

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]¹

in re Account of Margit Rainer

Claim Number: 003744/SH

Award Amount: 47,400.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED] (the “Claimant”) to the account of Margit Rainer (the “Account Owner”) at 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 as her mother, Margit Miryam [REDACTED], née Rainer, who was Jewish, and was born on 20 February 1904 in Fuzesabony, Hungary. The Claimant stated that on 31 December 1924, Margit Rainer was married in Budapest, Hungary to [REDACTED], who was born on 23 March 1899 in Košice, Czechoslovakia. The Claimant stated that that her father owned a fur store located at Hlavnaul 9 in Košice and, until 1930, another fur store at Mlynska 21 in Leipzig, Germany. The Claimant stated that her father did business in several European countries and traveled to Switzerland for business purposes. The Claimant indicated that her father wanted to hide the family assets, and that it was therefore plausible that he did not open a Swiss bank account in his own name. The Claimant explained that her parents used their Hebrew names ([REDACTED] and [REDACTED]) only during religious services. In a telephone conversation with the CRT the Claimant stated her mother came from a well-known family in Hungary and that she used her maiden name for financial purposes, especially because a substantial dowry was paid on her behalf upon her marriage and was held under her maiden name. According to the Claimant, her parents had five children. In a telephone conversation with the CRT, the Claimant explained that when the living conditions for Jews in Czechoslovakia grew worse, her family scattered in an attempt to hide from

¹ The Claimant provided her name and some of her relatives’ names only in Hebrew characters in the Claim Form. For the purpose of this written decision, the CRT has transliterated these names into Latin characters. However, to match names provided in the Claim Form with names contained in the banks’ databases, the CRT has used a database created by Yad Vashem, Israel, which provided different variations in Latin characters for each of the names.

persecution. The Claimant indicated that she and her brother, [REDACTED], were sent to relatives in Hungary and that they later joined the resistance there. The Claimant stated that her parents and three of her siblings perished in Auschwitz. The Claimant indicated that she and her brother, [REDACTED], who was born on 7 October 1926, were the only members of her immediate family who survived the Holocaust. The Claimant indicated that she immigrated to Israel in 1946, where she lives today. In support of her claim, the Claimant submitted a detailed family tree.

The Claimant indicated that she was born on 10 April 1927 in Košice.

Information Available in the Bank Record

The bank record consists of a printout from the Bank's database. According to this record, the Account Owner was Margit Rainer. The bank record indicates that the Account Owner held an account of unknown type.

The account was transferred to a suspense account on 13 May 1980. The amount in the account on the date of its transfer was 1.55 Swiss Francs. The account remains open and dormant.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. Her mother's first name and maiden name match the unpublished name of the Account Owner contained in the bank records. In support of her claim, the Claimant submitted documents, including a detailed family tree. The Claimant stated that her mother rarely used her Hebrew name and was known only as Margit. The CRT notes that there are no other claims 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 that she perished in Auschwitz.

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 Account Owner, Margit Rainer was her mother. The CRT notes that the Claimant's brother, [REDACTED], is still alive, but no claim was filed in his name or on his behalf.

The Issue of Who Received the Proceeds

The bank records indicate the account remains open and dormant.

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. Second, the Claimant has plausibly demonstrated that the Account Owner was her mother, 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

The bank records indicate that the value of the account of unknown type as of 13 May 1980 was 1.55 Swiss Francs. According to Article 35 of the Rules, if the amount in an account of unknown type was less than 3,950.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 3,950.00 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 47,400.00 Swiss Francs.

Initial Payment

In this case, the Claimant is age 75 or older and is therefore entitled to receive payment of 100% of the total award amount.

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

December 31, 2002