

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Paul Bloch

Claim Number: 207515/PY

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the account of Paul Bloch (the “Account Owner”) at the Geneva branch of the [REDACTED] (the “Bank”).

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 paternal uncle, Paul Bloch, who was born in Mulhouse, France on 17 August 1897, and was the younger brother of [REDACTED], the Claimant’s father. The Claimant stated that Paul Bloch was the son of [REDACTED] and [REDACTED], née [REDACTED], and that one of his siblings, [REDACTED], resided in Lausanne, Switzerland. In a telephone conversation with the CRT on 15 November 2002, the Claimant stated that her uncle was a professional football player and that after a football accident that left him deaf, he received a pension from the French Football Federation. The Claimant also stated that after residing in Mulhouse, her uncle lived in Nice and in Paris, France. The Claimant stated in the telephone conversation that she did not know her uncle’s street address in Nice. The Claimant further stated that during the Second World War, her uncle, who was Jewish, was a refugee in the town of Sembadel Gare (Haute Loire), France, and that he died shortly after the Second World War. The Claimant indicated that her uncle never married and did not have children. The Claimant indicated that her father, [REDACTED], deposited his assets under the names of his brothers, one of whom was Paul Bloch.

In support of her claim, the Claimant submitted her uncle's birth certificate, which indicates that his parents were [REDACTED] and [REDACTED]; her father’s birth certificate, which also indicates that his parents were [REDACTED] and [REDACTED];

and her birth certificate, which indicates that her father was [REDACTED]. The Claimant indicated that she was born on 4 February 1932 in Mulhouse.

Information Available in the Bank's Records

The Bank's records consist of a customer card and a printout from the Bank's numbered accounts database. According to these records, the Account Owner was Paul Bloch who resided at 14, rue de Châteauneuf in Nice, France. The Bank's records indicate that the Account Owner held an account of unknown type in Pounds Sterling, numbered 54732, which was opened on 12 May 1937. 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") did not find this account in the Bank's system of open accounts, and they therefore presumed that it was closed. These auditors indicated that there was no evidence of activity on this account after 1945. There is no evidence in the Bank's records that the Account Owner or his heirs closed the account and received the proceeds themselves.

The CRT's Analysis

Identification of the Account Owner

The Claimant's uncle's name matches the published name of the Account Owner. The Claimant identified her uncle's city of residence, which matches published information about the Account Owner contained in the Bank's records. In support of her claim, the Claimant submitted her uncle's birth certificate, which indicates that his parents were [REDACTED] and [REDACTED]; her father's birth certificate, which also indicates that his parents were [REDACTED] and [REDACTED]; and her birth certificate, which indicates that her father was [REDACTED]. The CRT notes that the other claims to this account were disconfirmed because those claimants provided a different country or city of residence and/or a different first name than that of the Account Owner. 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, that he resided in France during the Second World War, and that he was a refugee in the town of Sembadel Gare (Haute Loire), France.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific biographical information and documents demonstrating that she is the Account Owner's niece. The documents include her uncle's birth certificate, which

indicates that his parents were [REDACTED] and [REDACTED]; her father's birth certificate, which also indicates that his parents were [REDACTED] and [REDACTED]; and her birth certificate, which indicates that her father was [REDACTED].

The Issue of Who Received the Proceeds

Given the Account Owner was a refugee in the town of Sembadel Gare (Haute Loire), France, during the War; that there is no record of a date of closure nor any record of the payment of the Account Owner's account to him; that the Account Owner or his heirs would not have been able to obtain information about his account after the Second World War from the Bank 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 (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 his 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 uncle, and that relationship justifies an Award. Finally, 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 one account of unknown type. 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 ICEP Investigation, in 1945 the average value of an account of unknown type was 3,950.00 Swiss Francs. 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 49,375.00 Swiss Francs.

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
6 February 2004