

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Rudolf Zuckermann

Claim Number: 741900/AV¹

Award Amount: 12,339.38 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to accounts of [REDACTED].² This Award is to the unpublished account of Rudolf Zuckermann (the “Account Owner”) at the [REDACTED] (the “Bank”).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 an Initial Questionnaire (“IQ”) asserting his entitlement to a Swiss bank account owned by [REDACTED]. In a telephone conversation with the CRT on 29 April 2005, the Claimant identified the Account Owner as his paternal uncle, Rudolf Zuckermann, who was born in 1910 or 1911, and was married to [REDACTED]. The Claimant specified that Rudolf Zuckermann had a brother, [REDACTED], who was the Claimant’s father. According to the Claimant, his uncle and father, who were Jewish, resided in Germany, where they were active members of the Socialist movement. The Claimant stated that his uncle and his father studied in France in the 1930s, and that their father opened a bank account in Switzerland for them during

¹ [REDACTED] (the “Claimant”) did not submit a Claim Form to the CRT. However, in 1999 he submitted an Initial Questionnaire (“IQ”), numbered SPA-0023-142, to the Court in the United States. Although this IQ was not a Claim Form, the Court, in an Order signed on 30 July 2001, ordered that those Initial Questionnaires which can be processed as claim forms be treated as timely claims. Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001). The IQ was forwarded to the CRT and has been assigned claim number 741900.

² The CRT did not locate an account belonging to the Claimant’s relative, [REDACTED], in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (ICEP or ICEP Investigation), which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules Governing the Claims Resolution Process, as amended (the Rules). The Claimant should be aware that the CRT will carry out further research on his claim to determine whether an award may be made based upon the information provided by the Claimant or upon information from other sources.

that time. The Claimant further stated that his uncle and his father fled to Mexico in 1937 or 1938. According to the Claimant, his uncle, who was a cardiologist, returned to East Germany after the Second World War, where he died in 1988 or 1989. The Claimant indicated that his uncle had a son, [REDACTED], who died in 1995.

The Claimant submitted an excerpt from a biography of Rudolf Zuckermann and [REDACTED], published in 1999 in Berlin, Germany as part of a scholarly journal series entitled *Hefte zur DDR-Geschichte* (“Booklets on the History of the German Democratic Republic”). This document indicates that Rudolf Zuckermann was born on 2 October 1910 in Elberfeld, Germany, where he lived until 1929. The document indicates that from 1929 to 1933, Rudolf Zuckermann studied in Bonn, Germany and Berlin, and that on 27 February 1933, he returned to Elberfeld, where he stayed through March 1933. The document indicates that he then went to Paris, France to study medicine, and continued his studies in Basel, Switzerland, beginning in 1935. The document further indicates that his father gave him access to a Swiss bank account during this period. According to the document, upon receiving his medical degree in January 1937, Rudolf Zuckermann crossed illegally into France and subsequently emigrated to Mexico. Finally, the document indicates that Rudolf Zuckermann returned to East Germany at the beginning of 1953, and that he died there on 29 April 1995.

The Claimant indicated that he was born on 24 March 1940.

Information Available in the Bank’s Record

The Bank’s record consists of a list of dormant accounts at the Bank. According to this record, the Account Owner was Rudolf Zuckermann. The Bank's record does not indicate the Account Owner's domicile. The Bank’s record indicates that the Account Owner held a savings/passbook account, numbered 2074, which had a balance of 62.15 Swiss Francs (“SF”) in 1999. The account remains open and dormant.

The CRT’s Analysis

Identification of the Account Owner

The Claimant’s uncle’s name matches the unpublished name of the Account Owner. The CRT notes that the Bank’s record does not contain any specific information about the Account Owner other than his name. In support of his claim, the Claimant submitted documents, including an excerpt from a biography of Rudolf Zuckermann, providing independent verification that the person who is claimed to be the Account Owner had the same name as the name of the Account Owner. 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 and that he lived in Nazi Germany. The Claimant also submitted an excerpt from a biography of the Account Owner, indicating that he remained in Germany through March 1933.

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 the Claimant's uncle. The CRT notes that the Claimant identified unpublished information about the Account Owner as contained in the Bank's record. Furthermore, the CRT notes that the foregoing information is of the type that family members would possess and indicates that the Account Owner was well known to the Claimant as a family member, and all of this information supports the plausibility that the Claimant is related to the Account Owner, as he has asserted in his Claim Form.

The Issue of Who Received the Proceeds

The Bank's record indicates that the account remains open and dormant.

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 uncle, 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 savings account. The Bank's record indicates that the value of the savings account as of 1999 was SF 62.15. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 925.00, which reflects standardized bank fees charged to the savings account between 1945 and 1999. Consequently, the adjusted balance of the account at issue is SF 987.15. The current value of the amount of the award is determined by multiplying the adjusted balance by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of SF 12,339.38.

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 August 2005