

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Sidney Maurer

in re Account of Rose Maurer

Claim Number: 202808/MBC

Award Amount: 9,960.00 Swiss Francs

This Certified Award is based upon the claim of Sidney Maurer (the “Claimant”) to the unpublished account of Rose Maurer (the “Account Owner”) at the Neuchâtel branch of the [REDACTED] (the “Bank”).

All awards are published, but 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 and an Initial Questionnaire identifying the Account Owner as his mother, Rosa Maurer, née Gewürz, who was married to the Claimant’s father, Wolf Maurer, a businessman. In a telephone conversation with the CRT on 20 December 2001, the Claimant stated that his mother was born in Bern, Switzerland, and that she later moved to Vienna, Austria. The Claimant also stated that he was one of Rose and Wolf Maurer’s two sons. The Claimant indicated that his parents were both Jewish. He further indicated that his mother, being Swiss, was able to immigrate to the United States in 1939 with her two children on a Swiss quota. The Claimant explained that his father was only able to join the family in 1944 after trying to take refuge in Switzerland and Spain.

The Claimant stated that he is the son of Rosa Maurer and that he was born 13 July 1929 in Vienna.

Information Available in the Bank Record

The bank record consists of a list of dormant accounts. According to this record, the Account Owner was Rose Maurer. The bank record indicates that the Account Owner held a savings/passbook account. According to the bank record, the account balance as of 1 January 1999 was 10.60 Swiss Francs. The bank record also indicates that the account remains open and dormant.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. His mother's name matches the unpublished name of the Account Owner. The CRT notes that the spelling of the first name of the Account Owner as stated by the Claimant differs from the information contained in the bank documents ("Rosa" vs. "Rose"). However, the CRT notes that the account was opened in the French-speaking part of Switzerland and it is plausible that the bank used the French spelling of the Account Owner's first name. The Claimant has indicated his mother's place of residence as being in Bern, Switzerland, before the Second World War, which makes it plausible that she opened an account in the nearby city of Neuchâtel, Switzerland.

Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has provided plausible evidence that the Account Owner was a Victim of Nazi Persecution. The Claimant has shown that the Account Owner, his mother, was Jewish, and that she was the target of Nazi persecution while living in Austria until 1939. The Claimant explained that the Account Owner emigrated to the United States on a Swiss quota.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting documents including his immigration visa. The Claimant stated that he and his brother were the only surviving heirs of the Account Owner.

The Issue of Who Received the Proceeds

The bank record indicates that the account 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 23 of the Rules Governing the Claims Resolution Process (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was his mother, and this relationship justifies an award. Finally, the CRT has determined that it is plausible that neither the Account Owner nor her heirs received the proceeds of the claimed account.

Amount of the Award

The bank record indicates that the value of the savings account as of 1 January 1999 was 10.60 Swiss Francs. In accordance with Article 37(1) of Rules, this amount is increased by an adjustment of 202.52 Swiss Francs, which reflects standardized bank fees charged to the account

between 1945 and 1 January 1999. Consequently, the adjusted balance of the account at issue is 213.12 Swiss Francs. According to Article 35 of the Rules, if the amount in a savings account was less than 830.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to 830.00 Swiss Francs. The present value of the amount of the award is determined by multiplying the balance as determined by Article 35 by a factor of 12, in accordance with Article 37(1) of the Rules, to produce a total award amount of 9,960.00 Swiss Francs.

Article 37(3)(a) of the Rules provides that where the value of an award is calculated using the value presumptions provided in Article 35 of the Rules, the initial payment to the claimant shall be 35% of the Certified Award, and the claimant may receive a second payment of up to 65% of the Certified Award when so determined by the Court. In this case, the CRT has used the value presumptions of Article 35 of the Rules to calculate the account value and 35% of the total award amount is 3,486.00 Swiss Francs.

Scope of the Award

Pursuant to Article 25 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