

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant Fred Davidovici

**in re Account of *Mme. Sofya Goldenberg***

Claim Number: 216529/EZ

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of Fred Davidovici (the “Claimant”) to the account of *Mme. Sofya Goldenberg* (the “Account Owner”) at the Zurich branch of 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 mother, Sofia Goldenberg, née Welt, who was born in Iasi, Romania, on 30 May 1896 to Ephraim and Ana Welt. The Claimant indicated that his mother married his father, Mendel Davidovici, in April 1928. The Claimant stated that his father was murdered in the Iasi Pogrom in 1941. According to the Claimant, his mother married her second husband, Solomon Goldenberg, in June 1941 in Roman, Romania and they resided at Strada Nerdeanu 55 in Frumusica, Romania until 1942. The Claimant indicated that Solomon Goldenberg was a businessman who had financial interests in many European countries that he had visited often before the Second World War. The Claimant indicated that he and his mother were deported to the Grosulava and the Vapniarka concentration camps in 1942, escaping in 1944 and returning to Frumusica, where they lived until 1954. The Claimant further stated that, in 1954, his mother moved to Netanya, Israel, where she died on 6 June 1991. The Claimant stated that his mother and stepfather used to discuss their foreign bank accounts, which the Claimant believes they held jointly, but that he and his mother never made any attempts to retrieve the assets after the War, because all their documents were lost when they were taken to the concentration camps. In support of his claim, the Claimant submitted numerous documents, including his Romanian birth certificate; his mother's Romanian marriage certificate to Solomon Goldenberg; his immigration registration form issued by the State of Israel, indicating that he is Sofia Goldenberg's son; and an official document issued by the Jewish Community in Iasi in 1947, indicating that Solomon Goldenberg was deported to a concentration camp. The Claimant indicated that he was born on 22 June 1935 in Iasi, and that he is his mother's only child.

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

The Bank's records consist of ledger cards, bank statements and printouts from the Bank's database. According to these records, the Account Owner was *Mme.* (Mrs.) Sofya Goldenberg. The Bank's records do not show when the account was opened or the Account Owner's country of residence, but indicate that the Account Owner requested the Bank not send mail to her address. The Bank's records further indicate that the Account Owner held a demand deposit account. According to the Bank's records, on or before 20 January 1951, the account was transferred to a suspense account, which is a grouping of open and dormant accounts. The account balance on 20 January 1951 was 500.00 Swiss Francs. The Bank closed the account by fees and charges on 27 June 1990.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant's mother's name matches the published name of the Account Owner.<sup>1</sup> The Claimant stated that Goldenberg was his mother's married name from her second marriage, which matches published information about the Account Owner's marital status contained in the Bank's records. The CRT notes that the Bank's records do not contain any specific information about the Account Owner other than her name and marital status. In support of his claim, the Claimant submitted numerous documents, including his Romanian birth certificate; his mother's Romanian marriage certificate; and his immigration registration form issued by the State of Israel indicating that he is Sofia Goldenberg's son, providing independent verification that the Claimant's mother and the person claimed as the Account Owner have the same name and that they are related as mother and son. Further, the CRT notes that the other claim to this account was disconfirmed because that claimant provided a different married name than the last name 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 and had been interned in different concentration camps.

### The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting documents, including copies of his Romanian birth certificate, his mother's Romanian marriage certificate, and his immigration registration form issued by the State of Israel, demonstrating that

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<sup>1</sup> The CRT notes that the Claimant's mother's first name and the Account Owner's first name are not spelled exactly the same. The CRT further notes that it is plausible that the difference in spelling ("y" for "i") is the result of the Account Owner's Romanian name being transliterated to a phonetically similar name using a German spelling of her name by the Bank in its Zurich branch.

he is the son of the Account Owner. There is no information to indicate that the Account Owner has other surviving heirs.

#### The Issue of Who Received the Proceeds

The Bank's records indicate the account was transferred to a suspense account, and was later closed by the Bank to fees and charges in 1990.

#### 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 mother, and that relationship justifies an Award. Finally, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

#### Amount of the Award

In this case, the Account Owner held one demand deposit account. The Bank's records indicate that the value of the account as of 20 January 1951 was 500.00 Swiss Francs. According to Article 29 of the Rules, if the amount in a demand deposit account was less than 2,140.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 2,140.00 Swiss Francs. 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 26,750.00 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 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  
6 February 2004