

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant Georges Richard Potter

**in re Account of Willy (Willi) Krauss**

Claim Number: 500970/ES<sup>1</sup>

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of Georges Richard Potter (the “Claimant”) to the published account of Willy Krauss (the “Account Owner”) 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 Owner as his father-in-law, Wilhelm (Willy) Krauss, who was born on 20 April 1897 in Vienna, Austria, and was married to Anna Arnstein in April 1920 in Vienna. The Claimant indicated that his parents-in-law had one daughter, the Claimant’s late wife, Liselotte Potter, née Krauss, who was born on 16 June 1922 in Vienna. The Claimant indicated that his father-in-law was a broker and a theater director. The Claimant stated that his father-in-law, who was Jewish, fled Austria with his family in 1939 to New York, New York, the United States. The Claimant stated that his father-in-law died on 9 April 1972 in Salzburg, Austria. The Claimant further stated that his wife died on 24 March 1998 in New York and that he is her sole heir. In support of his claim, the Claimant submitted his late wife’s birth certificate, indicating that Liselotte Krauss was born in Vienna to Wilhelm and Anna Krauss; his mother-in-law’s passport; the Claimant’s marriage certificate, indicating he was married to Liselotte Krauss; and Liselotte Potter’s death certificate, indicating that her father was William Krauss, and that she was married to the Claimant.

The Claimant indicated that he was born on 15 May 1924 in Bucharest, Romania.

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<sup>1</sup> The Claimant submitted an additional claim to the account of Hans Popper, which is registered under the Claim Number 500969. The CRT will treat the claim to this account in a separate decision.

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

The Bank's records consist of a letter to the Account Owner dated 5 February 1980, account statements, and excerpts from the Bank's ledgers. According to these records, the Account Owner was Willy (Willi) Krauss who resided in Vienna, Austria. The Bank's records indicate that the Account Owner held a demand deposit account numbered 443481. The Bank's records further indicate that the Bank considered the account dormant in 1948, and that the amount in the account on 14 December 1948 was 220.00 Swiss Francs ("SF"). According to the Bank's records, the account was closed to fees on 5 February 1980, on which date the balance of the account was SF 2.00.

## **Information Available from the Austrian State Archive**

By decree on 26 April 1938, the Nazi Regime required all Jews who resided within the Reich, or who were nationals of the Reich, including Austria, and who held assets above a specified level to register all their assets as of 27 April 1938 (the "1938 Census"). In the records of the Austrian State Archive (Archive of the Republic, Finance), there are documents concerning the assets of Wilhelm Krauss, numbered 42910. These records indicate that Wilhelm Krauss, who was born 21 April 1895, was also known as Willy Krauss, resided at Grillparzerstrasse 7 in Vienna, Austria, and was married to Anna Arnstein, who was born 25 April 1898. The records further show that Wilhelm Krauss owned various securities, including a share in the *Volkstheater*, worth 16,997.38 Reichsmark as of 27 April 1938. These records make no mention of assets held in a Swiss bank account.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant's father-in-law's name, city, and country of residence match the published name, city, and country of residence of the Account Owner as well as the information in the 1938 Census records.

In support of his claim, the Claimant submitted documents, including his wife's birth certificate, indicating that Liselotte Krauss was born in Vienna to Wilhelm and Anna Krauss, and his wife's death certificate, indicating her father was William Krauss.

The CRT notes that the name Willy Krauss appears only once on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons ("ICEP") 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 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 was forced to flee Austria in 1939.

### 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 father in-law. These documents include the Claimant's late wife's birth certificate, indicating Liselotte Krauss was born in Vienna to Wilhelm and Anna Krauss; the Claimant's marriage certificate, indicating he was married to Liselotte Krauss and the Claimant's late wife's death certificate, indicating her father was William Krauss and her husband was the Claimant. 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 closed by fees on 31 January 1980.

### 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 in-law, 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 a demand deposit account. The Bank's records indicate that the value of the account as of 14 December 1948 was SF 220.00. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 60.00, which reflects standardized bank fees charged to the account between 1945 and 1948. Consequently, the adjusted balance of the account at issue is SF 280.00. 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, to produce a total award amount of SF 26,750.00.

### **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  
12 May 2005