

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Peter Horst Richter

in re Account of Peter Richter

Claim Number: 211435/AY¹

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of Peter Horst Richter (the “Claimant”) to the account of Peter Richter (the “Account Owner”) at the Lucerne 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 himself, Peter Horst Richter. The Claimant stated that he was born on 27 April 1924 in Berlin, Germany, and that he is the son of Ernst Richter and Ilse Richter, née Behr. The Claimant further stated that he is Jewish, and that he and his family lived in Berlin until they immigrated to Palestine (now Israel) in 1933. The Claimant explained that his father worked as a salesman in a business owned by the Claimant’s grandfather in Berlin, and as a manager of a company in Zittau, Germany. The Claimant said that he lived in Tel-Aviv, Israel, where he completed an apprenticeship as a car mechanic. The Claimant stated that he served in the British army during the Second World War, and that after the Second World War he worked as a car mechanic and engineer in Bat-Jam, Israel, and Tel-Aviv. The Claimant stated that his father’s brother, Franz Richter, lived in Switzerland before and during the Second World War and that his father and his grandfather, Hugo Richter, told him that they had opened a Swiss bank account that would be transferred to him when he came of age. In support of his claim, the Claimant submitted documents, including copies of his birth certificate and passport, his parents’ marriage certificate, and his father’s birth and death certificates.

Information Available in the Bank's Record

The Bank's record consists of a printout from the Bank's database. According to this record, the Account Owner was Peter Richter. The Bank's record does not indicate the Account Owner's place of residence. The Bank's record indicates that the Account Owner held an account of unknown type, which was transferred to a suspense account for dormant assets on 17 May 1984. The Bank's record further indicates that the amount in the account on the date of its transfer was 14.45 Swiss Francs. The account remains open in the Bank's suspense account.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. His name matches the published name of the Account Owner. In support of his claim, the Claimant submitted copies of his birth certificate and passport, providing independent verification that the person who is claimed to be the Account Owner has the same name recorded in the Bank's record as the name of the Account Owner. The CRT notes that no other claims were filed for this account. Taking all of these factors into account, the CRT concludes that it is plausible that the Claimant has 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 he is Jewish, and that he and his family fled Nazi Germany for Palestine (now Israel) in 1933.

The Issue of Who Received the Proceeds

The Bank's record indicates that the account remains open in the Bank's suspense account.

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 Governing the Claims Resolution Process, as amended (the "Rules"). Second, the Claimant has plausibly demonstrated that he is the Account Owner. Finally, the CRT has determined that the Account Owner did not receive the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one account of unknown type. The Bank's record indicates that the value of the account as of 17 May 1984 was 14.45 Swiss Francs. According to Article 29 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 current value of the amount of the award is determined by multiplying the balance as determined by Article 29 by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of 49,375.00 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 his claim to determine whether there are additional Swiss bank accounts to which he 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\$
31 December 2003

¹ The Claimant submitted additional claims to the accounts of Ernst Richter and Hugo Richter, which are registered under the Claim Numbers 204904 and 208588, respectively. The CRT will treat the claims to these accounts in separate decisions.