

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimants [REDACTED 1] and [REDACTED 2]

**in re Account of Vasilie A. Millio**

Consolidated Claim Numbers: 214476/MBC and 214477/MBC<sup>1</sup>

Award Amount: 25,680.00 Swiss Francs

This Certified Award is based upon the claims of [REDACTED 1], (hereinafter “Claimant [REDACTED 1]”) and [REDACTED 2], (hereinafter “Claimant [REDACTED 2]”) to the account of Vasilie A. Millio (the “Account Owner”) at the Zurich 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 Claimants**

The Claimants submitted Claim Forms identifying the Account Owner as their father, Vasilie A. Millio, who was born in Moloviste, Romania, on 23 December 1905, and married to [REDACTED], née [REDACTED], in Bucharest, Romania, on 19 April 1935. The Claimants stated that they were born in Bucharest on 5 July 1943 and 28 January 1937, respectively. The Claimants submitted documents, including their father’s birth, death and marriage certificates, as well as their respective birth certificates, indicating that they are Vasilie Millio’s daughters. The Claimants also submitted an official document issued by a notary, establishing that they are entitled to their father’s estate.

The Claimants stated that their father lived in Bucharest from at least 1932 until his death on 11 September 1974. They further stated that their father was a director at the “*Urbaine*” bank, which was located at calea Victorei 7 in Bucharest, from 1932 to 1948. According to the Claimants, their father was not Jewish, but was believed to be Jewish by the Nazis because he was in business with many Jewish people. The Claimants further stated that when their father

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<sup>1</sup> The Claimants submitted four Claim Forms, which were registered under the Claim Numbers 215117, 214476, 215116 and 214477. The CRT has determined that the claims numbered 214476 and 215117 are duplicate claims and is treating them under the Consolidated Claim Number 214476. The CRT has also determined that the claims numbered 214477 and 215116 are duplicate claims and is treating them under the Consolidated Claim Number 214477.

tried to help a Jewish family, he was beaten by the Nazis and was subsequently the subject of continual harassment by the Nazis.

### **Information Available in the Bank Records**

The bank records consist of extracts from suspense account ledgers and account statements. According to these records, the Account Owner was “Direktor” Vasilie A. Millio, whose country of domicile was Romania. The bank records indicate that the Account Owner held a demand deposit account.

The account was transferred to a suspense account on or before 20 December 1948 and closed by fees and charges on 31 December 1980. The amount in the account as of 31 December 1945 was 220.50 Swiss Francs.

### **The CRT’s Analysis**

#### Joinder of Claims

According to Article 43(1) of the Rules Governing the Claims Resolution Process (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the claims of Claimant [REDACTED 1] and of Claimant [REDACTED 2] in one proceeding.

#### Identification of the Account Owner

The Claimants have plausibly identified the Account Owner. Their father’s name, city and country of residence match the published name, city and country of residence of the Account Owner. Further, the Claimants indicated that their father was a director at the “*Urbaine*” bank, which is consistent with the unpublished information about the Account Owner contained in the bank records.

#### Status of the Account Owner as a Victim of Nazi Persecution

The Claimants have made a plausible showing that the Account Owner was a Victim of Nazi Persecution. The Claimants stated that the Account Owner was believed to be Jewish and lived in Nazi-controlled Romania.

#### The Claimants’ Relationship to the Account Owner

The Claimants have plausibly demonstrated that they are related to the Account Owner by submitting documents demonstrating that they are the Account Owner’s daughters and are entitled to his estate. There is no information to indicate that the Account Owner has other surviving heirs.

### The Issue of Who Received the Proceeds

The bank records indicate the account was closed on 31 December 1980 as a result of the imposition of bank fees. Therefore, it is clear that neither the Account Owner nor his heirs have received the proceeds of the account.

### Basis for the Award

The CRT has determined that an Award may be made in favor of the Claimants. First, the claims are admissible in accordance with the criteria contained in Article 23 of the Rules. Second, the Claimants have plausibly demonstrated that the Account Owner was their father and that relationship justifies an Award. Finally, the CRT has determined that neither the Account Owner nor his heirs received the proceeds of the claimed account.

### Amount of the Award

The bank records indicate that the value of the demand deposit account as of 31 December 1945 was 220.50 Swiss Francs. In accordance with Article 37(1) of Rules, this amount is increased by an adjustment of 15.00 Swiss Francs, which reflects standardized bank fees charged to the account between 1 January 1945 and 31 December 1945. There was no interest paid to the account at issue. Consequently, the adjusted balance of the account at issue is 235.50 Swiss Francs. According to Article 35 of the Rules, if the amount in a demand deposit account was less than 2,140.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 2,140.00 for that type of account. 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 25,680.00 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 8,988.00 Swiss Francs.

### Division of the Award

According to Article 29 of the Rules, each Claimant is entitled to one half of the amount of the award.

### **Scope of the Award**

The Claimants should be aware that, pursuant to Article 25 of the Rules, the CRT will carry out further research on their claims to determine whether there are additional Swiss bank accounts to which they 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