

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Erica E. Williams

in re Account of Anne-Marie Lehmann

Claim Number: 205283/AC¹

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of Erica E. Williams, née Lehmann, (the “Claimant”) to the account of Luise Lehmann.² This Award is to the published account of Anne-Marie Lehmann (the “Account Owner”) at the Tavannes 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 her sister, Anne Marie Erlanger, née Lehmann, who was born on 23 March 1924 in Fürth, Germany. The Claimant explained that her family was Jewish, that they resided in Berlin, Germany, and that between 1934 and 1937, she and her sister attended boarding school in Lausanne, Switzerland, during which time it was possible that her parents, Stefan and Luisa (Luise, Louise) Lehmann (Lehman), opened accounts in Switzerland to pay for their tuition. The Claimant stated that during this time, her parents left Germany on business trips each time that they were alerted about imminent round-ups of Jews, and that in 1937, the family fled Germany for the Netherlands. The Claimant submitted a copy of her own birth certificate, indicating that her parents were Stefan Lehmann and Luisa Lehmann, née Hofmann; and a copy of her mother’s will, dated 28 June 1990, indicating that Louise Lehman had two children, Erica Williams and Anne Marie Erlanger.

The Claimant indicated that she was born on 8 September 1928 in Fürth.

¹ The Claimant submitted an additional claim to the account of Leo Lehmann, which is registered under the Claim Number 205282. The CRT has previously issued an award to the Claimant for this account. See *In re Account of Leo Lehmann*, which was approved by the Court on 1 July 2002.

² The CRT has previously issued a denial to the Claimant for this account. See *In re Account of Luise Lehmann*, which was approved by the Court on 30 September 2004.

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 Anne-Marie Lehmann. The Bank's record does not contain information about the Account Owner's domicile. The Bank's record indicates that the Account Owner held one account, numbered 9796, the type of which is not indicated.

According to this record, the last contact with the Account Owner took place on 7 March 1945. The Bank's record indicates that the account was transferred to a suspense account for dormant assets on 14 December 1987. The balance of the account on the date of the transfer was 3.45 Swiss Francs ("SF"). The account remains in the Bank's suspense account.

The CRT's Analysis

Identification of the Account Owner

The Claimant's sister'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.

In support of her claim, the Claimant submitted documents, including a copy of her mother's will, dated 28 June 1990, indicating that Louise Lehman had a daughter named Anne Marie Erlanger, providing independent verification that the person who is claimed to be the Account Owner had the same name as the name of the Account Owner.

The CRT notes that the name Anne-Marie Lehmann 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 further 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 is Jewish, and that she and her family fled to the Netherlands from Nazi Germany in 1937.

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 is the Claimant's sister. These documents include a copy of her own birth certificate, indicating that her parents were Stefan Lehmann and Luisa Lehmann, née Hofmann; and a copy of her mother's will, dated 28 June 1990, indicating that Louise Lehman had two children, Erica Williams and Anne Marie Erlanger. The CRT notes that the Claimant's sister did not submit a claim.

The Issue of Who Received the Proceeds

The Bank's record indicates that the account was transferred to a suspense account on 14 December 1987, 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. Second, the Claimant has plausibly demonstrated that the Account Owner is her sister, 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 unknown type. The Bank's record indicates that the value of the account as of 14 December 1987 was SF 3.45. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 685.00, which reflects standardized bank fees charged to the account of unknown type between 1945 and 1987. Consequently, the adjusted balance of the account at issue is SF 688.45. 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
15 July 2005