

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Walter Hofmann

Claim Number: 208911/AV

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to an account of Louis Steinweg.¹ This Award is to the published account of Walter Hofmann (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 identifying the Account Owner as his cousin’s spouse, Walter Hofmann, who was born on 14 September 1901 in Jena, Germany, and was married to [REDACTED], née [REDACTED]. The Claimant explained that [REDACTED]’s father, [REDACTED], was the brother of the Claimant’s father, [REDACTED]. The Claimant indicated that Walter Hofmann and [REDACTED], who were Jewish, had one child, [REDACTED]. The Claimant stated that Walter Hofmann, [REDACTED], and [REDACTED] all perished in the Kaiserwald concentration camp in Riga, Latvia, at the end of 1944. The Claimant submitted an excerpt from his family’s genealogy book, identifying Walter Hofmann as his cousin’s spouse. The Claimant indicated that he was born on 18 July 1926 in Horstmar, Germany.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to Swiss bank accounts owned by Benjamin Steinweg and Sally Steinweg.²

¹ The CRT will treat the claim to this account in a separate determination.

² The CRT will treat the claim to these accounts in separate determinations.

Information Available in the Bank's Records

The Bank's records consist of a list of accounts and a printout from the Bank's database. According to these records, the Account Owner was Walter Hofmann. The Bank's records do not indicate the Account Owner's domicile. The Bank's records indicate that the Account Owner held one account, the type of which is not indicated. The Bank's records further indicate that the account was transferred to the Bank's profit and loss account on 30 June 1937. The amount in the account on the date of its transfer was 5.35 Swiss Francs ("SF").

The CRT's Analysis

Identification of the Account Owner

The Claimant's relative's name matches the published name of the Account Owner. The CRT notes that the Bank's records do not contain any specific information about the Account Owner other than his name. In support of his claim, the Claimant submitted documents, including an excerpt from his family's genealogy book, identifying his relative as Walter Hofmann, providing independent verification that the person who is claimed to be the Account Owner had the same name recorded in the Bank's records as the name of the Account Owner. Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Walter Hofmann, and indicates that his date of birth was 14 September 1901 and place of birth was Jena, 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 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 he perished at the Kaiserwald concentration camp in Riga. As noted above, a person named Walter Hofmann was included in the CRT's database of victims.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was the Claimant's cousin's spouse. These documents include the Claimant's family genealogy book, identifying the Account Owner as the Claimant's cousin's spouse. 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 the Bank's profit and loss account on 30 June 1937.

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 cousin's spouse, and that relationship justifies an Award. Third, the CRT has determined 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. The Bank's records indicate that the value of the account as of 30 June 1937 was SF 5.35. 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 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 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
23 February 2006