

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Jeanne Walzer

Claim Number: 204910/MBC¹

Award Amount: 11,620.88 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Ludwig Loewe.² This Award is to the unpublished account of Jeanne Walzer (the “Account Owner”) at the [REDACTED] (the “Bank”).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 her paternal great-grandmother, Jenny Loewe, née Walzer, who was born on 12 December 1862, and was married to [REDACTED]. The Claimant indicated that her great-grandmother was born in Breslau, Germany (today, Wrocław, Poland). The Claimant further indicated that [REDACTED] died in 1932, and that her great-grandmother, who was Jewish, was almost 80 years old when she was deported from Breslau to Theresienstadt, where she perished. In support of her claim, the Claimant submitted her family book, indicating that her great-grandmother was Jenny Loewe, née Walzer. The Claimant indicated that she was born on 31 August 1962 in New York, New York, the United States.

¹ The Claimant submitted an additional claim to the account of Erich Loewe, which is registered under claim number 204911. The CRT has awarded three separate awards to the Claimant for the accounts of Erich Loewe. See three separate awards, *In re Accounts of Erich Loewe* (approved on 2 January 2003, 30 December 2004, and 30 December 2004).

² The CRT will treat the claim to this account in a separate decision.

Information Available in the Bank's Record

The Bank's record consists of an excerpt from a list of account owners that was prepared by 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"). According to this record, the Account Owner was Jeanne Walzer. This record does not indicate the Account Owner's domicile. The auditor's report indicates that the Account Owner held one savings/passbook account. The auditors indicated that the amount in the account as of 1999 was 4.67 Swiss Francs ("SF").

The account remains open and dormant.

The CRT's Analysis

Identification of the Account Owner

The Claimant's great grandmother's name matches the unpublished name of the Account Owner. The CRT notes that the Account Owner's first name is recorded as "Jeanne," while the Claimant indicated that her relative's first name was Jenny. However, the CRT notes that no original bank records are available for this account, so no contemporaneous record exists to indicate how the Account Owner herself spelled her first name. Given their similar spellings, the CRT considers Jenny to be a plausible alternative name for Jeanne. The CRT notes that the auditor's report does not contain any specific information about the Account Owner other than her name. In support of her claim, the Claimant submitted her family book, indicating that her great-grandmother was Jenny Loewe, née Walzer, providing independent verification that the person who is claimed to be the Account Owner had the same name recorded in the auditor's report 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 named Jenny Loewe, née Walzer, and indicates that she was born on 12 December 1862, that she was from Breslau, and that she was deported to Theresienstadt in 1942, which matches the information about 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. 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, that she resided in Nazi Germany, and that she perished in Theresienstadt.

As noted above, a person named Jenny Walzer 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 biographical information, demonstrating that the Account Owner was the Claimant's great-grandmother. There is no information to indicate that the Account Owner has other surviving heirs.

The CRT notes that the Claimant identified unpublished information about the Account Owner as contained in the auditor's report; and that the Claimant submitted her family book, indicating that her great-grandmother was Jenny Loewe, née Walzer. The CRT notes that it is plausible that this document is a document which most likely only a family member would possess. Finally, the CRT notes that the foregoing information is of the type that family members would possess and indicates that the Account Owner was well known to the Claimant as a family member, and all of this information supports the plausibility that the Claimant is related to the Account Owner, as she has asserted in her Claim Form.

The Issue of Who Received the Proceeds

The auditor's report indicates 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. Second, the Claimant has plausibly demonstrated that the Account Owner was her great-grandmother, 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 a savings/passbook account. The auditor's report indicates that the account had a balance of SF 4.67 in 1999. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 925.00, which reflects standardized bank fees charged to the savings/passbook account between 1945 and 1999. Consequently, the adjusted balance of the account at issue is SF 929.67. The current value of this amount is calculated by multiplying it by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of SF 11,620.88.

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
29 May 2007