

# CLAIMS RESOLUTION TRIBUNAL

---

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

## **Certified Award**

to Claimant [REDACTED]

## **in re Account of Jacque Braun**

Claim Number: 773495/BI<sup>1</sup>

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED](the “Claimant”) to the unpublished account of Jacque Braun (the “Account Owner”) at the Lucerne branch of the [REDACTED] (the “Bank”).<sup>2</sup>

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 identifying the Account Owner as his father Jaque (Jacques) Braun, who resided in 21 Rue Taison in Metz, France. The Claimant stated that his father owned a barbershop before the Second World War and that the family’s property was looted in 1940. According to the Claimant, his father transferred money to Swiss banks and later attempted to escape from France to Switzerland. The Claimant added that he, his parents, and his brother were refused entry at the Swiss border and forced to return to France. Although the Claimant did not indicate in his Initial Questionnaire that his father was Jewish, according to an

---

<sup>1</sup> [REDACTED] did not submit a Claim Form to the CRT. However, in 1999 he submitted an Initial Questionnaire (“IQ”), numbered ENG-0125039, 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 773495.

<sup>2</sup> The CRT notes that the report submitted by the auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons (“ICEP” or the “ICEP Investigation”) indicates that the account was owned by Jacque Braun and/or his parents (“*Jacque Braun und/oder dessen Eltern*”). In the absence of further identifying information regarding the parents of Jacque Braun, for the purposes of this decision, the CRT will treat the account as having been owned by Jacque Braun.

entry in a database of names of victims of Nazi persecution (detailed below), the Claimant's father was Jewish and was killed in Auschwitz.

The Claimant indicated that he was born on 14 August 1934 in Metz.

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

The Bank's record consists of a report from the auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation"). According to the auditors' report, the Account Owner was Jacque Braun. The auditors' report does not indicate the Account Owner's domicile. The auditors' report indicates that the Account Owner held an account of unknown type, numbered 23728.

The auditors' report indicates that the account was transferred to a suspense account on 17 May 1984, as of which date the account had a balance of 8.25 Swiss Francs ("SF"). The account remains open and dormant.

### **The CRT's Analysis**

#### Identification of the Account Owner

The Claimant's father's name substantially matches the unpublished name of the Account Owner. The CRT notes that the auditors' report does not contain any specific information about the Account Owner other than his name.

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a page of testimony submitted by the Claimant in 30 April 2000, which indicates that Jacques Braun was born on 20 April 1890 in Lubazan, Poland, that he later resided in 21 Rue Taison in Metz, that he was married to [REDACTED], née [REDACTED], and that he perished in Auschwitz, which matches the information about the Account Owner provided by the Claimant in his Initial Questionnaire. A separate source in the database further indicates that Jacques Braun was deported on convoy 40. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel. 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 resided in Nazi-occupied France, that his property was confiscated, that he and his family tried to escape from to Switzerland and were turned away at the Swiss border, and that he perished in Auschwitz. As noted above, a person named Jacques Braun 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 specific information, demonstrating that the Account Owner was the Claimant's father. There is no information to indicate that the Account Owner has other surviving heirs.

The CRT notes that the Claimant identified unpublished information about the Account Owner as contained in the auditors' report and that the Claimant 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 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 auditors' report indicates that the account was transferred to a suspense account on 17 May 1984. 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 father, 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 an account of unknown type. The auditors' report indicates that the value of the account as of 17 May 1984 was SF 8.25. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 625.00, which reflects standardized bank fees charged to an account of unknown type between 1945 and 1984. Consequently, the adjusted balance of the account at issue is SF 633.25. According to Article 29 of the Rules, if the amount in an account of unknown type was less than SF 3,950.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 3,950.00. 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 49,375.00.

### **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  
31 August 2007