

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant Aron Egan Weiss  
also acting on behalf of Daniel Adam Weiss

## **in re Account of Egon Weiss**

Claim Number: 220626/AX

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of Aaron Egan Weiss (the “Claimant”) to the published account of Egon Weiss (the “Account Owner”) at the Zurich 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 his paternal grandfather, Egon Weiss, who was born on 12 September 1897 in Vienna, Austria, and was married to Elise (Liesel) Weiss. According to the Claimant, his grandfather, who was Jewish, was a bank executive in Vienna, Austria, before the Second World War. The Claimant indicated that his grandparents, together with his father, fled Austria in 1938. The Claimant further indicated that his grandparents fled to the United States via Switzerland. According to the Claimant, his grandfather died on 5 April 1997 in New York, New York, the United States. In support of his claim, the Claimant submitted his grandfather’s birth, marriage, and death certificates, indicating that his name was Egon Weiss; the birth certificate of his father, Steven Weiss, indicating that he was the son of Egon Weiss; and the Claimant’s and his brother’s birth certificates, indicating that they are the children of Steven Weiss. The Claimant indicated that he was born on 1 April 1972 in New York. The Claimant represents his brother, Daniel Adam Weiss, who was born on 30 March 1974 in Nassau County, New York.

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

The Bank’s records consist of printouts from the Bank’s database. According to these records, the Account Owner was Egon Weiss. The Bank’s records do not contain information about the Account Owner’s domicile. The Bank’s records indicate that the Account Owner held one

account, the type of which is not indicated. The Bank's records do not indicate when the account at issue was opened. The Bank's records indicate that the account was transferred to a suspense account for dormant accounts on 16 July 1973. The amount in the account on the date of its transfer was 92.50 Swiss Francs ("SF"). The account remains in the Bank's suspense account.

### **Information Available from the Austrian State Archive**

By decree on 26 April 1938, the Nazi Regime required all Jews who resided within the Reich, and/or who were nationals of the Reich, including Austria, and who held assets above a specified level to register all their assets as of 27 April 1938 (the "1938 Census"). In the records of the Austrian State Archive (Archive of the Republic, Finance), there are documents concerning the assets of Egon Weiss, numbered 16218. According to these records, Egon Weiss, a businessman, was born on 12 December 1897, and was married to Elise Weiss, née Krumholz. These records further indicate that Egon Weiss owned a 1/8<sup>th</sup> share in a house and factory building (the "*Erste Wiener Dampfwäscherei A. Weiner*"), both located at Dammstrasse 27-29 in Vienna 20. The records further indicate that the factory had been aryanized. These records further indicate that the Gestapo seized Egon Weiss' properties. These records make no mention of assets held in a Swiss bank account.

### **The CRT's Analysis**

#### Identification of the Account Owner

The Claimant's 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. In support of his claim, the Claimant submitted documents, including his grandfather's birth, marriage, and death certificates, indicating that his name was Egon Weiss, and the birth certificate of his father, Steven Weiss, indicating that he was the son of Egon Weiss, providing independent verification that the person who is claimed to be the Account Owner had the same name recorded in the Bank's records as the name of the Account Owner.

The CRT notes that the other claim to this account was disconfirmed because that claimant provided the Account Owner's name as an alternative name of his relative, and failed to provide any documentation with the Account Owner's name. 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 and his family fled from Austria to the United States in 1938.

### 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 and documents, demonstrating that the Account Owner was the Claimant's grandfather. These documents include the birth certificate of his father, Steven Weiss, indicating that he was the son of Egon Weiss, and birth certificates of the Claimant and his brother, Daniel Weiss, indicating that they are the children of Steven Weiss. There is no information to indicate that the Account Owner has other surviving heirs other than the party which the Claimant is representing.

### The Issue of Who Received the Proceeds

The Bank's records indicate that the account remains in the Bank's suspense account.

### 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 grandfather, and that relationship justifies an Award. Third, the CRT has determined 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 as of 16 July 1973 was SF 92.50. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 435.00, which reflects standardized bank fees charged to the account between January 1945 and July 1973. Consequently, the adjusted balance of the account at issue is SF 527.50. 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, to produce a total award amount of SF 49,375.00.

### Division of the Award

According to Article 23(1)(c) of the Rules, if the Account Owner's spouse has not submitted a claim, the Award shall be in favor of any descendants of the Account Owner who have submitted a claim, in equal shares by representation. In this case, the Claimant is representing his brother, Daniel Weiss. The Claimant and his brother are the grandchildren of the Account Owner. Accordingly, the Claimant and his brother are each entitled to one-half of the total award amount.

### **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  
10 December 2004