

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Hugo Walter

Claim Number: 219568/MC

Award Amount: 47,400.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Hugo Walter (the “Account Owner”) at the Zurich branch of 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 Hugo Walter, the husband of his maternal aunt, who was born on 11 October 1902 in Oroszvar, Czechoslovakia. The Claimant stated that Hugo Walter, who was Jewish, was married to his mother’s sister, [REDACTED], on 7 July 1937 in Bratislava, Czechoslovakia. The Claimant further stated that until 1942, Hugo and [REDACTED] Walter lived at 7 Jozefska Ul. in Bratislava, where his uncle worked as a butcher. According to the Claimant, his uncle was deported on 29 March 1942 from Bratislava to Auschwitz, where he was killed on 19 June 1942.

The Claimant indicated that his mother, [REDACTED], was the sister of the Account Owner’s wife. The Claimant stated that he is the nephew of the Account Owner and that he was born in Bratislava on 22 May 1934.

Information Available in the Bank Records

The bank records consist of printouts from the Bank’s database. According to these records, the Account Owner was Hugo Walter. The bank records indicate that the Account Owner held an unknown type of account. The records do not indicate the address or nationality of the Account Owner. The records also do not indicate when the account was open. According to the records, the account was transferred on 16 July 1973 to a suspense account, which is a grouping of open

and dormant accounts. The amount in the account on the date of its transfer was 115.25 Swiss Francs. There is no evidence in the bank records that the Account Owner or his heirs closed the account and received the proceeds themselves. The records indicate that the account remains open and dormant.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. His uncle's name matches the published name of the Account Owner. Moreover, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Hugo Walter, and indicates that he was born in Orosz and resided in Bratislava, Czechoslovakia, and that he was deported in 1942, which substantially matches the information about the Account Owner provided by the Claimant and it supports his identification of the Account Owner as his uncle.

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 deported to Auschwitz, where he was killed in 1942.

Furthermore, a database containing the names of victims of Nazi persecution includes a person named Hugo Walter, and indicates that he was born in Orosz and resided in Bratislava, Czechoslovakia, and that he was deported in 1942. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting documents, including the marriage and death certificates of Hugo and [REDACTED] Walter and the birth certificate of [REDACTED], demonstrating that [REDACTED] was the Claimant's mother's sister and the wife of the Account Owner. The Claimant has also submitted a copy of [REDACTED]'s will, which names him as sole heir to her entire estate. 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 that on 16 July 1973, the account was transferred to a collective/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. Second, the

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

Amount of the Award

The bank records indicate that the value of the account as of 16 July 1973 was 115.25 Swiss Francs. In accordance with Article 37(1) of Rules, this amount is increased by an adjustment of 435.00 Swiss Francs, which reflects standardized bank fees charged to the account between 1945 and 1973. Consequently, the adjusted balance of the account at issue is 550.25 Swiss Francs. According to Article 35 of the Rules, if the amount in an unknown type of account 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 present value of the amount of the award is determined by multiplying the balance as determined by Article 35 by a factor of 12, in accordance with Article 37(1) of the Rules, to produce a total award amount of 47,400.00 Swiss Francs.

In cases where the value of an account is based on the presumptions of Article 35 of the Rules, claimants shall receive an initial payment of 35% of the total award amount. After all claims are processed, subject to approval by the Court, claimants may receive a subsequent payment of up to the remaining 65% of the total award amount. In this case, 35% of the total award amount is 16,590.00 Swiss Francs.

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 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