the publication in February 2001 of the ICEP list. This indicates that Claimant [REDACTED 3] has based her 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 her relative, but rather on a direct family relationship that was known to her before the publication of the ICEP List. It also indicates that Claimant [REDACTED 3] had reason to believe that her 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 3].

Claimant [REDACTED 4] and Claimant [REDACTED 5]

The name of the great-grandmother of Claimant [REDACTED 4] and Claimant [REDACTED 5] matches the published name of the Account Owner. Further, Claimant [REDACTED 4] and Claimant [REDACTED 5] indicated that their relative was married, and died prior to 30 June 1945, which matches unpublished information about the Account Owner contained in the Bank's records.

In support of her claim, Claimant [REDACTED 4] submitted documents, including her grandfather [REDACTED]'s birth certificate, which indicates that his mother was Johanna Meyer, née Jüdel, which provides independent verification that the person who is claimed to be the Account Owner had the same name recorded in the Bank's records as the name of the Account Owner.

The CRT notes that Claimant [REDACTED 4] and Claimant [REDACTED 5] each filed an IQ with the Court in 1999, asserting their entitlement to a Swiss bank account owned by Johanna Meyer, prior to the publication in February 2001 of the ICEP List. This indicates that Claimant [REDACTED 4] and Claimant [REDACTED 5] have each based their present claims not simply on the fact that an individual identified on the ICEP List as owning a Swiss bank account bears the same name as their relative, but rather on a direct family relationship that was known to them before the publication of the ICEP List. It also indicates that Claimant [REDACTED 4] and Claimant [REDACTED 5] had reason to believe that their 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 4] and Claimant [REDACTED 5].

The CRT further notes that Claimant [REDACTED 1]'s relative, Claimant [REDACTED 3]'s relative and Claimant [REDACTED 4] and Claimant [REDACTED 5]'s relative are not the same person. However, given that the Claimants have identified all published and unpublished information about the Account Owner that is available in the Bank's records; that the information provided by each claimant supports and in no way contradicts any information available in the Bank's records; that there is no additional information in the Bank's records which would provide a basis for the CRT to make any further determinations as to the identity of the Account Owner; and that there are no other equally plausible claims to this account, the CRT finds that Claimant [REDACTED 1], Claimant [REDACTED 3], Claimant [REDACTED 4] and Claimant [REDACTED 5] have each plausibly identified the Account Owner.⁸

Status of the Account Owner as a Victim of Nazi Persecution

Claimant [REDACTED 1]

The CRT notes that Claimant [REDACTED 1] did not provide detailed information about the fate of his relative. However, according to the information he provided about his family, his relative was Jewish, resided in Germany, and would have been approximately 55 years old when

⁸ As detailed in the section entitled "Information Available in the Bank's Records," very little information is available concerning the Account Owner in this case. Usually, in determining whether a claimant has identified an account owner as his or her relative, the CRT considers such factors as an account owner's city or country of residence, profession, nationality, and/or names of family members. Since such information about the account owner is not available in this case, the CRT considers other, more detailed and nuanced factors. Such factors include, but are not limited to, whether a claimant identified an exact spelling of the account owner's name; whether the claimant was able to provide documentation linking his or her surname to that of the account owner, thereby demonstrating a familial relationship to a person with the same name as the account owner; whether a claimant identified the account owner's name prior to its publication, or despite the fact that the name was never published; and/or whether the fate of the claimant's relative is consistent with the disposition of the claimed account. Based upon these considerations, matches between this account and less plausible claims were disconfirmed, and those claims were excluded from this decision.

the Nazis came to power. Therefore, the CRT considers it plausible that Claimant [REDACTED 1]'s relative was a Victim of Nazi Persecution. The CRT also notes that Claimant [REDACTED 1]'s relative's family members were also Victims of Nazi Persecution. Claimant [REDACTED 1] stated that many of the Account Owner's relatives perished in concentration camps during the Holocaust, and indicated that his father, [REDACTED], was the only known survivor in his family. Additionally, Claimant [REDACTED 1] submitted a letter from a Polish Holocaust museum, stating that [REDACTED] was imprisoned in Mauthausen during the Second World War and that his sister [REDACTED] perished in Auschwitz.

Claimant [REDACTED 3]

Claimant [REDACTED 3] has made a plausible showing that the Account Owner was a Victim of Nazi Persecution. Claimant [REDACTED 3] stated that the Account Owner was Jewish, and that she perished in Lwow in 1942. Additionally, Claimant [REDACTED 3] submitted a copy of an extract of a decision from the Municipal Court in Przemsyl, which indicates that the Account Owner perished in Lwow, and that many of her other family members perished in the Przemsyl ghetto and Auschwitz.

Claimant [REDACTED 4] and Claimant [REDACTED 5]

The CRT notes that Claimant [REDACTED 4] and Claimant [REDACTED 5] did not provide detailed information about the fate of their great-grandmother. However, according to the information they provided about their family, their great-grandmother relative was Jewish, resided in Germany, and would have been 86 years old when the Nazis came to power. Therefore, the CRT considers it plausible that Claimant [REDACTED 1]'s relative was a Victim of Nazi Persecution. The CRT also notes that their great-grandmother's son and heir was a Victim of Nazi Persecution. Claimant [REDACTED 4] and Claimant [REDACTED 5] stated that their great-grandmother's son [REDACTED] was deported to Drancy, and later to Auschwitz, where he perished.

The Claimants' Relationship to the Account Owner

Claimant [REDACTED 1]

Claimant [REDACTED 1] has plausibly demonstrated that he is related to the Account Owner by submitting specific information, demonstrating that the Account Owner was the wife of Claimant [REDACTED 1]'s great-grandfather's brother. There is no information to indicate that the Account Owner has other surviving heirs other than the parties whom the Claimant is representing.

The CRT notes that Claimant [REDACTED 1] identified unpublished information about the Account Owner as contained in the Bank's records. The CRT further notes that Claimant [REDACTED 1] submitted a copy of an excerpt from a Nazi-decreed census, which contains the name [REDACTED], the Account Owner's brother-in-law, and which provides independent verification that Claimant [REDACTED 1]'s relatives bore the same family name as the Account Owner. 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 Claimant [REDACTED 1] as a family member, and all of this information supports the plausibility that Claimant [REDACTED 1] is related to the Account Owner, as he has asserted in his Claim Form.

Claimant [REDACTED 3]

Claimant [REDACTED 3] has plausibly demonstrated that she is related to the Account Owner by submitting specific information and a document, which demonstrate that the Account Owner was the mother of the wife of Claimant [REDACTED 3]'s maternal uncle. This document is a copy of an extract of a decision from the Municipal Court in Przemsyl, and indicates that Julia Meyer, née Wurm, was the mother of [REDACTED], née [REDACTED], who was married to Dr. [REDACTED], who was the brother of Claimant [REDACTED 3]'s mother, [REDACTED], née [REDACTED].

There is no information to indicate that the Account Owner has other surviving heirs.

Claimant [REDACTED 4] and Claimant [REDACTED 5]

Claimant [REDACTED 4] and Claimant [REDACTED 5] have plausibly demonstrated that they are related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was the Claimants' great-grandmother. These documents include Claimant [REDACTED 4] and Claimant [REDACTED 5]'s grandfather's birth certificate, which indicates that [REDACTED]'s parents were [REDACTED] and Johanna Meyer, a letter written by [REDACTED], describing the fate of his parents [REDACTED] and [REDACTED], and Claimant [REDACTED 4]'s birth certificate, which indicates that [REDACTED 4]'s father was [REDACTED].

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 account was transferred to a suspense account, and later closed on 23 January 1964.

Basis for the Award

Claimant [REDACTED 1]

The CRT has determined that an Award may be made in favor of Claimant [REDACTED 1] and the party he represents. First, the claim is admissible in accordance with the criteria contained in Article 18 of the Rules. Second, Claimant [REDACTED 1] has plausibly demonstrated that the Account Owner was the wife of his great-grandfather's brother, and that relationship justifies an Award. Third, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

Claimant [REDACTED 3]

The CRT has determined that an Award may be made in favor of Claimant [REDACTED 3]. First, the claim is admissible in accordance with the criteria contained in Article 18 of the Rules. Second, Claimant [REDACTED 3] has plausibly demonstrated that the Account Owner was the mother of the wife of her maternal uncle and that relationship justifies an Award. Third, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

Claimant [REDACTED 4] and Claimant [REDACTED 5]

The CRT has determined that an Award may be made in favor of Claimant [REDACTED 4] and Claimant [REDACTED 5]. First, the claims are admissible in accordance with the criteria contained in Article 18 of the Rules. Second, Claimant [REDACTED 4] and Claimant [REDACTED 5] have plausibly demonstrated that the Account Owner was their great-grandmother, and that relationship justifies an Award. Third, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one demand deposit account. The Bank's records indicate that the value of this account as of 30 June 1945 was SF 69.30. According to Article 29 of the Rules, if the amount in a demand deposit account was less than SF 2,140.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 2,140.00. 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. Consequently, the total award amount in this case is SF 26,750.00.

Division of the Award

According to Article 26 of the Rules, in cases where the identity of the account owner cannot be precisely determined due to the limited information contained in the bank documents, and where several unrelated claimants have established a plausible relationship to a person with the same name as the account owner, the award will provide for a pro rata share of the full amount in the account to each claimant or group of claimants who would be otherwise entitled under these Rules. In this case, each Claimant has established a plausible relationship to a person with the same name as the Account Owner. Accordingly, Claimant [REDACTED 1] and represented party [REDACTED 2] are entitled to share equally one-third of the award amount, Claimant [REDACTED 3] is entitled to one-third of the award amount and, Claimant [REDACTED 4] and Claimant [REDACTED 5] are entitled to share equally one-third of the award amount.

With respect to the one-third share of the award amount allocated to Claimant [REDACTED 1] and [REDACTED 2], the CRT notes that both Claimant [REDACTED 1] and his mother, [REDACTED 2], are only distantly related, by marriage, to the Account Owner. However, according to Article 23(1)(g) of the Rules, the CRT may make an award to any relative of the Account Owner, whether by blood or by marriage, who has submitted a claim, consistent with

principles of fairness and equity. Accordingly, the CRT considers it fair and equitable that Claimant [REDACTED 1] and represented party [REDACTED 2] share equally one-third of the award amount, or one-sixth of the award amount each.

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