

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant Irene-Marguerite Hoffman  
represented by Dr. Dietrich Mahlo

## **in re Account of Kseniya Ratz**

Claim Number: 217517/MD

Award Amount: 156,000.00 Swiss Francs

This Certified Award is based upon the claim of Irene-Marguerite Hoffman, née Schmidt (the “Claimant”) to the account of Kseniya Ratz (the “Account Owner”) at 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 uncle’s wife, Ksenija Azorskaite, who was born in Shitomir, Russia in 1895, and was married to Boris Ratz in Moscow, Russia, in 1930. The Claimant stated that Ksenija was Boris Ratz’s second wife, and that he had divorced his first wife in 1928 or 1929. According to the information provided by the Claimant, her aunt was a dentist and her uncle was the director of the branch of *Leo Werke* in Moscow. Further, the Claimant stated that her uncle was arrested by the NKVD (the Soviet secret police) in 1936 and sent to a labor camp in the Ukraine, where he was killed in 1942, after the Nazis seized it. The Claimant further stated that her aunt went from Moscow to Kaunas, Lithuania, after her husband was arrested. According to the Claimant, her aunt, who was Jewish, was deported by the Nazis at the end of 1941 and was killed shortly after the transport. The Claimant asserted that Boris Ratz opened an account in a bank in Zurich, where he deposited United States Dollars and gold, and that the bank correspondence was delivered to his sister’s address in Berlin, Germany, where he went to collect it for the last time in 1936. The Claimant stated that Kseniya Ratz changed the account to her name in 1939.

According to the information provided by the Claimant, Boris Ratz had one daughter named Gertrude, who, as evidenced by the records of the Tegel prison in Berlin, was executed by the Nazis for treason in 1942. Further, the Claimant stated that Boris Ratz’s first wife, Adele Ratz, died in a prison in Cottbus, Germany, in February 1945, when the prison was bombed. The Claimant produced numerous documents, including probate decisions, indicating that she is

related to Boris and Ksenija Ratz and demonstrating that the Claimant's mother was Boris Ratz's sole heir, and that the Claimant is her mother's sole heir. The Claimant stated that she was born on 20 December 1922 in Berlin.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999 and an ATAG Ernst & Young claim form in 1997, asserting her entitlement to a Swiss bank account owned by Boris Ratz, who was a director.

### **Information Available in the Bank Records**

The bank records consist of a bank customer card and lists of numbered accounts. According to these records, the Account Owner was Frau Dir. Kseniya Ratz. The bank records indicate that the Account Owner held a custody account numbered 61976.

The account was transferred to a suspense account on 4 December 1963, and the account remains open today. The amount in the account on the date of its transfer is unknown.

### **The CRT's Analysis**

#### Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. The Claimant provided documents, including marriage and death certificates of her relatives, indicating that she is related to Ksenija Ratz. Further, the Claimant stated that Ksenija Ratz's husband was a director, which matches unpublished information about the Account Owner contained in the bank records.

#### Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has plausibly shown that the Account Owner was a Victim of Nazi Persecution. The Claimant submitted documents indicating that her aunt was Jewish. Additionally, she stated that the Account Owner was deported in 1941 by the Nazis and was killed soon after the transport.

#### The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by providing specific biographical information about her and submitting documents, including a document that demonstrates that the Claimant's mother was the sole heir of the Account Owner's husband. There is no information to indicate that the Account Owner has other surviving heirs.

#### The Issue of Who Received the Proceeds

The bank records indicate the account was transferred to a suspense account and 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 (the “Rules”). Second, the Claimant has plausibly demonstrated that the Account Owner was her aunt, and that relationship justifies an Award. Finally, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

### Amount of the Award

Pursuant to Article 35 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 present value of the account being awarded. Based on the ICEP Investigation, in 1945 the average value of a custody account was 13,000.00 Swiss Francs. The present value of this amount is calculated by multiplying it by a factor of 12, in accordance with Article 37(1) of the Rules, to produce a total award amount of 156,000.00 Swiss Francs.

### Initial Payment

In this case, the Claimant is age 75 or older and is therefore entitled to receive 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

November 26, 2002