

# CLAIMS RESOLUTION TRIBUNAL

---

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

## **Certified Award**

to Claimant Alfred Casparius

## **in re Accounts of Marie Michaelis**

Claim Number: 207605/MD

Award Amount: 51,360.00 Swiss Francs

This Certified Award is based upon the claim of Alfred Casparius (the “Claimant”) to the accounts of Marie Michaelis (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 his great-aunt, Marie Michaelis, who was born in 1861 in Pommern, Germany. The Claimant stated that Marie Michaelis was the sister-in-law of his maternal grandmother, Ernestine Schutz, née Michaelis. The Claimant added that Marie Michaelis was married to his grandmother's brother, Alfred Michaelis, and that the couple had one child named Lisa. According to the Claimant, Marie Michaelis, who lived on private means, resided at Prince Allee 60 in Berlin, and traveled often in Europe. The Claimant explained that Alfred Michaelis died before 1923, and that Marie Michaelis, who was Jewish, was deported to the Theresienstadt concentration camp, where she perished on 14 June 1942. The Claimant explained that Lisa Michaelis died in the Holocaust, but he does not know the circumstances of her death. The Claimant stated that all members of the Michaelis family perished in the Holocaust and that he is the only survivor. The Claimant indicated that he was born on 19 August 1923 in Berlin, Germany.

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

The Bank's record consists of a bank customer card. According to this record, the Account Owner was Mrs. Marie Michaelis who resided in Berlin and used an address in Lugano. The Bank's record indicates that the Account Owner held a demand deposit account denominated in United States Dollars that was closed on 30 April 1933, and a demand deposit account denominated in Swiss Francs that was closed on 10 April 1934. The amount in the accounts on

the respective dates of their closure is unknown. There is no evidence in the Bank's record that the Account Owner or her heirs closed the accounts and received the proceeds themselves.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. His relative's name matches the published name of the Account Owner. The Claimant stated that Marie Michaelis lived in Berlin, 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 Marie Michaelis, and indicates that she was born in 1862 in Ferdinandshof, Pommern, which is consistent with 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. The CRT also notes that there are no other claims to these accounts.

### 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 she was deported to the Theresienstadt concentration camp where she perished. The Claimant also stated that all members of the Michaelis family perished in the Holocaust, including the Account Owner's child, Lisa Michaelis. As noted above, a person named Marie Michaelis is 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 great-aunt.

### 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; that the Account Owner remained in Germany until she was deported to the Theresienstadt concentration camp, where she perished; 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,<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 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.

---

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

### 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 his great-aunt, and that relationship justifies an Award. Finally, the CRT has determined that it is plausible that neither the Account Owner nor her heirs received the proceeds of the claimed accounts.

### Amount of the Award

In this case, the Account Owner held two demand deposit accounts. 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, giving a total of 4,280.00 Swiss Francs for the two demand deposit accounts. 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 51,360.00 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 his claim to determine whether there are additional Swiss bank accounts to which he 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