

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award Amendment

to Claimant [REDACTED 1],
also acting on behalf of [REDACTED 2],¹

and to Claimants [REDACTED 3]

and [REDACTED 4]

in re Account of Leontine Hacker

Claim Numbers: 200475/MW; 210097/MW; 220367/MW

Amendment of Division of Award

This Certified Award Amendment is based upon the claims of [REDACTED 1] (“Claimant [REDACTED 1]”), [REDACTED 3] (“Claimant [REDACTED 3]”), and [REDACTED 4] (“Claimant [REDACTED 4]”) (together the “Claimants”) to the published account of Leontine Hacker (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.

On 18 November 2004 the Court approved an Award to Claimant [REDACTED 1] and Claimant [REDACTED 3] for one safe deposit account owned by Account Owner Leontine Hacker (the “November 2004 Award”). In this Award Amendment, the CRT adopts and amends its findings set out in the November 2004 Award.

In this Award Amendment, the CRT addresses the division of the account awarded in the November 2004 Award.

The CRT notes that in the November 2004 Award, the CRT determined that the Claimants plausibly identified the Account Owner, that they plausibly demonstrated that they are related to the Account Owner, and that they made a plausible showing that the Account Owner was a Victim of Nazi persecution. Based on the information contained in the Bank’s records, the CRT determined that the Account Owner held one safe deposit account, valued pursuant to Article 29 of the Rules, at 1,240.00 Swiss Francs (“SF”). Additionally, in the November 2004 Award, the CRT determined that it is plausible that the Account Owner did not receive the proceeds of her

¹ The CRT received [REDACTED 2]’s power of attorney form on 15 December 2004.

account. Further, the CRT determined that the total award amount was SF 15,500.00. Finally, the CRT determined that Claimant [REDACTED 1] and Claimant [REDACTED 3], as the Account Owner's grandchildren, have a better entitlement to the account than Claimant [REDACTED 4], the Account Owner's great-nephew by marriage, and that Claimant [REDACTED 1], Claimant [REDACTED 3] and [REDACTED 2], represented by Claimant [REDACTED 1], were each entitled to one-third of the total award amount.

The CRT's Analysis

Amendment of the Division of the November 2004 Award

Pursuant to Article 23(1)(c), if the Account Owner's spouse has not submitted a claim, the award shall be in favor of any descendants of the Account Owner who have submitted a claim, in equal shares by representation. In the November 2004 Award, the CRT divided the award equally between Claimant [REDACTED 1], Claimant [REDACTED 3] and his sister, [REDACTED 2]. However, Claimant [REDACTED 1], who is the child of the Account Owner's son [REDACTED], is entitled to one-half of the award amount. Claimant [REDACTED 3] and [REDACTED 2], who are siblings and are children of the Account Owner's son [REDACTED], are entitled to the share equally the other half of the award amount, or one-fourth of the Award amount each.

Scope of the Award Amendment

The Claimants should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on their claims to determine whether there are additional Swiss bank accounts to which they 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 Amendment

The CRT certifies this Award Amendment for approval by the Court and payment by the Special Masters.

Claims Resolution Tribunal
30 December 2004