

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Arthur Perutz

Claim Number: 213731/AA¹

Award Amount: 25,680.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Arthur Perutz (the “Account Owner”) at the Zurich 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 Claimant

The Claimant submitted a Claim Form identifying the Account Owner, Arthur Perutz, as her grandfather, who was born in 1874 in Czechoslovakia, and was married to [REDACTED]. The Claimant stated that she is the granddaughter of the Account Owner and that she was born in Prague, Czechoslovakia on 28 July 1938. According to the Claimant, Arthur and [REDACTED] Perutz had two children, the Claimant’s mother, [REDACTED], who was born in Prague on 19 April 1909, and [REDACTED], who was also born in Prague. The Claimant explained that her grandfather worked in the textile business at *Brüder Perutz*. The Claimant submitted information indicating that on 21 March 1944, two days after the Nazis occupied Hungary, the Nazis arrested her grandparents and imprisoned them in Budapest for several months.

While her grandparents were in prison, their relatives attempted to obtain their release by giving the Nazis substantial amounts of money. Their efforts, however, were unsuccessful, and the Nazis eventually transported the Claimant’s grandparents from the prison in Budapest to concentration camps. The Claimant submitted a letter written by a relative who tried to secure the Claimant’s grandparents’ release from prison, which provides a detailed account of the fate of her grandparents after their imprisonment. Specifically, the Claimant’s grandparents were separated during their transport to the concentration camps, and, according to the letter, [REDACTED] was likely sent to Auschwitz and was never heard from again. Arthur Perutz was

¹ The Claimant submitted an additional claim to the account of [REDACTED], which is registered under the Claim Number 213699. The CRT will treat this claim in a separate decision.

transported to Mauthausen, where he arrived in a bad state of health, so the Nazis took him away from Mauthausen and likely killed him soon thereafter. In support of her claim, the Claimant submitted a published letter written by the relatives who tried to free her grandparents from the prison in Budapest, which also indicates that her grandparents had business connections in Budapest. The Claimant also submitted her mother's death certificate, which names Arthur and [REDACTED] Perutz as her mother's parents, her mother's passport, which names the Claimant as her child, and a detailed family tree.

Information Available in the Bank Records

The bank records consist of an excerpt from a list of assets that were registered in a 1962 Survey at the Bank pursuant to the Federal Decree concerning assets located in Switzerland of foreigners or stateless persons persecuted due to race, religion, or politics, which became effective on 1 September 1963. According to these records, the sole Account Owner was Arthur Perutz of Budapest, Hungary. The bank records indicate that the Account Owner held a demand deposit account, which had a balance of 146.00 Swiss Francs on 27 February 1964. According to the records, Arthur Perutz's demand deposit account was closed by fees and charges imposed by the Bank.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. Her grandfather's name matches the published name of the Account Owner. The CRT notes that the bank records indicate that the Account Owner resided in Budapest, and that the Claimant stated that her grandfather was from Prague. However, the Claimant has provided a letter written by relatives that details her grandparents' arrest in Budapest and that indicates that her grandparents had business connections in Budapest. Moreover, the CRT notes that no other claims have been submitted to this account.

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 was persecuted by the Nazis while he was in Budapest during the Second World War. Specifically, the Nazis locked the Account Owner and his wife in a prison in Budapest for several months and then transported them to concentration camps, where they perished.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting documents demonstrating that her mother was the daughter of Arthur and [REDACTED] Perutz. The Claimant submitted her mother's death certificate, which names Arthur and [REDACTED] Perutz as her mother's parents. In addition, she submitted her mother's passport, which names

the Claimant as her daughter. There is no information indicating that the Account Owner has other heirs.

The Issue of Who Received the Proceeds

The bank records indicate that the account was closed as a result of the imposition of bank fees.

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 23 of the Rules Governing the Claims Resolution Process (the “Rules”). Second, the Claimant has plausibly demonstrated that the Account Owner was her grandfather, and that relationship justifies an Award. Finally, the CRT has determined that neither the Account Owner nor his heirs received the proceeds of the claimed account.

Amount of the Award

The Bank records indicate that the value of the demand deposit account as of 27 February 1964 was 146.00 Swiss Francs. In accordance with Article 37(1) of Rules, this amount is increased by an adjustment of 300.00 Swiss Francs, which reflects standardized bank fees charged to the demand deposit account between 1945 and 27 February 1964. Consequently, the adjusted balance of the account at issue is 446.00 Swiss Francs. According to Article 35 of the Rules, if the amount in a demand deposit account was less than 2,140.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 2,140.00 Swiss Francs. The present value of the amount of the award is determined by multiplying the balance as determined by Article 35 by a factor of 12, in accordance with Article 37(1) of the Rules, to produce a total award amount of 25,680.00 Swiss Francs.

Articles 37(3)(a) of the Rules provides that where the value of an award is calculated using the value presumptions provided in Article 35 of the Rules, the initial payment to the Claimant shall be 65% of the Certified Award, and the Claimant may receive a second payment of up to 35% of the Certified Award when so determined by the Court. In this case, the CRT has used the value presumptions of Article 35 of the Rules to calculate the account value, and 65% of the total award amount is 16,692.00 Swiss Francs.

Scope of the Award

The Claimant should be aware that, pursuant to Article 25 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
October 24, 2002