

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Catherine Grunfeld
represented by Jonathan James Palmer

in re Account of Arnold Grünfeld

Claim Number: 402181/WI

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of Catherine Grunfeld, formerly Katharine (Käthe) Grünfeld, née Winter, (the “Claimant”) to the published account of Arnold Grünfeld (the “Account Owner”) at 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, Dr. Arnold Grünfeld (Grunfeld), who was born on 3 January 1901 in Güssing, Austria. The Claimant indicated that her late husband worked as a dentist and resided in Güssing. According to the Claimant, her husband later moved to Langegasse 63 in Vienna, Austria until 1938, when he was deported to Dachau and subsequently to Buchenwald. The Claimant stated that she was also imprisoned and her family’s possessions were seized as belonging to a Jewish family and auctioned. The Claimant stated that upon release from the concentration camp she and her husband fled Austria for the United States. The Claimant indicated that her husband died on 15 February 1989 in New York, New York, the United States.

In support of her claim the Claimant submitted a copy of her husband’s death certificate, indicating that Arnold Grunfeld, who was born on 31 [sic] January 1901, died on 15 February 1989 in New York, that he was a physician, and that he was married to Catherine Grunfeld, née Winter, and copies of records from the Austrian State Archive (Archive of the Republic, Finance) relating to her late husband Arnold Grünfeld, which are described in detail below.

The Claimant indicated that she was born on 20 September 1914.

Information Available in the Bank's Records

The Bank's records consist of excerpts from the Bank's closing register of numbered accounts. According to these records, the Account Owner was Dr. *med.* (medical) Arnold Grünfeld, who resided in Güssing, Austria. The Bank's records indicate that the Account Owner held an account, the type of which is not indicated, numbered DU 61864, which was transferred to the Vienna branch of *Reitler & Co.* on 11 November 1938.¹ The amount in the account on the date of its transfer is unknown. There is no evidence in the Bank's records that the Account Owner or his heirs closed the account and received the proceeds themselves.

Information Available from the Austrian State Archive

By decree on 26 April 1938, the Nazi Regime required all Jews who resided within the Reich, or who were nationals of the Reich, including Austria, and who held assets above a specified level to register all their assets as of 27 April 1938 (the "1938 Census"). In the records of the Austrian State Archive (Archive of the Republic, Finance), there are documents concerning the assets of Dr. Arnold Grünfeld, numbered 5042. According to these records, Arnold Grünfeld, who was born on 3 January 1901, was married to Katharina (Käthe) Grünfeld, née Winter. These records indicate that he was a doctor (*Arzt*) and a dentist (*Zahnarzt*), who resided in Güssing and then at Langegasse 63 in Vienna VIII, where he had his dental practice. These records indicate that Arnold Grünfeld owned various assets, including real estate in Vienna and in Bratislava, Czechoslovakia (now Slovakia), precious metals and other valuables, and financial assets at the *Postsparkasse* in Vienna. Furthermore these records indicate that real estate holdings were seized to secure the payment of flight tax (*Reichsfluchtsteuer*) and that the assets deposited at the *Postsparkasse* were frozen by the Foreign Exchange Control Authority (*Devisenstelle*) in Vienna. These records indicate that Käthe Grünfeld and Dr. Ludwig Mattusch (Arnold Grünfeld's attorney) also acted on Arnold Grünfeld's behalf with respect to his 1938 Census asset registration, as he had been deported to Dachau and Buchenwald.

These records make no mention of assets held in a Swiss bank account.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. The Claimant's late husband's name matches the published name of the Account Owner. The Claimant identified the Account Owner's profession, city and country of residence, which match unpublished information about the Account Owner contained in the Bank's records. In support of her claim, the Claimant submitted documents, including her husband's death certificate, providing independent verification that the person who is claimed to be the Account Owner had the same name and profession recorded in the Bank's record as the name and profession of the Account Owner.

¹ The CRT notes that *Reitler & Co.* was a private bank that was taken over and controlled by Nazi authorities after March 1938.

The CRT notes that the name Arnold Grünfeld appears only once on the List of Account Owners Published in 2005 (the “2005 List”). The CRT notes that there are no other claims 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 the Account Owner was Jewish; that he was deported to Dachau and subsequently to Buchenwald after the incorporation of Austria into the Reich in March 1938 (the “*Anschluss*”); and that he fled Austria for the United States. The Claimant also submitted a copy of the 1938 Census form filed by her husband, indicating that he resided in Austria after the *Anschluss*, and that he was deported to Dachau and Buchenwald.

The Claimant’s Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was her husband. These documents include a copy of her husband’s death certificate, indicating that Arnold Grunfeld was married to Catherine Grunfeld, née Winter. The CRT also notes that the 1938 Census records indicate that Katherine Grünfeld, née Winter, was Arnold Grünfeld’s wife.

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 transferred to a Nazi-controlled private bank in Vienna, *Reitler & Co.*, on 11 November 1938.

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 husband, and that relationship justifies an Award. Third, the CRT has determined that it is plausible that neither the Account Owner nor his heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one account of 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 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 an account of unknown type was 3,950.00 Swiss Francs (“SF”). 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 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
19 July 2007