

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimants [REDACTED 1]

and [REDACTED 2]

## **in re Account of Martin Bloch**

Claim Numbers: 220240/AH; 780027/AH<sup>1</sup>

Award Amount: 10,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED 1] (“Claimant [REDACTED 1]”) to an account of [REDACTED],<sup>2</sup> and upon the claim of [REDACTED 2], formerly [REDACTED], (“Claimant [REDACTED 2]”) (together the “Claimants”) to an account of Martin Bloch. This Award is to the unpublished account of Martin Bloch (the “Account Owner”) at the Arlesheim branch of the [REDACTED] (the “Bank”).

All awards are published, but where a claimant has requested confidentiality, as in the case of Claimant [REDACTED 1], 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 Claimants**

### Claimant [REDACTED 1]

Claimant [REDACTED 1] submitted a Claim Form identifying the Account Owner as his paternal grandfather, Martin Bloch. In his Claim Form as well as in correspondence with the CRT dated 26 and 27 October 2004, Claimant [REDACTED 1] indicated that his grandfather was born on 29 August 1869, was married to [REDACTED], née [REDACTED], and had five children: [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED] (Claimant [REDACTED 1]’s father, born on 24 August 1899 in Berlin, Germany). Claimant [REDACTED 1] indicated that his grandfather, who was Jewish, lived in Germany until his

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<sup>1</sup> Claimant [REDACTED 2] did not submit a Claim Form to the CRT. However, in 1999 he submitted an Initial Questionnaire (“IQ”), numbered ENG 0393 025, 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 780027.

<sup>2</sup> The CRT will treat the claim to this account in a separate decision.

death on 15 December 1939. Claimant [REDACTED 1] stated that his grandmother died on 16 February 1959, and that his father's siblings are all deceased as well. Claimant [REDACTED 1] stated that he has no knowledge regarding his grandfather's occupation or specific places of residence. Claimant [REDACTED 1] further indicated that his father, who was Jewish, perished in Auschwitz, and that his mother, [REDACTED], née [REDACTED], died in Canada on 14 October 1978. Claimant [REDACTED 1] indicated that he was his parents' only son. Claimant [REDACTED 1] submitted his birth certificate indicating that his name is [REDACTED 1] and that his parents were [REDACTED] and [REDACTED]. Claimant [REDACTED 1] stated that he was born on 26 February 1943 in Berlin.

#### Claimant [REDACTED 2]

Claimant [REDACTED 2] submitted an Initial Questionnaire ("IQ") identifying the Account Owner as his father, Martin Bloch, who was born on 1 May 1887 and resided at 99 Neudorfstrasse in Breslau, Germany. In his IQ, Claimant [REDACTED 2] stated that he was formerly known by the surname "[REDACTED]". Claimant [REDACTED 2] indicated that his father, who was Jewish, was deported to Buchenwald on 10 November 1938, but that because he was a veteran of the First World War, during which he received medals, he was released after six weeks, and died on 4 November 1939 of a disease he contracted during his internment. Claimant [REDACTED 2] submitted a letter dated 22 October 1946, listing assets belonging to his parents. Claimant [REDACTED 2] indicated that he was born on 7 August 1925.

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

The Bank's record consists of a printout from the Bank's database. According to this record, the Account Owner was Martin Bloch, whose domicile and nationality were not known to the Bank. The Bank's record indicates that the Account Owner held a savings/passbook account.

The Bank's record indicates that the account was transferred on 29 December 1984 to a suspense account for dormant assets, on which date the amount in the account was 53.70 Swiss Francs ("SF"). The Bank's record indicates that the account remains in the Bank's suspense account.

#### **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 two claims of the Claimants in one proceeding.

### Identification of the Account Owner

Claimant [REDACTED 2]'s father's name and Claimant [REDACTED 1]'s grandfather's name match 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.

The CRT notes that Claimant [REDACTED 2]'s relative and Claimant [REDACTED 1]'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 the other claims to this account were disconfirmed because these claimants provided a different name than the name of the Account Owner, the CRT finds that Claimant [REDACTED 2] and Claimant [REDACTED 1] have each plausibly identified the Account Owner.

### Status of the Account Owner as a Victim or Target of Nazi Persecution

The Claimants have made a plausible showing that the Account Owner was a Victim or target of Nazi Persecution. Claimant [REDACTED 2] indicated that the Account Owner was Jewish, and that he was deported to Buchenwald. Claimant [REDACTED 1] indicated that the Account Owner was Jewish, and that he resided in Nazi Germany.

### The Claimants' Relationships to the Account Owner

The Claimants have plausibly demonstrated that they are related to the Account Owner by submitting specific information, demonstrating that the Account Owner was Claimant [REDACTED 2]'s father and Claimant [REDACTED 1]'s paternal grandfather. The CRT notes that the Claimants identified the unpublished name of the Account Owner as contained in the Bank's records. The CRT further notes that Claimant [REDACTED 1] submitted a copy of his birth certificate, which provides independent verification that the Claimant 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 Claimants as a family member, and all of this information supports the plausibility that the Claimants are related to the Account Owner, as they have asserted in their respective claim forms.

### The Issue of Who Received the Proceeds

The Bank's records indicate that the account was transferred to a suspense account on 29 December 1984 and remains in the Bank's suspense account.

### 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, the Claimants have each plausibly demonstrated that the Account Owner was Claimant [REDACTED 2]'s father and Claimant [REDACTED 1]'s grandfather, and those relationships justify an Award. Third, the CRT has determined that it is plausible 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 a savings/passbook account. The Bank's record indicates that the value of the account as of 29 December 1984 was SF 53.70. 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 the account between 1945 and 1984. According to Article 29 of the Rules, if the amount in a savings/passbook account was less than SF 830.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 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.

#### 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 Claimant has established a plausible relationship to a person with the same name as the Account Owner. Accordingly, Claimant [REDACTED 2] is entitled to one-half of the Award amount, and Claimant [REDACTED 1] is entitled to one-half of the 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  
24 December 2004

