

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimants [REDACTED 1]

and [REDACTED 2]

in re Account of Alice Bloch

Claim Numbers: 209918/AX; 222130/AX; 701808/AX¹

Award Amount: 11,662.63 Swiss Francs

This Certified Award is based upon the claim of [REDACTED 1], née [REDACTED], (“Claimant [REDACTED 1]”) to the published account of [REDACTED],² and the claims of [REDACTED 2] (“Claimant [REDACTED 2]”) (together the “Claimants”) to the unpublished account of [REDACTED] and [REDACTED].³ This Award is to the unpublished account of Alice Bloch (the “Account Owner”) at the [REDACTED] (the “Bank”).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 claimants, any relatives of the claimants other than the account owner, and the bank have been redacted.

¹ Prior to submitting a Claim Form to the CRT, in 1999, Claimant [REDACTED 2] submitted an Initial Questionnaire (“IQ”), numbered ENG 0028 004, 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 708108.

² The CRT will treat the claim to this account in a separate decision.

³ The CRT did not locate an account belonging to Claimant [REDACTED 2]'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”). Claimant [REDACTED 2] 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 Claimant [REDACTED 2] or upon information from other sources.

Information Provided by the Claimants

Claimant [REDACTED 1]

Claimant [REDACTED 1] submitted a Claim Form identifying the Account Owner as her mother, Alice Frank, née Bloch, who was born on 29 November 1919 in Colmar, France, and was married to [REDACTED] on 19 August 1947, in Colmar. Claimant [REDACTED 1] indicated that her mother, who was Jewish, lived in Colmar, and then in Paris, France, before the Second World War. Claimant [REDACTED 1] further indicated that her mother was deported to Perigueux, France, but that she survived the War. According to Claimant [REDACTED 1], her father was deported to Dachau and then to Auschwitz, but also survived the Holocaust. Claimant [REDACTED 1] indicated that her mother died on 31 November 1985 in Colmar. In support of her claim, Claimant [REDACTED 1] submitted documents, including a copy of her birth certificate, indicating that her mother was Alice Bloch. Claimant [REDACTED 1] indicated that she was born on 31 August 1950 in Colmar.

Claimant [REDACTED 2]

Claimant [REDACTED 2] submitted a Claim Form and an Initial Questionnaire (“IQ”) identifying the Account Owner as his paternal uncle’s wife, Alice Kappel, née Bloch, who was married to [REDACTED] in Antwerp, Belgium. Claimant [REDACTED 2] indicated that his uncle, who was a businessman, travelled to Switzerland on numerous occasions for business and pleasure. Claimant [REDACTED 2] stated that his aunt and uncle, along with their twin daughters, all of whom were Jewish, were arrested by the Nazis and sent to a concentration camp outside of Mechelen, Belgium. Claimant [REDACTED 2] added that his aunt and her family were then deported to Auschwitz, where they perished. Claimant [REDACTED 2] indicated that he was born on 1 August 1934 in Antwerp, Belgium.

Information Available in the Bank’s Record

The Bank’s record consists of an extract from a list of dormant accounts. According to this record, the Account Owner was Alice Bloch. The Bank’s record does not contain information about the Account Owner’s domicile. The Bank’s record indicates that the Account Owner held a savings/passbook account, numbered 277. The records further indicate that the amount in the account in 1999 was 8.01 Swiss Francs (“SF”). The Bank’s record indicates that the account remains open and dormant.

The CRT’s Analysis

Joinder of Claims

According to Article 37(1) of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the

CRT's discretion. In this case, the CRT determines it appropriate to join the three claims of the Claimants in one proceeding.

Identification of the Account Owner

Claimant [REDACTED 1]'s mother's name and Claimant [REDACTED 2]'s aunt's name match the unpublished 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. In support of her claim, Claimant [REDACTED 1] submitted documents, including a copy of her birth certificate, indicating that her mother was Alice Bloch, providing independent verification that the person who is claimed to be the Account Owner had the same name recorded in the Bank's record as the name of the Account Owner.

The CRT notes that a database containing the names of victims of Nazi persecution includes a person named Alice Kappel, née Bloch, and indicates that she lived in Antwerp, which matches the information about the Account Owner provided by Claimant [REDACTED 2]. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

The CRT notes that Claimant [REDACTED 1]'s relative and Claimant [REDACTED 2]'s relative are not the same person. However, given that the Claimants have identified all unpublished information about the Account Owner that is available in the Bank's record; that the information provided by each claimant supports and in no way contradicts any information available in the Bank's record; that there is no additional information in the Bank's record which would provide a basis for the CRT to make any further determinations as to the identity of the Account Owner; and that there are no other claims to this account, the CRT finds that Claimant [REDACTED 1] and Claimant [REDACTED 2] have each plausibly identified the Account Owner.

Status of the Account Owner as a Victim of Nazi Persecution

Claimant [REDACTED 1] has made a plausible showing that the Account Owner was a Victim of Nazi Persecution. Claimant [REDACTED 1] stated that the Account Owner was Jewish, that she was sent to Perigueux during the Second World War, and that her husband was deported to Dachau and to Auschwitz.

Claimant [REDACTED 2] has also made a plausible showing that the Account Owner was a Victim of Nazi Persecution. Claimant [REDACTED 2] stated that the Account Owner was Jewish, and that she perished in Auschwitz. As noted above, a person named Alice Bloch from Antwerp was included in the CRT's database of victims.

The Claimants' Relationships to the Account Owner

Claimant [REDACTED 1] has plausibly demonstrated that she is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was her mother. These documents include Claimant [REDACTED 1]'s birth certificate, indicating that Alice Bloch was her mother.

Claimant [REDACTED 2] has also plausibly demonstrated that he is related to the Account Owner by submitting specific information, demonstrating that Alice Bloch was his aunt. The CRT notes that Claimant [REDACTED 2] filed an IQ with the Court in 1999, identifying the relationship between the Account Owner and Claimant [REDACTED 2], and that he also identified information which matches information contained in the Yad Vashem records. Finally, 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 Claimant [REDACTED 2] as a family member, and all this information supports the plausibility that Claimant [REDACTED 2] is related to the Account Owner, as he has asserted in his Claim Form.

There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

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

Basis for the Award

The CRT has determined that an Award may be made in favor of the Claimants. First, the claims are admissible in accordance with the criteria contained in Article 18 of the Rules. Second, Claimant [REDACTED 1] has plausibly demonstrated that the Account Owner was her mother, and Claimant [REDACTED 2] has plausibly demonstrated that the Account Owner was his aunt, and those relationships justify an Award. Finally, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one savings/passbook account. The Bank's record indicates that the value of the savings/passbook account as of 1999 was SF 8.01. In accordance with Article 31(1) of Rules, this amount is increased by an adjustment of SF 925.00, which reflects standardized bank fees charged to the savings/passbook account between 1945 and 1999. Consequently, the adjusted balance of the account at issue is SF 933.01. 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, to produce a total award amount of SF 11,662.63.

Division of the Award

According to Article 26 of the Rules, in cases where the identity of the account owner cannot be precisely determined due to the limited information contained in the bank documents, and where several unrelated claimants have established a plausible relationship to a person with the same name as the account owner, the award will provide for a pro rata share of the full amount in the account to each claimant or group of claimants who would be otherwise entitled under these Rules. In this case, each of the Claimants has established a plausible relationship to a person with the same name as the Account Owner. Accordingly, Claimant [REDACTED 1] is entitled

to one-half of the total award amount, and Claimant [REDACTED 2] is entitled to one-half of the total award amount.

Scope of the Award

The Claimants should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on their claims to determine whether there are additional Swiss bank accounts to which they 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
12 May 2005