

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]
represented by [REDACTED]

in re Account of Yvonne Bloch and Marcel Bloch

Claim Number: 204561/MBC

Award Amount: 15,500.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Yvonne Bloch (“Account Owner Yvonne Bloch”) and Marcel Bloch (“Account Owner Marcel Bloch”) (together the “Account Owners”) at the Lausanne 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 Account Owner Marcel Bloch as her maternal uncle, Marcel Bloch (or Block), who was born to [REDACTED] and [REDACTED], née [REDACTED], in Paris, France, on 20 May 1922. The Claimant stated that her uncle was a bachelor. The Claimant further indicated that her uncle, who was Jewish, resided in Paris at boulevard Voltaire 215^{bis} from 1922 to 1941 and at avenue Philippe-Auguste until 20 August 1941. The Claimant explained that her uncle worked in his parents’ textile factory. According to the Claimant, her uncle opened an account at a Swiss bank in approximately 1941 and deposited 14 kilograms of gold bars that belonged to the Claimant’s uncle’s father, [REDACTED]. Further, the Claimant stated that on 12 December 1941 her uncle was arrested and deported to Auschwitz, where he was murdered on 7 May 1942.

In a telephone conversation with the CRT, the Claimant’s son identified Account Owner Yvonne Bloch as a first cousin of his mother’s uncle, Marcel Bloch. The Claimant’s son indicated that as far as the Claimant remembered, Yvonne Bloch resided in Paris and was Jewish. The Claimant’s son added that neither he nor his mother (who was only nine years old during the Second World War) knew of any further details about Yvonne Bloch. In support of her claim, the Claimant submitted Marcel Bloch’s parents’ family booklet indicating that their children were Marcel Block and [REDACTED] (the Claimant’s mother). The Claimant also submitted Marcel Block’s

French death certificate indicating that he was a bachelor, and her own marriage certificate indicating she is the daughter of [REDACTED]. The Claimant indicated that she was born in Paris on 18 May 1932 and that she is her uncle's only heir.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999 as well as an ATAG Ernst & Young claim form in 1998, asserting her entitlement to a Swiss bank account owned by Marcel Block and/or [REDACTED].

Information Available in the Bank's Records

The Bank's records consist of a document issued by a notary public on 17 and 18 January 1952 and printouts from the Bank's database. According to these records, the Account Owners were Yvonne Bloch and Marcel Bloch, who resided at rue des Capucines 6 in Paris. The Bank's records indicate that the Account Owners held a safe deposit box account, numbered 203 B, which was opened on 18 July 1938. The records show that on 18 January 1952 the safe deposit box was forced open by the Bank, that the safe deposit box contained a torn envelope, and that the account was closed to profit and loss on the same date.

The CRT's Analysis

Identification of the Account Owners

The Claimant has plausibly identified the Account Owners. Her uncle's and her cousin's names and city of residence match the published names and city of residence of the Account Owners. The CRT notes that a database containing the names of victims of Nazi persecution includes a person named Marcel Bloch, and indicates that his date of birth was 20 May 1922, which matches the information about Account Owner Marcel Bloch provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

The CRT further notes that the Claimant filed an Initial Questionnaire with the Court in 1999 and an ATAG Ernst & Young claim form in 1998, asserting her entitlement to a Swiss bank account owned by Marcel Block, prior to the publication in February 2001 of the list of accounts determined by ICEP to be probably or possibly those of Victims of Nazi Persecution (the "ICEP List"). This indicates that the Claimant has based her present claim not simply on the fact that an individual identified on the ICEP List as owning a Swiss bank account bears the same name as her relative, but rather on a direct family relationship that was known to her before the publication of the ICEP List. It also indicates that the Claimant had reason to believe that her relative owned a Swiss bank account prior to the publication of the ICEP List. This supports the credibility of the information provided by the Claimant. The CRT notes that there are no other claims to this account.

Status of the Account Owners as Victims of Nazi Persecution

The Claimant has made a plausible showing that the Account Owners were Victims of Nazi Persecution. The Claimant indicated that Marcel Bloch was Jewish and perished in Auschwitz in 1942, and that Yvonne Bloch was Jewish and resided in Paris after the Nazis invaded France. As noted above, a person named Marcel Bloch was included in the CRT's database of victims.

The Claimant's Relationship to the Account Owners

The Claimant has plausibly demonstrated that she is related to the Account Owners by submitting documents including Marcel Bloch's parents' family booklet, Marcel Bloch's death certificate, and her own marriage certificate indicating she is the daughter of [REDACTED], demonstrating that Account Owner Marcel Bloch was her uncle, and Account Owner Yvonne Bloch was her second cousin. There is no information to indicate that the Account Owners have other surviving heirs.

The Issue of Who Received the Proceeds

The Bank's records indicate the account was taken into the Bank's profits.

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 Owners were her uncle and second cousin, and those relationships justify an Award. Finally, the CRT has determined that neither the Account Owners, nor their heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owners held one safe deposit box. 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 the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation"), in 1945 the average value of a safe deposit box was 1,240.00 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 15,500.00 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
July 15, 2003