

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Etienne Joseph Klein

in re Account of Ernest Elie Klein

Claim Number: 221778/SA

Award Amount: 25,680.00 Swiss Francs

This Certified Award is based upon the claim of Etienne Joseph Klein (the “Claimant”) to the account of Ernest Elie Klein (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 his father, Ernest Elie Klein, who was born on 25 June 1898 in Fegersheim, France, and was married to Alice Françoise Klein, née Levy, on 16 April 1928 in Obernai, France. The Claimant indicated that his father had a wholesale curtain business, which was located at Thiergarten in Strasbourg, France. The Claimant further indicated that until 1939, his parents lived at Bouxviller 3 in Strasbourg. The Claimant stated that his parents, who were Jewish, fled in 1939 to Marseilles and then to the Ardeche region in the unoccupied part of southern France, where they stayed until the end of the Second World War. The Claimant stated that his father died on 17 March 1967 in Strasbourg, and that his mother died on 14 December 1996 in Chatillon-sur-Seine, France. In support of his claim, the Claimant submitted copies of his parents’ marriage and death certificates, and his own birth certificate.

The Claimant stated that he was born on 8 December 1931 in Strasbourg, and that he is an only child.

Information Available in the Bank Records

The bank records consist of an account card and printouts from the Bank’s database. According to these records, the Account Owner was Ernest Klein who resided in Strasbourg, France. The bank records indicate that the Account Owner held a demand deposit account. The account was

transferred to a suspense account on 17 June 1948. The amount in the account on the date of its transfer was 410.20 Swiss Francs. The account remains open and dormant today.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. His father's name matches the published name of the Account Owner. The Claimant identified his father's place of residence as Strasbourg, which matches published information about the Account Owner contained in the bank records. In support of his claim, the Claimant submitted his parents' wedding certificate and his own birth certificate, identifying his father as Ernest Klein and his father's place of residence as Strasbourg. 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, and fled in 1939 from Strasbourg to the unoccupied part of southern France to escape the Nazis.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting documents demonstrating that the Account Owner was his father. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The bank records indicate the account was transferred to a suspense account on 17 June 1948, and remains open and dormant 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, as amended (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was his father, and that relationship justifies an Award. Finally, 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 demand deposit account. The bank record indicates that the value of the demand deposit account as of 17 June 1948 was 410.20 Swiss Francs. According to Article 29 of the Rules, if the amount in a demand deposit account was less than

2,140.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 2,140.00 Swiss Francs. The present value of the amount of the award is determined by multiplying the balance as determined by Article 29 by a factor of 12, in accordance with Article 31(1) of the Rules, to produce a total award amount of 25,680.00 Swiss Francs.

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
April 24, 2003