

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant [REDACTED]

**in re Account of Alexander Ligeti, Elisabeth Ligeti, and Stephan Ligeti**

Claim Number: 501091/MBC

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], (the “Claimant”) to the account of Elisabeth Ligeti. This award is to the published account of Alexander Ligeti (“Account Owner Alexander Ligeti”), Elisabeth Ligeti (“Account Owner Elisabeth Ligeti”), and Stephan Ligeti (“Account Owner Stephan Ligeti”) (together the “Account Owners”) at the Zurich branch of the [REDACTED] (the “Bank”).<sup>1</sup>

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 Elisabeth Ligeti as his maternal grandmother, Erzsebet Ligeti, née Neuman, who was born on 8 January 1910 in Nagyvarad, Hungary (now Oradea, Romania),<sup>2</sup> and was married to [REDACTED] on 5 August 1925 in Nagyvarad. The Claimant stated that his grandmother, who was Jewish, was a seamstress prior to the Second World War and resided at Iskolastrasse 11 in Nagyvarad. According to a document from the International Red Cross submitted by the Claimant, Erzsebet Ligeti entered the Stutthof concentration camp on 16 August 1944 as prisoner number 68286 from Auschwitz, and perished there on 29 December 1944 due to “heart- and general weakness” (“*Herz- allgemeine Körperschwäche*”).

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<sup>1</sup> The CRT notes that, 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 Account Owners are listed as owning one account each. Upon careful review, the CRT has concluded that the Bank’s records evidence the existence of one account jointly owned by the Account Owners.

<sup>2</sup> The CRT notes that Oradea, Romania and Nagyvarad, Hungary are the names of the same city, but under differing occupying countries. The CRT further notes that Oradea was under Romanian control by the end of the First World War, but then became Nagyvarad, Hungary in 1940 and remained a part of Hungary until the end of the Second World War, when it was returned to Romania.

The Claimant submitted copies of the following documents: 1) his parents' marriage certificate, indicating that his mother [REDACTED], née [REDACTED], was born on 13 December 1922 in Oradea; 2) a certificate of incarceration issued by the International Tracing Service of the Red Cross, confirming that [REDACTED] and his wife Elisabeth Ligeti, née Neumann, who resided in Nagyvarad, were both imprisoned at Auschwitz during the Second World War; and 3) his grandmother's death certificate, indicating that Erzsebet Ligeti, née Neumann, was born on 8 January 1910, that she was married to [REDACTED], that they resided in Nagyvarad, Hungary, and that she perished on 29 December 1944.

The Claimant indicated that he was born on 15 February 1949 in Oradea.

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

The Bank's record consists of a numbered account card. According to this record, the Account Owners were Alexander Ligeti, Stephan Ligeti and *Frau* (Mrs.) Elisabeth Ligeti. The record indicates that Account Owner Alexander Ligeti and Account Owner Elisabeth Ligeti resided in Romania.<sup>3</sup> The Bank's record does not indicate Account Owner Stephan Ligeti's domicile. According to the Bank's record, the Account Owners held a numbered account, the type of which is not indicated, under the designation CQUE 1705, and they instructed the Bank to hold all correspondence. The Bank's record does not state when the account at issue was closed, nor does this record indicate the value of this account.

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") did not find this account in the Bank's system of open accounts, and they therefore presumed that it was closed. These auditors indicated that there was no evidence of activity on this account after 1945.

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

#### Identification of the Account Owners

The Claimant's grandmother's name and country of residence matches the published name and country of residence of Account Owner Elisabeth Ligeti.<sup>4</sup> The CRT notes that the Claimant did not identify Account Owner Alexander Ligeti and Account Owner Stephan Ligeti. However,

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<sup>3</sup> The CRT notes that, 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 Account Owners are all indicated as having resided in Romania. Upon careful review, the CRT has concluded that the Bank's record only indicates that Account Owner Alexander Ligeti resided in Romania, and the auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of ICEP (the "ICEP Investigation") indicated that Account Owner Elisabeth Ligeti did, as well.

<sup>4</sup> The CRT notes that the Claimant's grandmother's first name was Erzsebet, while the Bank's records indicates that the Account Owner Elisabeth Ligeti's first name is Elisabeth. However, the CRT notes that Erzsebet is a common variation of the name Elisabeth and finds that this discrepancy does not adversely affect the Claimant's identification of Account Owner Elisabeth Ligeti.

given that the Claimant was born after the Second World War and after her grandmother perished, and that the Bank's record does not indicate the relationship between the Account Owners, the CRT determines that it is plausible that he would not know the names of all his grandmother's extended family members.

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Erzsebet Ligeti, and indicates that her date of birth was 1910 and place of birth was Nagyvarad, which matches the information about Account Owner Elisabeth Ligeti provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

The CRT notes that the name Elisabeth Ligeti appears only once on the February 2001 published list of accounts determined by ICEP to be probably or possibly those of victims of Nazi persecution (the "ICEP List").

The CRT notes that the other claim to this account was disconfirmed because that claimant provided a different country of residence than the country of residence of Account Owner Elisabeth Ligeti. Taking all of these factors into account, the CRT concludes that the Claimant has plausibly identified Account Owner Elisabeth Ligeti.

#### Status of Account Owner Elisabeth Ligeti as a Victim of Nazi Persecution

The Claimant has made a plausible showing that Account Owner Elisabeth Ligeti was a Victim of Nazi Persecution. The Claimant stated that Account Owner Elisabeth Ligeti was Jewish, and that she was deported to the Stutthof concentration camp, and subsequently transferred to Auschwitz-Birkenau, where she perished. The Claimant also submitted a certificate of incarceration issued by the International Tracing Service of the Red Cross, which indicates that the Claimant's grandmother was interned at Auschwitz-Birkenau. As noted above, a person named Erzsebet Ligeti 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 the Account Owners by submitting specific biographical information and documents, demonstrating that Account Owner Elisabeth Ligeti was the Claimant's maternal grandmother. The CRT further notes that the Claimant also identified information which matches information contained in the Yad Vashem records. The CRT notes that the Claimant submitted a copy of his grandmother's death certificate and certification of incarceration issued by the International Tracing Service of the Red Cross, which most likely only a family member would possess. The CRT further notes that the Claimant submitted copies of his parents' marriage certificate, which provides independent verification that the Claimant's parents bore the same family name as the Account Owners and that they resided in Romania. Finally, the CRT notes that the foregoing information is of the type that family members would possess and indicates that Account Owner Elisabeth Ligeti was well known to the Claimant as a family member, and all of this information supports the plausibility that the Claimant is related to Account Owner Elisabeth Ligeti, as he has asserted in his Claim Form.

The Claimant did not indicate his relationship to Account Owner Alexander Ligeti and Account Owner Stephan Ligeti; however, given that the Account Owners share the same surname, the CRT determines that it is plausible that the Account Owners were related. Thus, the CRT notes that by plausibly demonstrating that the Claimant is related to Account Owner Elisabeth Ligeti, he has also plausibly demonstrated that he is related to Account Owner Alexander Ligeti and Account Owner Stephan Ligeti.

#### The Issue of Who Received the Proceeds

Given that there is no record of the payment of the Account Owners' account to them, nor any record of a date of closure of the account; that Account Owner Elisabeth Ligeti was deported on 16 August 1944 to the Stutthof concentration camp, and was subsequently transferred to Auschwitz-Birkenau, where she perished in 1944; that the Account Owners and their heirs would not have been able to obtain information about their account after the Second World War from the Bank due to the Swiss banks' practice of withholding or misstating account information in their responses to inquiries by account owners because of the banks' concern regarding double liability; and given the application of Presumptions (h) and (j), as provided in Article 28 of the Rules Governing the Claims Resolution Process, as amended (the "Rules") (see Appendix A), the CRT concludes that it is plausible that the account proceeds were not paid to the Account Owners, or their heirs. Based on its precedent and the Rules, the CRT applies presumptions to assist in the determination of whether or not Account Owners or their heirs received the proceeds of their accounts.

#### 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 Elisabeth Ligeti was his grandmother, and that relationship justifies an Award. Third, 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 Owners held an account, the type of which is not indicated. 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 current value of the account being awarded. Based on the ICEP Investigation, in 1945 the average value of an account of unknown type was 3,950.00 Swiss Francs ("SF"). The current value of this amount is calculated by multiplying it 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 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  
31 August 2007