

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant [REDACTED]

**in re Account of Berta Wild**

Claim Number: 501175/SJ<sup>1</sup>

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the published account of Berta Wild (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 Berta Wild, a relative of his paternal grandfather, [REDACTED]. The Claimant indicated that Berta Wild lived in Vienna, Austria, and that she was Jewish. Furthermore, the Claimant indicated that his father, [REDACTED], had told him that they had relatives in Vienna named Berta Wild, [REDACTED] and [REDACTED]. The Claimant further indicated that his family lost contact with these relatives after the Second World War, and that he could provide no further information. The Claimant submitted the birth certificate of his father, [REDACTED], indicating that he was the son of [REDACTED] and [REDACTED]; his parents’ marriage certificate; his own birth certificate, indicating that he was the son of [REDACTED] and [REDACTED]; and a change of name certificate indicating that [REDACTED] changed his family name to [REDACTED].

The Claimant indicated that he was born on 24 April 1946 in Hanusovce, Czechoslovakia (today Slovakia).

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<sup>1</sup> The Claimant submitted additional claims to the accounts of [REDACTED] and [REDACTED], which are registered under the Claim Numbers 501173 and 501224, respectively. The CRT will treat the claims to these accounts in separate determinations.

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

The Bank's records consist of a list of dormant accounts and a printout from the Bank's database. According to these records, the Account Owner was Berta Wild. These records do not indicate the Account Owner's domicile. According to the Bank's records, the Account Owner held one account, the type of which is not indicated. The balance of the account as of 30 June 1937 was 50.00 Swiss Francs ("SF"). 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") determined that the account was transferred to a suspense account, where it remains.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant's paternal relative'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 her name.

The CRT notes that the name Berta Wild appears only once on the February 2001 list of accounts determined by the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation") to be probably those of victims of Nazi persecution (the "ICEP List"). 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 lived in Nazi-controlled Austria, and that she was never heard from after the Second World War.

### 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 the Account Owner was a relative of the Claimant's paternal grandfather. The CRT notes that the Claimant submitted a copy of his father's birth certificate, his parents' marriage certificate, his father's official change of name certificate, and his own birth certificate, which provide independent verification that the Claimant's relatives bore the same family name as the Account Owner.

### The Issue of Who Received the Proceeds

The auditors who carried out the ICEP investigation determined that the account remains suspended at the Bank.

### 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 a relative of his paternal grandfather, and that relationship justifies an Award. Third, 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 as of 30 June 1937 was SF 50.00. 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 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  
30 November 2005