

# CLAIMS RESOLUTION TRIBUNAL

---

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

## **Certified Award**

to Claimant Janos Gyözö Kozma

**in re Account of Dr. Jenö Kozma, Dr. Jenö Kozma's son (*Sohn*),  
Jenömé Kozma and Stephanie Haasz**

Claim Numbers: 200265/ME<sup>1</sup>

Award Amount: 27,876.00 Swiss Francs

This Certified Award is based upon the claim of Janos Gyözö Kozma (the “Claimant”) to the account of Dr. Jenö Kozma (“Account Owner Dr. Jenö Kozma”), the son of Dr. Jenö Kozma (*Sohn*) (“Account Owner Dr. Jenö Kozma’s son”), Jenömé Kozma (Account Owner Jenömé Kozma”) and Stephanie Haasz (“Account Owner Haasz”) (together the “Account Owners”) at the Zurich branch of 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 Owners as his father, Dr. Jenö Kozma, his mother, Jenöné Kozma, a relative by the name of Haasz, and himself, Janos Kozma, the son (*Sohn*) of Dr. Jenö Kozma. The Claimant stated that his father was born on 23 June 1888 in Sari, Hungary, and was married to Jenöné Maryit Kozma, née Rosenfeld, on 19 September 1919 in Budapest, Hungary, with whom he had one child, the Claimant. The Claimant stated that his father, who held the title *Dr.*, was the general director and owner of the company *Kozma Testvérek R.T.*, a meat processing plant located at 12 Röck Szilard Ut, Budapest. According to the information provided by the Claimant, his father worked and resided at the same address from 1930 to 1944. The Claimant stated that his parents, who were Jewish, were deported by the *Gestapo* in 1944 to an unknown place and were never heard from again. The Claimant stated that he was deported to a concentration camp in Bor, Yugoslavia, in 1944 and returned to Budapest after the Second World War, where he still lives. In support of his claim, the Claimant submitted a certified copy of his birth certificate, dated 22 January 1954 in Budapest, identifying

---

<sup>1</sup> The Claimant submitted an additional claim to the account of Marta Spitzer, née Wagner, which is registered under the Claim Number 204822. The CRT will treat the claim to this account in a separate decision.

his father as Jenő Kozma, who resided at Kiraly u. 95 in Budapest VII. The Claimant indicated that he was born on 21 July 1923 in Budapest.

The Claimant also submitted an Initial Questionnaire in 1999 identifying the Account Owner as his maternal great-aunt, Marta Spitzer, née Wagner, who was born in Berlin on an unknown date and was married to Julius Spitzer. The Claimant stated that the Beneficial Owner of the claimed account was his father, Jenő Kozma, who was born in 1888 and lived in Budapest, Hungary. The Claimant stated that in 1939, his father asked Marta Spitzer, who was not Jewish and lived in Germany, to deposit 11,000.00 United States Dollars and 120 Napoleon gold coins in a Swiss bank account, which she did. The Claimant further stated that his great-aunt, who had kept all the information concerning the Swiss bank account with her, died in the bombing of Dresden, Germany, in 1945. The Claimant finally stated that Marta Spitzer's father was Jewish, and that he died in Budapest in 1966.

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

The Bank's records consist of a letter from the bank dated 25 November 1968, customer lists, account statements, and a registration form filled out by the Bank during a bank survey pursuant to the 1962 Swiss Federal Decree regarding dormant assets of foreigners and stateless persons persecuted by the Nazis due to race, religion or politics (the "1962 Survey"). According to these records, the Account Owners were Dr. Jenő Kozma, Jenőmé Kozma, Dr. Jenő Kozma's son (*Sohn*) and *Frl.* (Miss) Stephanie Haasz, who were from Hungary and had a last known residence in Hungary in 1935. The Bank's records indicate that the Account Owners held a numbered demand deposit account, numbered 718000, with a balance of 1,088.00 Swiss Francs on 1 September 1963 and 966.00 Swiss Francs on 31 December 1964, and that the proceeds were transferred to a suspense account on or before 31 December 1964. According to the records, the account was registered in the 1962 Survey of victims' assets. Furthermore, the Bank's records indicate that the account was reported in the 1962 Survey. On 12 December 1966, a guardian was appointed to administer the Account Owners' assets held at the Bank, and this appointment was terminated on 6 April 1973. The records indicate that the proceeds of the demand deposit account were used by the Bank to open a savings account numbered 603895 on 25 November 1968, at which time the value of the account was 768.00 Swiss Francs. The records indicate that the value of the savings account on 24 July 1973 was 926.00 Swiss Francs, when it was closed and transferred to the Swiss Federal Accounting Department ([REDACTED]). There is no evidence in the Bank's records that the Account Owners or their heirs closed the account and received the proceeds themselves.

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

#### Identification of the Account Owners

The Claimant has plausibly identified the Account Owners. The Claimant's name, the name of his father and the name of his relative match the published names of Account Owners Dr. Jenő Kozma's son (*Sohn*), Dr. Jenő Kozma and *Frl.* (Miss) Stephanie Haasz. The name of the

Claimant's mother, Jenőné Kozma, substantially matches the published name of Account Owner Jenőmé Kozma. The CRT notes that in Hungarian, the suffix "né" is typically used to indicate a woman's married status and name. Therefore, the name Jenőné Kozma literally means "the wife of Jenő Kozma." While the Bank's records list a Jenőmé Kozma, the CRT notes that this is most likely a misspelling of Jenőné Kozma. The Claimant also identified his father's title, which matches unpublished information about Account Owner Dr. Jenő Kozma contained in the Bank's records. In support of his claim, the Claimant submitted documents, including his birth certificate, which identifies his father's name. The CRT further notes that the Claimant has identified a connection between Account Owner Haasz and Account Owners Dr. Jenő Kozma, Jenőmé Kozma and Dr. Jenő Kozma's son, even though they were listed separately on the list published in February 2001 of the accounts determined by the Independent Committee of Eminent Persons to be probably or possibly those of Victims of Nazi Persecution (the "ICEP List").

In addition, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Dr. Jenő Kozma, and indicates that his place of residence was Hungary, 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 further notes that the Claimant filed an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by Martha Spitzer, who deposited funds for his father, Dr. Jenő Kozma, prior to the publication of the ICEP List. This indicates that the Claimant has based his 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 his relative owned a Swiss bank account prior to the publication of the ICEP List. This supports the credibility of the information provided by the Claimant. Finally, the CRT notes that there are no other claims to the account of Account Owners Dr. Jenő Kozma, Jenőmé Kozma and Dr. Jenő Kozma's son, and the two other claims to the account of Account Owner Haasz were disconfirmed due to different names and a different country of residence.

#### Status of the Account Owners as Victims of Nazi Persecution

The Claimant has made a plausible showing that the Account Owners were Victims of Nazi Persecution. The Claimant stated that Account Owner Dr. Jenő Kozma and Account Owner Jenőmé Kozma were Jewish and that they were deported by the Nazis and never heard from again. The Claimant himself was deported by the Nazis to a concentration camp. As noted above, a person named Dr. Jenő Kozma was included in the CRT's database of victims.

#### The Claimant's Relationship to the Account Owners

The Claimant has plausibly demonstrated that he is related to Account Owners Dr. Jenő Kozma and Jenőmé Kozma by submitting documents including his birth certificate demonstrating that they were his parents. Moreover, the Claimant has identified himself as Account Owner Dr. Jenő Kozma's son and has stated that he was related to Account Owner Haasz, although he was not able to identify the exact relationship.

### The Issue of Who Received the Proceeds

The Bank's records indicate that the account at issue was closed and the proceeds transferred to the Swiss government.

### 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 he is one of the Account Owners, and that Account Owners Dr. Jenö Kozma and Jenömé Kozma were his parents, and those relationships justify an Award. Finally, the CRT has determined that neither the Account Owners nor their heirs received the proceeds of the claimed account.

### Amount of the Award

In this case, the Account Owners held one demand deposit account. The Bank's records indicate that the value of the demand deposit account as of 1 September 1963 was 1,088.00 Swiss Francs. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of 1,235.00 Swiss Francs, which reflects numbered account fees and standardized bank fees charged to the demand deposit account between 1945 and 1 September 1963. Consequently, the adjusted balance of the account at issue is 2,323.00 Swiss Francs. The current value of the amount of the award is determined by multiplying the adjusted balance by a factor of 12, in accordance with Article 31(1) of the Rules, to produce a total award amount of 27,876.00 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  
June 3, 2003