

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Eugen Jenoe Zimmermann

in re Account of Eugen Zimmermann

Claim Number: 219590/JT

Award Amount: 48,536.40 Swiss Francs

This Certified Award is based upon the claim of Eugen Jenoe Zimmermann (the “Claimant”) to the account of [REDACTED].¹ This Award is to the unpublished account of Eugen Zimmermann (the “Account Owner”) at the Luzern branch of the [REDACTED] (the “Bank”).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 and Initial Questionnaire identifying himself as the Account Owner, Eugen Jenoe Zimmermann. The Claimant stated that he was born on 6 September 1926 to [REDACTED], who was born in 1890 in Gyor, Hungary, and [REDACTED], née [REDACTED], who was born in 1890, also in Hungary. The Claimant further stated that his parents were married in 1919, and that he had one brother, [REDACTED], who is now deceased. The Claimant stated that he is Jewish, and that his father was a wine and liquor distributor, who owned his own business called [REDACTED] located at Bercseny Utca in Gyor. The Claimant further stated that between 1920 and 1944 his parents lived at Hid Utca, 2 in Gyor. In 1944, the Claimant and his parents were deported to Auschwitz, where his parents perished. In a telephone conversation with the CRT on 19 December 2002, the Claimant stated that he remembered his parents discussing their bank accounts in Switzerland, where they held approximately 1,500,000.00 United States Dollars. He believes they may have used an intermediary to help them open the accounts. The Claimant indicated that because he was a youth at the time, he does not remember exactly where the accounts were located or the account numbers, but he does know that one of the banks his parents used was located on the Bahnhofstrasse in Zurich, Switzerland. The Claimant stated that he went to Zurich in the 1960s and inquired about his father’s assets at various banks, but he was unsuccessful in his attempt, because the banks told him that he needed the account numbers in order to proceed. Since the Claimant’s parents

¹ The CRT will treat the claim to this account in a separate decision.

perished in a concentration camp, the Claimant was not able to provide the banks with such information. In support of his claim, the Claimant submitted his birth certificate, identifying his parents as [REDACTED] and [REDACTED] [REDACTED] of Gyor, Hungary.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999 asserting his entitlement to a Swiss bank account owned by his father, [REDACTED].

Information Available in the Bank Records

The bank records consist of printouts from the Bank's database. According to these records, the Account Owner was Eugen Zimmermann. The bank records indicate that the Account Owner held an account of unknown type, numbered 6752. The account was transferred on or before 19 February 1993 to a suspense account, which is a grouping of open and dormant accounts. The amount in the account as of 19 February 1993 was 89.70 Swiss Francs. The account remains open and dormant today.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. His name matches the unpublished name of the Account Owner, and the CRT concludes that it is plausible that the Account Owner's parents arranged to have the account opened on behalf of the Claimant. In support of his claim, the Claimant submitted documents, including his own birth certificate. The CRT notes that the bank records do not contain any specific information about the Account Owner other than his name. However, the CRT also notes that the Claimant filed an Initial Questionnaire with the Court in 1999 asserting his entitlement to a Swiss bank account owned by his father, [REDACTED], prior to the publication in February 2001 of the list of accounts determined by the Independent Committee of Eminent Persons ("ICEP") to be probably or possibly those of Victims of Nazi Persecution (the "ICEP List"). This indicates that the Claimant had reason to believe that members of his immediate family owned a Swiss bank account. This supports the credibility of the information provided by the Claimant. Finally, the CRT notes that there are no other claims to this account.

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 he is Jewish and that he and his parents were deported to Auschwitz in 1944, where his parents perished.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is the Account Owner by submitting documents demonstrating that he is Eugen Zimmermann.

The Issue of Who Received the Proceeds

The bank records indicate the account was transferred to a suspense account and remains open and dormant today.

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 he is the Account Owner, and that relationship justifies an Award. Finally, the CRT has determined that the Account Owner has not 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 records indicate that the value of the account of unknown type as of 19 February 1993 was 89.70 Swiss Francs. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of 3,955.00 Swiss Francs, which reflects standardized bank fees charged to the account between 1945 and 19 February 1993. There was no interest paid to the account at issue. Consequently, the adjusted balance of the account at issue is 4,044.70 Swiss Francs. The present value of the amount of the award is determined by multiplying the adjusted balance by a factor of 12, in accordance with Article 31(1) of the Rules, to produce a total award amount of 48,536.40 Swiss Francs.

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
April 24, 2003