

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]
represented by [REDACTED]

in re Account of Marianne Ledermann

Claim Number: 300798/SJ

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED] (the “Claimant”) to the published account of Marianne Ledermann (the “Account Owner”) at the Biel 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 aunt, Marianne Ledermann, who was born in Glusk (near Lublin), Poland. The Claimant indicated that her aunt, who was Jewish, was a Polish citizen. The Claimant also indicated that her father, [REDACTED], spoke of his sister Marianne, but that she has no other specific recollections about her aunt. The Claimant further stated that her father, [REDACTED], was born in Glusk in 1896, that he was a merchant who owned a shoe manufacturing company, and that he made periodic deposits from his business into Swiss banks. Finally, the Claimant stated that her father perished at the hands of the Nazis in Glusk in 1941 and that her family’s possessions and documents were left behind in Poland when they fled Nazi persecution. In support of her claim, the Claimant has submitted a copy of her United States Declaration of Intent, dated 23 June 1950, indicating that she entered the United States under the name [REDACTED] on 31 October 1949 and that she married [REDACTED] on 25 January 1950 in Brooklyn, New York, the United States; her marriage certificate, indicating her maiden name was Belle Laderman;¹ and a copy of her Certificate of Naturalization, indicating that she was born in Poland and that her married name is [REDACTED].

¹ The CRT notes that the differences in spelling on the documents submitted by the Claimant are not materially significant.

The Claimant indicated that she was born in Poland on 28 March 1923.

The Claimant previously submitted an Initial Questionnaire (“IQ”) with the Court in 1999, asserting her entitlement to a Swiss bank account owned by her father, Benjamin Lederman.²

Information Available in the Bank’s Record

The Bank’s record consists of a printout from the Bank’s database. According to this record, the Account Owner was Marianne Ledermann. The Bank’s record does not indicate the Account Owner’s residence, nor does it indicate the type of account that the Account Owner held. The Bank’s record does indicate that the account, numbered 34918, was transferred to a suspense account for dormant assets on 28 February 1977. The amount in the account on the date of its transfer was 6.00 Swiss Francs (“SF”). The account remains in the Bank’s suspense account.

The CRT’s Analysis

Identification of the Account Owner

The Claimant’s aunt’s name matches the published name of the Account Owner. The CRT notes that the Bank’s record does not contain any specific information about the Account Owner other than her name. The CRT further notes that the name Marianne Ledermann 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 the Claimant submitted a copy of her United States Declaration of Intent, dated 23 June 1950, indicating that she entered the United States under the name [REDACTED] on 31 October 1949, which provides independent verification that the Claimant bears the same family name as the Account Owner. Finally, 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, and that she resided in Nazi-occupied Poland. Furthermore, the Claimant stated that the Account Owner’s brother perished at the hands of the Nazis in 1941.

² The CRT did not locate an account belonging to the Claimant’s relative, [REDACTED], in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“ICEP” or “ICEP Investigation”), which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules Governing the Claims Resolution Process, as amended (the “Rules”). The Claimant should be aware that the CRT will carry out further research on her claim to determine whether an award may be made based upon the information provided by the Claimant or upon information from other sources.

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 demonstrating that the Account Owner was the Claimant's paternal aunt. The CRT notes that the Claimant submitted a copy of her United States Declaration of Intent, dated 23 June 1950, indicating that she entered the United States under the name [REDACTED] on 31 October 1949, which provides independent verification that the Claimant bears the same family name as the Account Owner, which supports the plausibility that the Claimant is related to the Account Owner, as she has asserted in her Claim Form. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The Bank's record indicates that the account was transferred on 28 February 1977 to a suspense account, where it remains.

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 aunt, and that relationship justifies an Award. Third, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one account of an unknown type. The Bank's record indicates that the value of the account as of 28 February 1977 was SF 6.00. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 495.00, which reflects standardized bank fees charged to the account between 1945 and 28 February 1977. Consequently, the adjusted value of the account at issue is SF 501.00. According to Article 29 of the Rules, if the amount in an account of unknown type was less than SF 3,950.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 3,950.00. 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 49,375.00.

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 her claim to determine whether there are additional Swiss bank accounts to which she 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
10 August 2005