

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Rosa Haas

Claim Number: 002636/MI¹

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Ludovit Haáz.² This Award is to the published account of Rosa Haas (the “Account Owner”) at the Biel branch of 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 identifying the Account Owner as his maternal grandmother, Rozália (Rosa) Haazová (Haas),³ née Deutschová, who was born in 1868 in Rochovce, Slovakia, and was married to [REDACTED] in 1887. The Claimant stated that his grandmother, who was Jewish, resided in Muránska Dlhá Luka, Slovakia, and helped her husband run his businesses, which included a small grocery store, meat shop, tavern, and cheese mill. The Claimant further stated that his grandmother had nine children, including his mother, [REDACTED], née [REDACTED]. The Claimant indicated that his grandmother died in 1942 of natural causes. The Claimant further indicated that his grandfather escaped from his home on 6 June 1942, but that most of their family members were deported to Auschwitz, where they perished. The Claimant stated that only two of his grandmother’s children survived the Second World War, his mother and her younger brother. The Claimant further stated that all his

¹ In 1999, [REDACTED] (the “Claimant”) submitted an Initial Questionnaire (“IQ”), numbered HEB-0082119, to the Court in the United States. Although this IQ was not a Claim Form, the Court, in an Order signed on 30 July 2001, ordered that those Initial Questionnaires which can be processed as claim forms be treated as timely claims. Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001). The IQ was forwarded to the CRT and has been assigned claim number 714105. The CRT will treat this additional claim in a separate determination.

² The CRT will treat the claim to this account in a separate determination

³ The CRT notes that the ending “ova” on a last name is a naming convention used in Slovakia to indicate female gender.

grandmother's remaining children and their families were murdered by the Nazis. According to the Claimant, his parents talked about an account in Switzerland and may have tried to get information about the account, but he had no further details.

In support of his claim, the Claimant submitted a copy of his birth certificate, identifying [REDACTED]'s parents as [REDACTED] and [REDACTED], née [REDACTED]. The Claimant previously submitted an Initial Questionnaire to the Court in 1999, asserting his entitlement to a Swiss bank account owned by [REDACTED], the eldest son of Rozália Haáz. The Claimant indicated that he was born on 13 April 1935 in Murán, Slovakia.

Information Available in the Bank's Records

The Bank's records consist of printouts from the Bank's database. According to these records, the Account Owner was Rosa Haas. The Account Owner's domicile is not indicated. The Bank's records indicate that the Account Owner held one account, numbered 25028, the type of which is not indicated. The Bank's records further indicate that the last contact with the Account Owner was in 1935. The Bank's records indicate that the account was transferred on 4 November 1961 to a suspense account for dormant assets. The amount in the account on the date of its transfer was 4.15 Swiss Francs ("SF"). The account remains suspended.

The CRT's Analysis

Identification of the Account Owner

The Claimant's grandmother's name matches the published name of the Account Owner.⁴ The CRT notes that the Bank's records do not contain any specific information about the Account Owner other than her name.

The CRT notes that the name Rosa Haas appears only once 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"). The CRT notes that the Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by [REDACTED], the eldest son of Rozália Haáz, prior to the publication of the ICEP List. This indicates that the Claimant has based his present claim not simply on the fact that an individual identified on the ICEP List as owning a Swiss bank account bears the same name as his relative, but rather on a direct family relationship that was known to him before the publication of the ICEP List. It also indicates that the Claimant had reason to believe that members of his family owned Swiss bank accounts prior to the publication of the ICEP List. This supports the credibility of the information provided by the Claimant.

⁴ The CRT notes that although the Claimant's grandmother's name was Rozália Haáz, the Claimant also indicated that his grandmother's first name in German was Rosa, and that Haas was a variation of her last name.

The CRT further 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 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 resided in Nazi-occupied Slovakia until her death in 1942. Furthermore, the Claimant indicated that the Account Owner's husband, children and other family members were Victims of Nazi Persecution. The Claimant stated that the Account Owner's relatives were Jewish, that seven of her nine children and their families were murdered by the Nazis, and that most of her family members were deported to Auschwitz, where they perished.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting specific biographical information, demonstrating that the Account Owner was the Claimant's grandmother. The CRT further notes that the Claimant submitted a copy of his birth certificate, 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 he has asserted in his 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 transferred to a suspense account, where it remains 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 Governing the Claims Resolution Process (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was his grandmother, and that relationship justifies an Award. Third, 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 account of unknown type. The Bank's records indicate that the balance of the account as of 4 November 1961 was SF 4.15. 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 account between 1945 and 1961. Consequently, the adjusted balance of the account at issue is SF 259.15. 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 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
17 November 2006