

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant Aviva Brami<sup>1</sup>  
represented by Menachem Kunda

**in re Account of Joseph Tittmann**

Claim Number: 005223/AX<sup>2</sup>

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of Aviva Brami, née Tittmann, (the “Claimant”) to the published account of Joseph Tittmann (the “Account Owner”) at the Geneva 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 her paternal grandfather, Joseph Tittmann, who resided in Lodz, Poland. The Claimant stated that she was born in Lodz in 1941, and that when she was an infant, her family, who was Jewish, gave her to a Polish family in order to save her life. The Claimant indicated that her father’s name was Jacob Tittmann and that her mother’s name was Gitta or Tovah Tittmann. The Claimant stated that her family lived in Lodz until 1942, when they were taken to concentration camps. The Claimant further stated that because her family perished in the Holocaust and because of the circumstances of her childhood, she has little information and no documents about her family. The Claimant stated that her grandfather, who was Jewish, perished in the Holocaust in 1942. In support of her claim, the Claimant submitted her Israeli identity card, indicating that her exact date of birth is unknown, and her marriage certificate, indicating her maiden name as Tittmann.

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<sup>1</sup> 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.

<sup>2</sup> The Claimant submitted three Claim Forms, which were registered under the Claim Numbers 004827, 005223, and 100030. The CRT has determined that these claims are duplicate claims and is treating them under the consolidated Claim Number 005223.

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

The Bank's records consist of extracts from suspense account ledgers. According to these records, the Account Owner was Joseph Tittmann. The Bank's records do not indicate the type of the account held by the Account Owner, the date on which it was opened, or the country of residence of the Account Owner. The Bank's records indicate that on 11 May 1943, the account was transferred to a suspense account for dormant accounts. The amount in the account on the date of its transfer was 3.30 Swiss Francs ("SF"). The auditors who carried out the investigation of the bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation") indicated that the account was closed to the Bank's fees on 10 February 1949, on which date the amount in the account was SF 3.30.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant's paternal grandfather's name matches the published name of the Account Owner. The CRT notes that the Bank's records do not contain any specific information about the Account Owner other than his name. The CRT further notes that the name Joseph Tittmann appears only once on the February 2001 published list of accounts determined by ICEP to be probably or possibly those of victims of Nazi persecution. Furthermore, the CRT notes that there are no other claims to this account. Taking all of these factors into account, the CRT concludes that the Claimant has plausibly 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 the Account Owner was Jewish, and that he perished in the Holocaust.

### 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 demonstrating that the Account Owner was her grandfather. The CRT notes that the Claimant submitted her marriage certificate, indicating her maiden name, Tittmann, which provides independent verification that the Claimant bore the same family name as the Account Owner. The CRT notes that Claimant stated that she has a brother with whom she is no longer in contact, but the CRT further notes that it has received no other claims to this account.

### The Issue of Who Received the Proceeds

The auditors who carried out the ICEP Investigation indicated that the account was closed to bank fees on 10 February 1949.

### 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 (the “Rules”). Second, the Claimant has plausibly demonstrated that the Account Owner was her grandfather, 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 held one account of unknown type. The Bank’s records indicate that the value of the account was SF 3.30 as of 11 May 1943. According to Article 29 of the Rules, if the amount in an account of unknown type was less than SF 3,950.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 3,950.00. 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. Consequently, the total award amount in this case is SF 49,375.00.

### **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’s 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 August 2004