

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award Amendment

to Claimant [REDACTED]

in re Account of Ellen Ruth Wolff

Claim Number: 224259/UM

Award Amendment Amount: 48,662.50 Swiss Francs

This Certified Award Amendment is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published account of Ellen Ruth Wolff at the [REDACTED] (the “Bank”).

All awards are published, but where a claimant has requested confidentiality, as in this case, the name of the claimant, any relatives of the claimant other than the account owner, and the bank have been redacted.

On 5 September 2002 the Court approved an Award to the Claimant for an account of unknown type owned by the Account Owner (the “September 2002 Award”). In this Award Amendment, the CRT adopts and amends its findings set out in the September 2002 Award. Based upon Article 29 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), the CRT determines that the value of the account of unknown type was 3,950.00 Swiss Francs (“SF”), and that given the foregoing, the September 2002 Award amount shall accordingly be increased by SF 48,662.50.

The CRT notes that in the September 2002 Award, the CRT determined that the Claimant plausibly identified herself as the Account Owner, and that she made a plausible showing that the Account Owner was a Victim of Nazi persecution. Based on the information contained in the Bank’s records, the CRT determined that the Account Owner held one account of unknown type and that the value of the account of unknown type was SF 57.00 as of 31 December 1934. Additionally, in the September 2002 Award, the CRT determined that it is plausible that the Account Owner did not receive the proceeds of her account of unknown type. Finally, the CRT determined that the September 2002 Award amount was SF 684.00.

The CRT's Analysis

Amount of the Award Amendment

In the September 2002 Award, the CRT determined that the value of the Account Owner's account of unknown type was SF 57.00, which is the amount recorded in the Bank's records as the value of the account of unknown type as of 31 December 1934.

Pursuant to Article 29 of the Rules, if the amount in an account of unknown type is less than SF 3,950.00, and in the absence of plausible evidence to the contrary, the amount in the account of unknown type shall be determined to be SF 3,950.00.

In this case, the CRT does not find that the value of the account of unknown type indicated in the Bank's records constitutes plausible evidence to the contrary sufficient to rebut the presumption of Article 29 of the Rules, and concludes that the value of the Account Owner's account of unknown type shall be determined to be SF 3,950.00. The amount of SF 57.00, which is the value for this account used in the September 2002 Award, is then subtracted from the Article 29 value, resulting in a difference of SF 3,893.00. 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.

Consequently, the amount of the September 2002 Award is increased by SF 48,662.50, which reflects the adjusted difference between the value of the Account Owner's account of unknown type recorded in the Bank's records and the value determined by Article 29 of the Rules.

Certification of the Award Amendment

The CRT certifies this Award Amendment for approval by the Court and payment by the Special Masters.

Claims Resolution Tribunal
30 December 2004