

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]
represented by Michele Silver

in re Account of Georg Singer

Claim Number: 206964/AX/CN

Award Amount: 222,525.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the account of George Solyom, formerly Singer. This Award is to the unpublished account of Georg Singer (the “Account Owner”) at the [REDACTED] (the “Bank”).¹

All awards are published, but where a claimant has requested confidentiality, as in this case, the name 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 husband, Georg (George, György) Solyom, formerly Singer.² The Claimant indicated that her husband was born on 5 November 1903 in Temesvar (now Timisoara), Romania, to [REDACTED] and [REDACTED], née [REDACTED], and that she was born on 9 May 1918 in Sopron, Hungary, to [REDACTED] and [REDACTED], née [REDACTED]. The Claimant further indicated that she and her husband were married on 21 April 1938 in Budapest, Hungary, where they resided at Talra utca 15. The Claimant stated that her husband was a solicitor and that he was also involved in the timber business.

The Claimant indicated that, in 1939, her husband and his brother, [REDACTED], travelled to Switzerland, each intending to deposit 500.00 United States Dollars (“US \$”) and have it transferred to New York, the United States. The Claimant indicated that while her brother-in-law travelled directly to Switzerland, she and her husband travelled via Vienna, Austria, where

¹ The CRT notes that the Claimant submitted additional documents regarding accounts at a different bank. The CRT will treat the claim to these accounts in a separate determination.

² The CRT notes that György and George are Hungarian and English variations of the name Georg.

she met her aunt, who resided in Vienna, and who gave the Claimant jewellery to deposit in Switzerland.

According to the Claimant, between 1940 and 1945, her husband, who was Jewish, was sent to several forced labor camps, the last one in Bor, Yugoslavia (now Serbia and Montenegro). The Claimant further indicated that after his release, Georg Singer returned to Hungary and resided there until 1957, when his family emigrated to Sydney, Australia. The Claimant indicated that in 1945 her husband changed his last name from Singer to Solyom.

The Claimant stated that in 1957, after the freeze of Hungarian accounts that had been blocked in Switzerland was lifted, her husband contacted the Swiss banks and inquired about their money. According to the Claimant, the Bank claimed that the money had been sent to the *Guaranty Trust Company* in New York (the “U.S. Bank”) on 27 March 1939 in the name of Dr. Georg Singer. The Claimant stated, however, that the U.S. Bank indicated they were unable to locate an account in that name. The Claimant indicated that her brother-in-law received, via the U.S. Bank, the money he had deposited in a Swiss bank only a few days before the Claimant and her husband deposited their money. The Claimant stated that her husband died on 12 December 1966 in Sydney, Australia.

The Claimant submitted documents in support of her claim, including: (1) a copy of her birth certificate, indicating that [REDACTED] was born on 9 May 1918 in Sopron, and that she was Jewish; (2) a copy of her husband’s birth certificate, indicating that his name was György Singer, that he was born on 5 November 1903, that he was Jewish, and that he later changed his last name to Solyom; (3) a copy of her marriage certificate, indicating that Dr. György Singer, who was born on 5 November 1903, married [REDACTED], who was born on 9 May 1918, on 21 April 1938 in Budapest, that they were Jewish, and that György Singer later changed his last name to Solyom; (4) a copy of a certificate of name change, issued in Budapest on 25 August 1945; indicating that her husband changed his surname from Singer to Solyom; and (5) a copy of her husband’s death certificate indicating that George Solyom was married to [REDACTED].

In addition, the Claimant further submitted documents relating to assets deposited at the Bank. These documents include a receipt from the Bank, indicating that George Singer had deposited money with the Bank. These documents are described in detail below. The Claimant indicated that she was born on 9 May 1918 in Sopron, Hungary.

The Claimant previously submitted an Initial Questionnaire to the Court in 1999, asserting her entitlement to Swiss bank accounts owned by George Solyom.

Information Available in the Bank’s Record

The CRT notes that the auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons (“ICEP” or the “ICEP Investigation”) did not report an account belonging to Georg Singer during their investigation of the Bank. The Bank’s document was forwarded to the CRT by the Claimant.

The Bank's record consists of a receipt, dated 27 March 1939. According to this record, the Account Owner was *Herr* (Mr.) Dr. Georg Singer. The Bank's record indicates that the sum of 17,802.00 Swiss Francs ("SF") was received by the Bank from the Account Owner, who used the address of Simon Erlanger at Walstätterstrasse 9 in Lucerne, Switzerland, and that this sum was paid for the purpose of transferring an amount of US \$4,000.00 to a new account of the Account Owner at the U.S. Bank. The Claimant also submitted a letter from the U.S. Bank, dated 13 August 1958, in response to a query sent by the Account Owner on 2 August 1958 regarding a remittance of US \$4,000.00 which should have been sent by the Bank on 27 March 1939, which indicates that the U.S. Bank's "files do not show that we ever carried an account in your name." Further, the letter indicates that the U.S. Bank's files are destroyed after a maximum period of ten years and the company was therefore unable to determine whether the sum from the Bank was received. ("Although we could normally ascertain whether this sum was received from [the Bank] by checking the entries passed in their account with us, we are not in a position to do so in this instance as our records are destroyed after a maximum period of ten years.")

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. The Claimant's husband's name matches the unpublished name of the Account Owner.³ The Claimant identified the professional title used by the Account Owner. The CRT notes that the Claimant submitted documents indicating the existence of the account. The Claimant submitted documents, including: (1) a copy of her husband's birth certificate; (2) a copy of a certificate of name change; and (3) a copy of her husband's death certificate, providing independent verification that the person who is claimed to be the Account Owner had the same name recorded in the Bank's record as the name of the Account Owner.

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person name Georg Singer, which matches the name of the Account Owner provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

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 he was sent to forced labor camps between the years 1940 and 1945.

As noted above, a person named Georg Singer was included in the CRT's database of victims.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was her husband. These documents include her marriage certificate and the death certificate of George Solyom.

The Issue of Who Received the Proceeds

Given that the Account Owner was interned in various forced labor camps; that the Account Owner resided in Hungary until he later moved to Australia in 1957; that there is no record of payment of the Account Owner's account to him; that the account was open with the express purpose for the transfer of funds to the U.S. Bank, but the U.S. Bank had no records showing that such a transfer ever took place; that the Account Owner and his heirs were unable to obtain information about this account after the Second World War from the Bank due to the Swiss banks' practice of withholding or misstating account information in their responses to inquiries by account owners because of the banks' concern regarding double liability; and given the application of Presumptions (h), (i), and (j), as provided in Article 28 of the Rules Governing the Claims Resolution Process, as amended (the "Rules") (see Appendix A), the CRT concludes that it is plausible that the account proceeds were not paid to the Account Owner or his heirs. Based on its precedent and the Rules, the CRT applies presumptions to assist in the determination of whether or not Account Owners or their heirs received the proceeds of their accounts.

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. Second, the Claimant has plausibly demonstrated that the Account Owner was her husband, and that relationship justifies an Award. Finally, the CRT has determined that it is plausible that neither the Account Owner nor his heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner deposited SF 17,802.00 into an account of unknown type on 27 March 1939 for the purpose of transferring the sum of US \$4,000.00 to the U.S. Bank. The current value of the amount of the award is determined by multiplying the historic value of SF 17,802.00 by a factor of 12.5, in accordance with Article 31(1) of the Rules. Consequently, the total award amount in this case is SF 222,525.00.

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 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
18 April 2006