

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Svea Johanna Gold

in re Account of Frl. Ilse Neumann

Claim Number: 214428/AH ¹

Award Amount: 18,216.00 Swiss Francs

This Certified Award is based upon the claim of Svea Johanna Gold, née Grunfeld (the “Claimant”) to the account of Ilse Neumann (the “Account Owner”) at the Winterthur 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 maternal aunt, Ilse Neumann, who was born in approximately 1897, in Germany, and had one sister, Elfriede Eva Grünfeld, née Neumann, who was the Claimant’s mother. The Claimant stated that Ilse Neumann, who was Jewish, never married and had no children. The Claimant indicated that her aunt’s family lived in East Germany, near the Czech or Polish border and then moved to Berlin, Germany, where her grandfather owned a lumber mill called *Max Neumann Bauholzer Berlin*. The Claimant indicated that her grandfather used to travel abroad on business, and that his son-in-law, the Claimant’s father, was of Swiss origin. In a telephone conversation with the CRT on 23 July 2002, the Claimant stated that her aunt, who was a sickly woman and mentally disabled, also worked in low-paying jobs in several cities, which the Claimant could not recall, and may have been institutionalized for a certain period. The Claimant stated that in the 1930s her grandfather’s business was liquidated and he intended to leave Germany in 1932, but he died in approximately 1931. His sudden death forced his widow and daughter to remain in Germany, where Ilse Neumann had to work as a secretary to support her mother. The Claimant further indicated that her aunt and grandmother finally fled Germany in 1936. While her grandmother fled to the United States, her aunt was sent to Palestine and never saw her family again. After the Second World War, the Claimant’s aunt returned to Berlin and was admitted to a Jewish

¹ The Claimant submitted additional claims to the accounts of Max Neumann and Elfriede Neumann which are registered under the claim numbers 214427, 214429, respectively. The CRT will treat the claims to these accounts in a separate decision.

community home, where she died on 9 June 1984. In support of her claim, the Claimant submitted documents including her parents' and grandmother's birth, marriage and death certificates; her mother's will; her aunt's handwritten will, appointing her sister, Elfriede Grünfeld, as sole heiress; a letter to her grandmother dated 30 January 1932, indicating that proceeds were deposited abroad on behalf of her aunt; and the Claimant's own birth certificate, identifying her mother as Elfriede Grünfeld, née Neumann. The Claimant indicated that she was born on 16 March 1925 in Cologne, Germany.

Information Available in the Bank's Records

The Bank's records consist of information from the Swiss Federal Archives regarding the 1945 Freeze of German assets in Switzerland. According to these records, the Account Owner was *Frl. (Fräulein, Miss) Ilse Neumann* from Falkenau b/Flöha, Sachsen, Germany. The Bank's records indicate that the Account Owner held a savings/passbook account, which was opened at an unknown date, was frozen under the 1945 Swiss Freeze of German assets in 1945 and was released from the Freeze on an unknown date. The balance of the account 16 February 1945 was 1,503.00 Swiss Francs.

The Bank's records do not show when the account at issue was closed or to whom it was paid. 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 the Account Owner or her heirs closed the account and received the proceeds themselves.

The CRT's Analysis

Identification of the Account Owner

The Claimant's aunt's name and country of residence match the published name and country of residence of the Account Owner. The Claimant stated and submitted documents supporting that her aunt was never married, which matches published information about the Account Owner's marital status contained in the Bank's records. The Claimant indicated that her father was of Swiss origin, which indicates a family connection to Switzerland. In addition, the Claimant indicated that her aunt previously lived in East Germany near the Czech or Polish border, which confirms information in the Bank's records, indicating that the Account Owner lived in Falkenau, Sachsen, a former East German town located near the Czech border. In support of her claim, the Claimant submitted various documents, including her aunt's handwritten will, indicating that the Account Owner's sister was Elfriede Grünfeld, and the Claimant's own birth certificate, identifying her mother as Elfriede Grünfeld, née Neumann, which identifies Ilse Neumann as the Claimant's aunt. The CRT notes that the name Ilse Neumann appears only once on the February 2001 published list of accounts determined by ICEP to be probably or possibly those of victims of Nazi persecution. Finally, 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, and that her father's business was liquidated in the 1930s. The Claimant further stated that her aunt and grandmother fled Germany to Palestine and the United States.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting various documents demonstrating that the Account Owner was her maternal aunt, including a family tree; birth, marriage and death certificates of her parents and grandmother; her mother's will; and her aunt's handwritten will, indicating that her aunt's sister was the Claimant's mother. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

Given that the account was frozen in 1945 and survived the Second World War, and given the application of Presumptions (h) and (j), as provided in Article 28 of the Rules Governing the Claims Resolution Process, as amended (the "Rules") (see Appendix A), the CRT concludes that it is plausible that the account proceeds were not paid to the Account Owner or her 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 maternal 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 account.

Amount of the Award

In this case, the Account Owner held one savings/passbook account. The Bank's records indicate that the value of the savings/passbook account as of 16 February 1945 was 1,503.00 Swiss Francs. In accordance with Article 31(1) of Rules, this amount is increased by an adjustment of 15.00 Swiss Francs, which reflects standardized bank fees charged to the savings/passbook account between 1945 and 16 February 1945. Consequently, the adjusted balance of the account at issue is 1,518.00 Swiss Francs. The current value of the amount of the award is determined by multiplying the adjusted balance by a factor of 12, in accordance with Article 31(1) of the Rules, to produce a total award amount of 18,216.00 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
June 3, 2003