

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant [REDACTED]

**in re Accounts of Grete Pick**

Claim Number: 500672/MBC

Award Amount: 189,250.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the published accounts of Greta Pick and Otto Pick.<sup>1</sup> This Award is to the published accounts of Grete Pick (the “Account Owner”) at the Zurich 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 a Claim Form identifying the Account Owner as her mother, Margaret (Grete) Maria Pick, née Sonnenberg, who was born on 14 December 1896 in Graz, Austria to [REDACTED] and [REDACTED], née [REDACTED], and was married to [REDACTED], who was born on 15 June 1895 in Nachod, Austria-Hungary (today, Czech Republic). The Claimant stated that her parents were married on 14 November 1931 in Vienna, Austria, that the family resided in Vienna, and that her father was an importer and exporter of textiles. According to the Claimant, her parents, who were Jewish, escaped Austria after the incorporation of Austria into the Reich in March 1938 (the “*Anschluss*”) and fled to the United States in 1939 via Yugoslavia, Switzerland, and England. The Claimant stated that her father died on 20 January 1954 in Los Angeles, California and that her mother died on 4 November 1982, also in Los Angeles.

In support of her claim, the Claimant submitted a copy of her parents’ marriage certificate, indicating that Margaretha Maria Sonnenberg was born on 14 December 1896 in Graz, that she was a nurse and that she resided in Vienna. The Claimant also submitted a copy of her mother’s

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<sup>1</sup> The CRT will treat the claim to the accounts of Otto Pick in a separate decision.

<sup>2</sup> The CRT notes that on the February 2001 published 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”), the Account Owner’s name is published as Greta Pick. Upon careful review, the CRT concludes that the Account Owner’s name was Grete Pick.

employment certificate, issued by the city of Vienna on 3 October 1933, which indicates that Margarete Pick, née Sonnenberg, was a nurse employed by the city of Vienna. Finally, the Claimant submitted a copy of her mother's will, which indicates that the Claimant was her only child and heir.

The Claimant stated that she was born in Vienna on 30 June 1933.

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

The Bank's record consists of a customer card. According to this record, the Account Owner was *Frau* (Mrs.) Grete Pick, who resided in Vienna, Austria. The Bank's record indicates that the Account Owner held a custody account, numbered L61078, and a demand deposit account. Additionally, this record contains an inscription dated 1932, indicating that the Account Owner had been previously known to the Bank as *Fräulein* (Miss) Grete Sonnenberg.

The Bank's record also indicates that the custody account was closed on 27 December 1938 and that the demand deposit account was closed on 31 December 1938. This record does not indicate the value of these accounts. There is no evidence in the Bank's record that the Account Owner or her heirs closed the accounts and received the proceeds themselves.

### **Information Available from the Austrian State Archive**

By decree on 26 April 1938, the Nazi Regime required all Jews who resided within the Reich, or who were nationals of the Reich, including Austria, and who held assets above a specified level to register all their assets as of 27 April 1938 (the "1938 Census"). In the records of the Austrian State Archive (Archive of the Republic, Finance), there are documents concerning the assets of [REDACTED], née [REDACTED] (the mother of Margaret Sonnenberg), numbered 27075, signed on 15 July 1938 and 9 December 1938. These records indicate that [REDACTED], a Yugoslavian national, was born 25 November 1865 and that she resided at Döblinger Hauptstrasse 60, Vienna XIX. These records make no mention of assets held in a Swiss bank account.

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

#### Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. The Claimant's mother's name and country of residence match the published name and country of residence of the Account Owner. The Claimant identified her mother's maiden name and city of residence, both of which match unpublished information about the Account Owner contained in the Bank's record.

In support of her claim, the Claimant submitted documents, including her parents' marriage certificate as well as her mother's will and employment certificate, providing independent

verification that the person who is claimed to be the Account Owner had the same name and resided in the same city as the name and the city of residence of the Account Owner.

The CRT notes that the name Greta Pick appears only once the February 2001 published 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”).

The CRT further notes that the other claims to these accounts were disconfirmed because those claimants provided different maiden names and/or different cities and countries of residence than the maiden name and city and country of residence of 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 she fled Austria in 1938 after the *Anschluss* due to Nazi persecution.

#### The Claimant’s Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by providing specific information and documents, demonstrating that the Account Owner was the Claimant’s mother. These documents include a copy of the Account Owner’s will, which indicates that the Claimant is the only child and heir of the Account Owner. There is no information to indicate that the Account Owner has other surviving heirs.

#### The Issue of Who Received the Proceeds

The CRT notes that the Bank’s record indicates that the custody account was closed on 27 December 1938 and the demand deposit account was closed on 31 December 1938, at which time, according to information provided by the Claimant, the Account Owner was outside Nazi-dominated territory. However, given that the Bank’s record does not indicate to whom the accounts were closed; that the Account Owner fled her country of origin due to Nazi persecution; that the Account Owner had relatives remaining in Austria, including her mother, [REDACTED], who signed her 1938 Census record on 9 December 1938 in Vienna, and that she may therefore have yielded to Nazi pressure to turn over her accounts to ensure their safety; that the Account Owner and her heirs would not have been able to obtain information about her accounts after the Second World War from the Bank, even for the stated purpose of obtaining indemnification from the German authorities, due to the Swiss banks’ practice of withholding or misstating account information in their responses to inquiries by account owners because of the banks’ concern regarding double liability; and given the application of Presumptions (a), (h) and (j), as provided in Article 28 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”) (see Appendix A), the CRT concludes that it is plausible that the account proceeds were not paid to the Account Owner or her heirs. Based on its precedent and the Rules, the CRT applies presumptions to assist in the determination of whether or not Account Owners or their heirs received the proceeds of their accounts.

### 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. Second, the Claimant has plausibly demonstrated that the Account Owner was her mother, and that relationship justifies an Award. Third, the CRT has determined that it is plausible that neither the Account Owner nor her heirs received the proceeds of the claimed accounts.

### Amount of the Award

In this case, the Account Owner held one demand deposit account and one custody account. Pursuant to Article 29 of the Rules, when the value of an account is unknown, as is the case here, the average value of the same or a similar type of account in 1945 is used to calculate the current value of the account being awarded. Based on the investigation carried out pursuant to the instructions of ICEP (the "ICEP Investigation"), in 1945 the average value of a custody account was 13,000.00 Swiss Francs ("SF") and the average value of a demand deposit account was SF 2,140.00. Thus, the total 1945 average value of these accounts is SF 15,140.00. 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, to produce a total award amount of SF 189,250.00.

### **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 her claim to determine whether there are additional Swiss bank accounts to which she 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  
21 September 2005