

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]¹

in re Account of Maria Groschoff

Claim Number: 004002/SH

Award Amount: 47,400.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], (the “Claimant”) to the unpublished account of Maria Groschoff (the “Account Owner”) at the [REDACTED] (the “Bank”).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 and an Initial Questionnaire identifying herself as the Account Owner. The Claimant indicated that she was born on 12 April 1912 in Dabrowa Tarnowska, Poland, and was married to [REDACTED] in March 1945. In a telephone conversation with the CRT on 22 November 2002, the Claimant stated that she was also known in Poland as [REDACTED] or [REDACTED]. The Claimant indicated that she and her family, who were Jewish, were wealthy and owned property, including several stores which were confiscated by the Nazis in October 1940. The Claimant further indicated that soon after the confiscations, her family unsuccessfully tried to enter Switzerland. According to the Claimant, during the Second World War she was captured by the Nazis and sent to a forced labor camp and later joined the partisans and hid until the War was over.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999 asserting her entitlement to a Swiss bank account owned by her.

¹ The Claimant provided her name and some of her relatives’ names only in Hebrew characters in the Claim Form. For the purpose of this written decision, the CRT has transliterated these names into Latin characters. However, to match names provided in the Claim Form with names contained in the banks’ databases, the CRT has used a database created by Yad Vashem, Israel, which provided different variations in Latin characters for each of the names.

Information Available in the Bank Records

The bank records consist of printouts from 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”). According to these records, the Account Owner was Maria Groschoff. According to the bank records, the account was transferred to a suspense account on an unknown date. The amount in the account on the date of its transfer is unknown. The account remains open and dormant.

The CRT’s Analysis

Identification of the Account Owner

The Claimant has plausibly identified herself as the Account Owner. Her name matches the unpublished name of the Account Owner. The CRT notes that the bank records do not contain any specific information about the Account Owner other than her name. Thus, the additional information provided by the Claimant cannot be compared with the bank information. The CRT further notes that the Claimant filed an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by herself, 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 not based her present claim on the fact that an individual identified on the ICEP List as owning a Swiss bank account bears the same name as she does, but rather on her knowledge of her ownership of an account in a Swiss bank. This supports the credibility of the information provided by the Claimant. The CRT notes that this is the only claim to this account.

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 she was Jewish and was interned in a forced labor camp.

The Claimant’s Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting documents demonstrating that she is the Account Owner.

The Issue of Who Received the Proceeds

The bank records indicate the account remains open and dormant.

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 she is the Account Owner. Finally, the CRT has determined that it is plausible 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 account of an 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 similar type of account in 1945 is used to calculate the present value of the account being awarded. Based on the investigation carried out pursuant to the instructions of the ICEP, in 1945 the average value of an account of unknown type was 3,950.00 Swiss Francs. The present value of this amount is calculated by multiplying it by a factor of 12, in accordance with Article 31(1) of the Rules, to produce a total award amount of 47,400.00 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
March 5, 2003