

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Erzsebet Takacs

in re Account of *Geschwister Glaser*

Claim Number: 219227/MBC

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of Erzsebet Takacs (formerly Lindenfeld/Laszlo), née Glaser (the “Claimant”) to the published account of *Geschwister Glaser* (the “Account Owners”) at the Zurich branch of the [REDACTED] (the “Bank”).¹ On 27 January 2002, the Court approved an award to the Claimant for a custody account held by the Account Owners (the “January 2002 Award”), but did not make a determination regarding the disposition of an additional account held by the Account Owners, pending further consideration. This award addresses the account held by the Account Owners that was held for further consideration in the January 2002 Award.

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 Owners as herself and her siblings, Szeren and Ferenc Glaser; the Claimant indicated that her parents, [REDACTED] and [REDACTED], née [REDACTED], opened the account for their benefit, most likely at a bank in Zurich. The Claimant further indicated that her family, which was Jewish, resided in Nagyleta, Hungary, where she was born on 13 June 1914. The Claimant stated that she was married to [REDACTED] in 1938 in Debrecen, Hungary, and that they then moved to Debrecen. The Claimant indicated that she and her husband one child, [REDACTED], née [REDACTED], who was born on 4 November 1942. According to the Claimant, her father perished in 1943 in

¹ 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”), *Geschwister Glaser* are indicated as having one account. Upon careful review, the CRT has concluded that the Bank’s records evidence the existence of two accounts. In a previous decision, the CRT awarded one of the Account Owners’ accounts to the Claimant and noted that the other account would be treated separately. See *In re Account of Geschwister Glaser* (approved on 27 January 2002).

Hungary and her mother and siblings perished in concentration camps in approximately 1944. The Claimant indicated that she was deported to the ghetto in Debrecen in 1944 and then transported to a child labor camp in Vienna, Austria, where she looked after approximately eighty young children. The Claimant stated that she was liberated by the Russians in April 1945 and walked back to Hungary, to discover that all of her family's assets had been looted. Finally, the Claimant indicated that during the War, her first husband was deported to Russia, where he performed slave labor near Voronezh, that the family changed its surname from Lindenfeld to Laszlo in 1948; and that she divorced and then married [REDACTED] in 1950.

The Claimant submitted copies of documents in support of her claim, including: 1) her own birth certificate, indicating that Erzsebet Glaser was born on 13 June 1914 in Nagyleta and that her parents were [REDACTED] and [REDACTED]; 2) her daughter's birth certificate, indicating that [REDACTED] was born on 4 November 1942 in Debrecen and that her parents were [REDACTED] and [REDACTED]; 3) a name change certificate, indicating that [REDACTED] changed his surname to [REDACTED] in 1948 in Debrecen and that he had one child, [REDACTED], born in 1942; 4) an official certificate, dated 7 April 1945, indicating that Elisabeth Lindenfeld, who was born on 13 June 1914 and who was Jewish, had been imprisoned in a child labor camp in Vienna; 5) a letter sent to the Claimant by the Jewish community of Debrecen, indicating that Erzsebet Glaser was born on 13 June 1914 in Nagyleta, that her parents were [REDACTED] and [REDACTED], and that she was deported to Austria in 1944; and 6) her second marriage certificate, dated 11 May 1950, indicating that Erzsebet Glaser was married to [REDACTED].

The Claimant indicated that she was born on 13 June 1914 in Nagyleta.

The Claimant previously submitted an Initial Questionnaire to the Court in 1999, asserting her entitlement to a Swiss bank account owned by her parents, Bela Glaser and Helena Feldmann.²

Information Available in the Bank's Records

The Bank's records consist of account ledgers and lists of suspended accounts. According to these records, the Account Owners were *Geschwister* Glaser (the Glaser siblings). The Bank's records do not indicate the Account Owners' domicile. The Bank's records indicate that the Account Owners held an account, the type of which is not indicated, used at least in part to pay the fees on a separate custody account.³ According to these records, the Account Owners instructed the Bank to hold all correspondence. The Bank's records further indicate that the account contained a balance of 115.00 Swiss Francs ("SF") as of 17 January 1951; that it was transferred by the Bank to a collective suspense account on 30 March 1960, when it held a balance of SF 81.00; and that it was subsequently reduced by fees until being closed to fees on 30 June 1979.

² The CRT did not locate an account belonging to Bela Glaser, Helen(a) Glaser, or Helen(a) Feldmann in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons ("ICEP" or "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").

³ The CRT awarded the custody account to the Claimant in a separate decision. See footnote 1.

The CRT's Analysis

Identification of the Account Owner

The Claimant indicated that her parents opened the account on behalf of her and her siblings, which matches the published status of the Account Owners as two or more siblings with the surname Glaser. The Claimant identified the Swiss city where the account was held, which matches unpublished information contained in the Bank's records. The CRT notes that the Bank's records do not contain any other specific information about the Account Owners.

In support of her claim, the Claimant submitted documents, including her own birth certificate, marriage certificate, and a letter from the Jewish community of Debrecen, providing independent verification that her maiden name was Glaser.

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Szerena Glaser, who was born on 24 April 1910 to [REDACTED] and [REDACTED], née [REDACTED], resided in Hungary, and was missing after the Second World War; as well as a person named Ferenc Glaser, who was born on 23 October 1911 in Nagyleta to [REDACTED], née [REDACTED], and who perished in Auschwitz. This matches the information about two of the Account Owners provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

The CRT notes that the Claimant filed an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by her parents Bela Glaser and Helena Glaser, née Feldmann, prior to the publication in February 2001 of the 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"). This indicates that the Claimant had reason to believe that her parents owned a Swiss bank account, which could have been held on behalf of the Claimant and her siblings, 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. Taking all of these factors into account, the CRT concludes that the Claimant has plausibly identified the Account Owners.

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 identified the Account Owners as herself and her siblings. The Claimant stated her siblings were Jewish and that they perished in concentration camps. The Claimant further stated that she is Jewish, that she was deported to the ghetto in Debrecen, and that she was then deported to a labor camp in Vienna. The Claimant also submitted a letter and official certificate, indicating that she is Jewish and that she was imprisoned in a labor camp in Vienna during the Second World War. As noted above, persons named Szerena Glaser and Ferenc Glaser were included in the CRT's database of victims.

The Claimants' Relationship to the Account Owners

The Claimant has plausibly demonstrated that she is related to the Account Owners by submitting specific information, demonstrating that the Account Owners were the Claimant and her siblings. The CRT further notes that the Claimant submitted documents, including her own birth certificate, indicating that her maiden name was Glaser and that her parents were [REDACTED] and [REDACTED], née [REDACTED]; and that the Yad Vashem database provides independent verification that the Claimant had two siblings. Finally, the CRT notes that the Claimant filed an Initial Questionnaire with the Court in 1999, indicating that her parents held a bank account in Zurich, which could have been held on behalf of her and her siblings, prior to the publication in February 2001 of the ICEP List. There is no information to indicate that the remaining Account Owners, the Claimant's siblings, have other surviving heirs.

The Issue of Who Received the Proceeds

The Bank's records indicate that the account was transferred to a suspense account in 1960 and closed to fees in 1979.

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 Owners were herself and her siblings, and those relationships justify an Award. Third, 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 account of unknown type. The Bank's records indicate that the value of the account as of 17 January 1951 was SF 115.00. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 280.00, which reflects standardized bank fees charged to the account between 1945 and 1951. Consequently, the adjusted balance of the account at issue is SF 395.00. According to Article 29 of the Rules, if the amount in an account of unknown type was less than SF 3,950.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 3,950.00. 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 49,375.00.

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 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
15 November 2007