

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Pnina Hefer
represented by Mondex Corporation

in re Accounts of Margrit Gruber

Claim Number: 402215/TC

Award Amount: 10,375.00 Swiss Francs

This Certified Award is based upon the claim of Pnina Hefer, née Weiss (the “Claimant”) to the published account of Margrit Gruber (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 her late husband’s sister, Margrit (Manci) Einhorn, née Gruber, who was born in approximately 1916 in Hungary to Lazar (Eliezer) Gruber and Gertrud Golda Gruber, née Bajla, and was married to Moshe Eliezer Einhorn. The Claimant indicated that her sister-in-law and her husband, who were Jewish, resided in Budapest, Hungary, until the outbreak of the Second World War, and that they then moved to Majsin, Romania, where they had one child, Rivka Einhorn, who was born in 1943. According to the Claimant, her sister-in-law and her sister-in-law’s daughter perished in Auschwitz in 1944.

In support of her claim, the Claimant submitted copies of her own marriage certificate, dated 1951 in Jerusalem, Israel, indicating that Pnina-Rivka Weiss was born on 24 October 1930 in Romania, that she was Jewish, and that she was married to Jakob Hefer (formerly Gruber), who was Jewish; and an inheritance certificate, dated 13 July 2004, related to her husband’s estate, indicating that Pnina Hefer is the surviving spouse and sole heir of Jakob Hefer.

Information Available in the Bank’s Records

The Bank’s records consist of ledgers of suspended accounts. According to these records, the Account Owner was *Frl.* (Miss) Margrit Gruber. The Bank’s records do not indicate the Account Owner’s domicile.

According to the Bank's records, the Account Owner held a savings account, numbered 1153, which was suspended by the Bank on or before 27 January 1961, when it contained a balance of 11.70 Swiss Francs ("SF"). The Bank's records indicate that the account remains suspended today.

The CRT's Analysis

Identification of the Account Owner

The Claimant's sister-in-law's maiden name matches the published name of the Account Owner. The Claimant identified the Account Owner's marital status, which matches unpublished information about the Account Owner contained in the Bank's records.

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a page of testimony submitted by the Claimant's husband, Jakob Hefer in 1999. This testimony indicates that Jakob Hefer's sister, Margit (Manci) Einhorn, née Gruber, was born in 1916 in Budapest to Lazar Gruber and Gertrud Golda Bajla; that she was married to Moseh Eliezer Einhorn; that she resided in Budapest; that she was in Majsin during the Second World War; that she perished in Auschwitz; and that her daughter Rivka Einhorn, who was born in 1943, also perished in Auschwitz, all of which matches the information about the Account Owner 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 there were no other claims to this account. 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 that she perished in Auschwitz in 1944. As noted above, a person named Margit Gruber was included in the CRT's database of victims.

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, demonstrating that the Account Owner was the Claimant's sister-in-law. The CRT further notes that the Claimant identified unpublished information about the Account Owner as contained in the Bank's records. The CRT further notes that the Claimant submitted a copy of her marriage certificate, indicating that her late husband's surname was formerly Gruber, which provides independent verification that the Claimant's relatives bore the same family name as the Account Owner. Finally, the CRT notes that the foregoing information is of the type that family members would possess and indicates that the Account Owner was well known to the Claimant as a family member, and all of this information supports the plausibility

that the Claimant is related to the Account Owner, as she has asserted in her Claim Form. 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 that the account was suspended on or before 27 January 1961, and that it remains suspended today.

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 sister-in-law, and that relationship justifies an Award. Third, the CRT has determined that it is plausible that neither the Account Owner nor her heirs received the proceeds of the claimed accounts.

Amount of the Award

The Bank's records indicate that the value of the savings account as of 27 January 1961 was SF 11.70. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 255.00, which reflects standardized bank fees charged to the savings account between 1945 and 1961. Consequently, the adjusted balance of the account at issue is SF 266.70. According to Article 29 of the Rules, if the amount in a savings account was less than SF 830.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 830.00. 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 SF 10,375.00.

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
September 2008