

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant [REDACTED]  
represented by Erez Bernstein

## **in re Account of Salomon Klipstein**

Claim Number: 501841/LH

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published account of Salomon Klipstein (the “Account Owner”) at the Basel 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 her paternal grandfather, Salomon Klipstein, who was born on 18 November 1882 in Poland, and was married to [REDACTED], née [REDACTED]. The Claimant stated that her grandparents had had five children, including [REDACTED] (the Claimant’s father), who was also known as [REDACTED]. The Claimant explained that her grandfather, who was Jewish, resided in Berlin, Germany, and that he fled to Krakow, Poland, on an unknown date sometime between 1933 and 1939. According to the Claimant, on 23 February 1942 the family received the last correspondence from Salomon Klipstein, who used Michalowice Post Office in Krakow County as his mailing address. The Claimant further stated that Salomon Klipstein, his wife and their daughter, [REDACTED], were deported to a concentration camp, where they perished.

In support of her claim, the Claimant submitted copies of the following documents: (1) her Israeli identity card, indicating that [REDACTED], née [REDACTED], was born on 12 October 1944 in Palestine (today Israel) and that her father was [REDACTED]; and (2) three pages of testimony submitted by [REDACTED], née [REDACTED], to the Yad Vashem Memorial of Israel in 1999, indicating that Salomon Klipstein, who was born in Poland, was her grandfather and that he, his wife [REDACTED], and their daughter [REDACTED] resided in Berlin and later in Krakow.

The Claimant indicated that she was born on 12 October 1944 in Rechovot in what is today Israel.

### **Information Available in the Bank's Records**

The Bank's records consist of excerpts from a list of dormant demand deposit accounts and an account-registry card. According to these records, the Account Owner was Salomon Klipstein, who resided in Krakow, Poland. The Bank's records indicate that the Account Owner held a demand deposit account. These records also indicate that the account was considered dormant by the Bank and was transferred to a suspense account for dormant assets on 16 September 1940, on which date the balance of the account was 107.30 Swiss Francs ("SF"). The records further show that the account was transferred to another suspense account on 17 June 1948, with the same amount in the account, and the account was subsequently closed to the Bank's profit and loss account on 23 January 1964. The amount in the account on the date of its closure was SF 107.30.

### **The CRT's Analysis**

#### Identification of the Account Owner

The Claimant's grandfather's name and city and country of residence match the published name and city and country of residence of the Account Owner.

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a page of testimony submitted by the Claimant's uncle in 1955, and a page of testimony submitted by the Claimant in 1999, indicating that Salomon Klipstein, who was born in Poland, was married to [REDACTED], 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 the name Salomon Klipstein appears only once on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons to be probably or possibly those of victims of Nazi persecution (the "ICEP List").

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, that he resided in Nazi-occupied Poland and that he, his wife and their daughter were deported to a concentration camp, where they perished. As noted above, a person named Salomon Klipstein was included in the CRT's database of victims.

### 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 the Claimant's grandfather. These documents include a page of testimony she submitted in 1999 to the Yad Vashem Memorial of Israel, indicating that Salomon Klipstein was [REDACTED]'s grandfather.

The CRT notes that the Claimant indicated that she has other surviving relatives, but that because they are not represented in the Claimant's claim, the CRT will not treat their potential entitlement to the Account Owner's account in this decision. The CRT also notes that no other relative has submitted a claim to this account.

The CRT further notes that the Claimant identified information which matches information contained in the Yad Vashem records. 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 she has asserted in her Claim Form.

### The Issue of Who Received the Proceeds

The Bank's records indicate that the account was closed to the Bank's profit and loss account on 23 January 1964.

### 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 her grandfather, 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 demand deposit account. The Bank's records indicate that the value of the account as of 16 September 1940 was SF 107.30. According to Article 29 of the Rules, if the amount in a demand deposit account was less than SF 2,140.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 2,140.00. 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. Consequently, the total award amount in this case is SF 26,750.00.

**Certification of the Award**

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

Claims Resolution Tribunal  
13 February 2009