

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Anna Waldmann

Claim Number: 214687/ES

Award Amount: 23,552.50 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the published account of Anna Waldmann (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 his paternal cousin, Anna Waldmann, who was Jewish and resided in Thalhofen, Germany. The Claimant stated that his cousin was a homemaker. The Claimant does not know whether his cousin was married or whether she had any children. According to the Claimant, his father smuggled valuables from Poland, which his cousin in Germany then deposited in Swiss banks. The Claimant stated that he lost contact with his cousin during the Second World War and that he believes she was killed in a concentration camp. The Claimant stated that he was interned in the ghetto in Olkusz, Poland and was forced into slave labor at Geppersdorf camp in 1940, at Kletendorf and Gross Maslowitz camps in 1942, at Faubrik camp in 1943, and finally was deported to New Kirch and Waldenburg in 1944 and 1945. In support of his claim, the Claimant submitted his driver’s license, indicating his last name as Waldmann.

The Claimant stated that he was born on 29 December 1917 in Olkusz.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by his cousin Anna Waldmann, who resided in Germany.

Information Available in the Bank's Records

The Bank's records consist of passbook transaction cards and printouts from the Bank's database. According to these records, the Account Owner was Anna Waldmann, who was born in 1906 and resided in Thalhofen, Bavaria, Germany. The Bank's records indicate that the Account Owner held a savings account, numbered 1186, that was opened in May 1927.

The Bank's records indicate that the savings account was originally owned by [REDACTED], who originated from Thalhofen, but resided in Wülflingen, Switzerland, where she worked as a servant. According to the Bank's records, [REDACTED] was born in 1903. The Bank's records indicate that the ownership of the savings account was transferred from [REDACTED] to Anna Waldmann, but the date of transfer is not recorded. Further, the Bank's records indicate that the Account Owner withdrew funds from her account on 30 September 1938 and signed the passbook transaction card on that date.

The Bank's records indicate that the amount in the account on 31 December 1945 was 1,884.20 Swiss Francs ("SF"). According to the records, the account had a balance of SF 5,448.35 on 8 November 1998. The account remains open and dormant.

The CRT's Analysis

Identification of the Account Owner

The Claimant's cousin's name, city, and country of residence match the published name, city, and country of residence of the Account Owner.

The CRT notes that the name Anna Waldmann appears only once on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons ("ICEP") to be probably or possibly those of victims of Nazi persecution (the "ICEP List"). The CRT further notes that the name Anna Waldmann was included in a publication dated 23 July 1997 by the Swiss Bankers Association of names of owners of dormant Swiss bank accounts.

The CRT notes that the Claimant submitted an IQ in 1999 in which he indicated that his relative Anna Waldmann, who resided in Germany, owned a Swiss bank account.

The CRT notes that the other claims to this account were disconfirmed because those claimants provided a different country of residence than the country of residence of the Account Owner. Taking all 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 she was probably killed in a concentration camp.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting specific information demonstrating that Anna Waldmann was his cousin. The CRT notes that the Claimant submitted a copy of his driver's license, which provides independent verification that the Claimant bears the same family name as the Account Owner. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The Bank's records indicate that 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 18 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was his cousin, and that relationship justifies an Award. Third, the CRT has determined that neither the Account Owner, nor her heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one savings/passbook account. The Bank's records indicate that the value of the savings/passbook account as of 31 December 1945 was SF 1,884.20. The current value of the amount of the award is determined by multiplying the adjusted balance by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of SF 23,552.50.

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
12 May 2005