

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant [REDACTED]

## **in re Accounts of Georg Wolf**

Claim Number: 217972/MO

Award Amount: 181,680.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the accounts of Georg Wolf (the “Account Owner”) at the Lugano 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 his uncle, Georg Wolf, who was born approximately in 1870 in Germany, and was married to [REDACTED] in 1926. The Claimant stated that [REDACTED] was the sister of [REDACTED], the Claimant’s mother. The Claimant further stated that Georg Wolf was [REDACTED]’s second husband. Her first husband was [REDACTED], to whom she was married from 1892 to 1910, and with whom she had three children: [REDACTED], née [REDACTED], who was born in Budapest, Hungary, in approximately 1895; [REDACTED], who was born in Budapest on 12 January 1897; and [REDACTED]. The Claimant indicated that Georg and [REDACTED] Wolf did not have any children together. The Claimant identified his uncle as a high ranking officer in Berlin, who later owned a betting business, with offices in six locations in Berlin. The Claimant named two addresses at which his uncle resided: Mussehlstrasse 23, Berlin-Tempelhof, and Joachimstalerstrasse 6, Berlin-Charlottenburg. The Claimant further stated that his uncle and his aunt, who were Jewish, were deported from Berlin to Theresienstadt in 1940. The Claimant indicated that he received letters from them from Theresienstadt and that he sent them food packages. The Claimant stated that he received the news of their deaths in 1942. Furthermore, the Claimant stated that his cousin, [REDACTED], fled from Berlin to Budapest in approximately 1940. Before being deported from Budapest to a concentration camp, where she perished, she told the Claimant that Georg and [REDACTED] Wolf had deposited their assets in Switzerland. The Claimant stated that [REDACTED]’s other daughter, [REDACTED], died in Berlin in 1940 and that [REDACTED]’s two sons, [REDACTED] and [REDACTED], have also passed away. The Claimant indicated that he was born on 27 January 1911 in Budapest. In

support of his claim, the Claimant submitted copies of his birth certificate, [REDACTED]'s and [REDACTED]'s birth certificates, and a letter from [REDACTED]'s sons, dated February 1967, indicating that the Claimant resided from mid-1928 until 1933 with their grandmother, [REDACTED], née [REDACTED]. The Claimant also submitted a copy of an address registration form indicating that in 1929 the Claimant, who was a student at that time, resided with Georg Wolf at Mussehlstrasse 23, Berlin-Tempelhof.

### **Information Available in the Bank Record**

The Bank's record consists of a customer card. According to this record, the Account Owner was General Director Dr. Georg Wolf, who resided in Berlin-Tempelhof, Germany. The Bank's record indicates that the Account Owner held a demand deposit account in foreign currency and a custody account. The Bank's record indicates that the accounts were opened in 1930 or in 1931 and were closed on 10 October 1933, unknown by whom. There is no evidence in the Bank's record that the Account Owner or his heirs closed the accounts and received the proceeds themselves.

### **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. The Claimant identified and submitted documentation supporting his uncle's city and district of residence, which matches unpublished information about the Account Owner contained in the Bank's record. Furthermore, the Claimant indicated that his uncle was the owner of a prominent business, which is consistent with unpublished information in the Bank's records that the Account Owner held the title of General Director. The CRT notes that a database containing the names of victims of Nazi persecution includes a person named Georg Wolff and indicates that his place of residence was Berlin, Germany, 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 further notes that the other claims to this account were disconfirmed because the dates of birth of those claimed account owners made it impossible for them to have opened these accounts in 1930.

#### 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 perished in the Holocaust. As noted above, a person named Georg Wolff was included in the CRT's database of victims.

### The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting documents demonstrating that he is the nephew of [REDACTED], née [REDACTED], the Account Owner's spouse. There is no information to indicate that the Account Owner has other surviving heirs.

### The Issue of Who Received the Proceeds

Given that in 1933 the Nazis embarked on a campaign to seize the domestic and foreign assets of its Jewish nationals through the enforcement of flight taxes and other confiscatory measures including confiscation of assets held in Swiss banks; the residence of the Account Owner in Germany until his death in a concentration camp and thus he would not have been able to repatriate his account to Germany without its confiscation; and given the application of Presumptions (a), (h) and (j), as provided in Article 28 of the Rules Governing the Claims Resolution Process, as amended (the "Rules") (see Appendix A) and Appendix C,<sup>1</sup> the CRT concludes that it is plausible that the account proceeds were not paid to the Account Owner or his heirs. Based on its precedent and the Rules, the CRT applies presumptions to assist in the determination of whether or not Account Owners or their heirs received the proceeds of their accounts.

### 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 his uncle, and that relationship justifies an Award. Finally, the CRT has determined that it is plausible that neither the Account Owner nor his heirs received the proceeds of the claimed accounts.

### Amount of the Award

In this case, the Account Owner held one demand deposit account and one custody account. Pursuant to Article 29 of the Rules, when the value of an account is unknown, as is the case here, the average value of the same or a similar type of account in 1945 is used to calculate the current value of the account being awarded. Based on the investigation carried out pursuant to the instructions of the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation"), in 1945 the average value of a demand deposit account was 2,140.00 Swiss Francs and the average value of a custody account was 13,000.00 Swiss Francs. The current value of these amounts is calculated by multiplying them by a factor of 12, in accordance with Article 31(1) of the Rules, to produce an award amount of 25,680.00 Swiss Francs for the demand deposit account and an award amount of 156,000.00 Swiss Francs for the custody account. Consequently, the total award amount is 181,680.00 Swiss Francs.

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<sup>1</sup> Appendix C appears on the CRT II website -- [www.crt.ii.org](http://www.crt.ii.org).

**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  
June 3, 2003