

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Eric Schneider

in re Account of Marcel Schneider

Claim Number: 206347/LH

Award Amount: 10,375.00 Swiss Francs

This Certified Award is based upon the claim of Eric Schneider (the “Claimant”) to the accounts of Dawid Schneider and Bronislawa Schneider.¹ This Award is to the unpublished account of Marcel Schneider (the “Account Owner”) at the [REDACTED] (the “Bank”).

All awards are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form identifying the Account Owner as his younger brother, Marcel (Monieik) Schneider, who was born on 4 July 1930 as the fourth child of Dawid Schneider and Bronislawa Blima Schneider, née Steinhaus. The Claimant stated that from 1930 to 1941 his family resided at Sandomirska 5 (Dembniki) in Krakow, Poland, and that his father was a wholesale fur dealer and the owner of a warehouse at Dytłowska 56 in Krakow. The Claimant stated that his parents spent their vacations in Italy, Austria, and, in early 1939, in Geneva, Switzerland, where they opened a bank account. The Claimant indicated that his family was Jewish, and that in 1941 they were deported to the Krakow Ghetto, where they were imprisoned until 1943.

In a telephone conversation with the CRT, the Claimant stated that his brother Marcel was deported on 13 March 1943 to Auschwitz, where he perished in August of that same year. The Claimant explained that his mother and his sister, Felicia Schneider, who was born on 10 November 1925, perished in Belzec on 29 October 1942, and that his father perished in Buchenwald on 8 April 1945. The Claimant stated that his older brother, Artur Salomon Schneider, who was born on 24 May 1922 in Krakow, died in Lwow, Poland.

¹ The CRT did not locate an account belonging to Dawid Schneider or Bronislawa Schneider in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (the “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”).

In support of his claim, the Claimant submitted copies of documents, including his birth certificate, dated 1 August 1924, indicating that Irenjusz Schneider was born on 24 July 1924 in Krakow to Dawid Schneider and Blima Schneider, née Steinhaus, and a payment order, issued on 18 July 1968 by the Regional Tax Office in Berlin (*Oberfinanzdirektion Berlin*), indicating that Eric (formerly Irenjusz) Schneider was to receive compensation for the jewelry that was taken from his mother, Bronislava Schneider, née Steinhaus, in 1942 in Krakow.

The Claimant indicated that he was born on 24 July 1924 in Krakow. The Claimant previously submitted an Initial Questionnaire to the Court in 1999, asserting his entitlement to a Swiss bank account owned by Dawid Schneider and Bronislawa Schneider.

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 Marcel Schneider. The record does not indicate the Account Owner's domicile.

This record indicates that the Account Owner held a passbook/savings account, which was inactive since 1945 and had a balance of 27.15 Swiss Francs ("SF") on an unknown date. The account remains open and dormant.

The CRT's Analysis

Identification of the Account Owner

The Claimant's brother's name matches the unpublished name of the Account Owner. The CRT notes that the auditor's report does not contain any specific information about the Account Owner other than his name. The CRT notes that the Claimant's brother would have been a child at the time that the account was opened. The CRT finds it plausible, however, that his parents or other adult family member opened the account on his behalf, particularly as the account was a passbook/savings account, which was the type of account frequently opened for children.

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 1999, which indicates that Marcel (Monieik) Schneider was born on 4 July 1930 in Krakow to Dawid Schneider and Bronislawa Schneider, née Steinhaus, and that he perished in Auschwitz in August 1943. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

The CRT also 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 was deported

on 13 March 1943 to Auschwitz, where he perished in August of that same year. As noted above, a person named Marcel Schneider 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 biographical information demonstrating that the Account Owner was the Claimant's brother. The CRT notes that the Claimant identified unpublished information about the Account Owner as contained in the auditor's report and that the Claimant submitted a page of testimony to Yad Vashem about his brother in 1999. The CRT further notes that the Claimant submitted a copy of his birth certificate, which provides independent verification that the Claimant's relatives bore the same family name as the Account Owner. 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. 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 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 (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was his brother, 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 passbook/savings account. The Bank's record indicates that the value of the account was SF 27.15 on an unknown date. Because the balance of the account is undated, the CRT treats the account as an account of unknown value. According 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 accounts in 1945 is used to calculate the current value of the account being awarded. Based on the ICEP Investigation in 1945 the average value of a passbook/savings account was SF 830.00. 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 10,375.00.

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
23 June 2008