

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of *Frl. Dr. Piroska Lazar* and *Frau Dr. Richard Hermann-Lazar*

Claim Number: 214812/MG ¹

Award Amount: 14,880.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of *Frl. Dr. Piroska Lazar* (“Account Owner Lazar”) and *Frau Dr. Richard Hermann-Lazar* (“Account Owner Hermann-Lazar”)(together the “Account Owners”) 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 Account Owner Lazar as his paternal aunt, Piroska Lazar. The Claimant stated that his aunt, who was Jewish, was the sister of his father, [REDACTED]. The Claimant stated that his aunt resided in Budapest, Hungary. The Claimant indicated that he resided with his family in Biharnagybajom, Hungary, and that he heard about his aunt but never met her. The Claimant stated that as soon as the first anti-Jewish law was introduced in Hungary in 1938, his father sent money to his sister, Piroska, to deposit in a Swiss bank account. The Claimant stated that he has no knowledge of his aunt’s fate because he was sent to a Hungarian forced labor camp and his parents and siblings were all deported to Auschwitz and killed in 1944. The Claimant added that all of his family’s property was destroyed. The Claimant stated that he was born on 7 April 1921 in Biharnagybajom and that he currently resides in Hungary.

¹ The Claimant submitted additional claims to the accounts of [REDACTED], [REDACTED], [REDACTED] and [REDACTED], which are registered under the Claim Numbers 214811, 214845, 215190 and 215464 respectively. The CRT will treat the claims to these accounts in a separate decision.

Information Available in the Bank Records

The bank records consist of a list of account owners and a list of suspended safe deposit box accounts that were forced open by the Bank. According to these records, the joint Account Owners were *Frl.* (Ms.) Dr. Piroska Lazar and *Frau* (Mrs.) Dr. Richard Hermann-Lazar, who both resided in Budapest, Hungary. The bank records indicate that the Account Owners held a safe deposit box account numbered 4416. These records indicate that the Bank forced open the safe deposit box account on 19 November 1952 and transferred the contents to a suspense account. The contents of the safe deposit box are unknown. The suspense account remains open and dormant.

The Auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons (“ICEP” or the “ICEP Investigation”) indicated that the Bank reported this account for inclusion in the 1962 Survey, as the Bank found evidence of Nazi persecution.

The CRT’s Analysis

Identification of the Account Owner

The Claimant has plausibly identified Account Owner Lazar. His aunt’s name matches the published name of Account Owner Lazar. The Claimant stated that his aunt’s maiden name was Lazar, which matches unpublished information about Account Owner Lazar contained in the bank records, where she is referred to as *Frl.* (an unmarried woman). The CRT notes that the Claimant could not identify the second joint Account Owner; however, Article 25(2) of the Rules Governing the Claims Resolution Process (the “Rules”) stipulates that where a joint account is claimed by relatives of only one or some of the joint Account Owners, it shall be presumed that the Account was owned as a whole by the Account Owner whose shares of the Account have been claimed. The CRT also 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 Account Owner Lazar was a victim of Nazi persecution. The Claimant stated that Account Owner Lazar was Jewish, that she resided in Hungary during the Second World War, and was at least a target of Nazi persecution.

The Claimant’s Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to Account Owner Lazar. There is no information to indicate that Account Owner Lazar has other surviving heirs.

The Issue of Who Received the Proceeds

The bank records indicate that the Bank forced open the safe deposit box account and that the contents were transferred to a suspense account, which remains open and dormant.

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. Second, the Claimant has plausibly demonstrated that Account Owner Lazar was his aunt, and that relationship justifies an Award. Finally, the CRT has determined that it is plausible that neither the Account Owners nor their heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner had a safe deposit box. Pursuant to Article 29 of the Rules, when the value of an account is unknown, as is the case here, the average value of the same or a similar type of account in 1945 is used to calculate the present value of the account being awarded. Based on the ICEP Investigation, in 1945 the average value of a safe deposit box account was 1,240.00 Swiss Francs. The present value of this amount is calculated by multiplying it by a factor of 12, in accordance with Article 31(1) of the Rules, to produce a total award amount of 14,880.00 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
March 11, 2003