

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Eva Karasova
represented by Vladimir Bernar

in re Account of Leo Perutz

Claim Number: 221941/MBC¹

Award Amount: 9,960.00 Swiss Francs

This Certified Award is based upon the claim of Eva Karasova (the “Claimant”) to the published account of Leo Perutz (the “Account Owner”) at the Zurich branch of [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 and an Initial Questionnaire identifying the Account Owner as her uncle, Leo Perutz, who was born on 14 December 1890 in Prague, Czechoslovakia, and was married to Julie Perutzova, née Dvorakova. The Claimant indicated that her uncle and her aunt remained childless. The Claimant stated that she is the daughter of Leo Perutz’s sister and that she was born in Prague on 1 April 1938. The Claimant identified her uncle as the owner of a spinning mill factory in Kunov (near Brúntal, Czechoslovakia), who lived at Vinohrdska 5 in Prague XVI, Smichov district, Czechoslovakia. The Claimant stated that her uncle, who was Jewish, fled from the Nazis in 1938 and emigrated to Jerusalem, Israel, where he died on 4 June 1944. The Claimant submitted documents including the birth and death certificates of her uncle. The Claimant stated that she was born on 1 April 1938 in Prague.

Information Available in the Bank Records

The bank records consist of a set of printouts from the Bank’s database and several lists of accounts. According to these records, the sole Account Owner was Leo Perutz. The bank

¹ The Claimant submitted an additional claim to the account of Katerina (Kitty) Dvorakova, which is registered under the claim number 221940. The CRT will treat the claim to this account in a separate decision.

records indicate that the Account Owner held a savings account.² According to the bank documents, the Account Owner's address was Uplzenky 1166 in Prague-Smichov, Czechoslovakia. The bank records indicate that the amount in the account was 55.35 Swiss Francs in 1962, and that the account was closed by bank fees on 15 November 1963.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. First, her uncle's name matches the published name of the Account Owner. Second, the Claimant stated that her uncle's place of residence was Prague-Smichov, which matches unpublished information about the Account Owner contained in the bank documents. In support of her claim, the Claimant submitted documents, including her uncle's death certificate and his will.

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 had to flee from the Nazis to Israel in 1938.

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 the Claimant's mother was the sister of the Account Owner.

The Issue of Who Received the Proceeds

The bank records indicate the account at issue was closed on 15 November 1963 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. Second, the Claimant has plausibly demonstrated that the Account Owner was her uncle, 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.

² The CRT found a second account in the Account History Database that was also published. Regarding this account, the CRT concludes that it is not plausible that the Claimant's uncle and this account owner are the same person. Neither this account owner's date of birth nor his profession corresponds with the information provided by the Claimant. In addition, the signature samples contained in the bank records and in the document provided by the Claimant do not match.

Amount of the Award

The bank records indicate that the value of the savings account in 1962 was 55.35 Swiss Francs. In accordance with Article 37(1) of Rules, this amount is increased by an adjustment of 165.77 Swiss Francs, which reflects standardized bank fees charged to the savings account account between 1945 and 1962. Consequently, the adjusted balance of the account at issue is 221.12 Swiss Francs. According to Article 35 of the Rules, if the amount in a savings account was less than 830.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 830.00 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 9,960.00 Swiss Francs.

Article 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 35% of the Certified Award, and the claimant may receive a second payment of up to 65% 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 35% of the total award amount is 3,486.00 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