

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award Amendment

to Claimant Susanne Bock¹

in re Accounts of Alexander Pisk

Claim Number: 300139/RS²

Original Award Amount: 216,000.00 Swiss Francs

Award Amendment Amount: 19,375.00 Swiss Francs

This Certified Award Amendment is based upon the claim of Dr. Susanne Bock, née Hackl, (the “Claimant”) to the published account of Alexander Pisk (the “Account Owner”) at the Zurich branch of the [REDACTED] (the “Bank”).

All award amendments are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

Procedural History

On 25 October 2004, the Court approved an award to the Claimant for a custody account and two demand deposit accounts owned by the Account Owner (the “October 2004 Award”). At the time of that award, the bank records available to the CRT did not contain information regarding the value of the awarded custody account. However, the Bank recently made available to the CRT additional information about this account, including detailed documentation on the contents of the account. In this Award Amendment, the CRT adopts and amends its findings set out in the October 2004 Award based upon this additional information recently forwarded to the CRT by the Bank.

The October 2004 Award

In the October 2004 Award, the CRT determined that the Account Owner owned a custody account and two demand deposit accounts. The CRT further determined that the Claimant

¹ On 25 October 2004, the Court approved an award to Claimant Dr. Susanne Bock (the “Claimant”) for the accounts of Alexander Pisk (the “October 2004 Award”), which is the subject of this Award Amendment.

² The Claimant submitted one additional claim, which is registered under the Claim Number 300138. The CRT awarded this account to the Claimant in a separate decision. See *in re Account of Otto Pisk* (approved on 7 August 2003).

plausibly identified the Account Owner, that she plausibly demonstrated that she is related to the Account Owner, and that she made a plausible showing that the Account Owner was a Victim of Nazi Persecution. Additionally, the CRT determined that it is plausible that the Account Owner did not receive the proceeds of his accounts and that the Claimant was entitled to the entire award amount.

Finally, the CRT determined that the Bank's record did not indicate the value of the custody account, and therefore presumed that the value of the custody account was 13,000.00 Swiss Francs ("SF").

Information Available in the Bank's Records

As detailed in the October 2004 Award, the Bank's record indicates the name and city of residence of the Account Owner. The record indicates that the Account Owner held one custody account numbered V4269, which was closed on 19 November 1938; one demand deposit account closed on 30 September 1938; and one demand deposit account closed on 31 December 1940.

As noted above, the Bank recently provided the CRT with an additional document regarding the custody account, namely a custody account portfolio holding card ("*Depotvalorenkarte*") indicating the assets held in the custody account.

This document indicates that at the time the Account Owner was deemed to have lost control over the account, it contained the following assets:

- 1 sealed sack containing 3 gold bars, each weighing 1 kilogram, with the 3 gold bars having a total combined value of SF 14,550.00. This sack was taken out of the account on 16 November 1938.

The CRT's Analysis

Basis for the Award Amendment

The CRT has determined that an Award Amendment may be made in favor of the Claimant. The CRT previously determined in the October 2004 Award that the claim is admissible in accordance with Article 18 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), that the Claimant has plausibly demonstrated that she is related to the Account Owner, and that it is plausible that neither the Account Owner nor his heirs received the proceeds of his accounts.

Value of the accounts in the October 2004 Award

In the October 2004 Award, the Account Owner held one custody account and two demand deposit accounts. The value of the demand deposit accounts remains unaffected.

Pursuant to Article 29 of the Rules, when the value of an account is unknown, as was the case for the custody account in October 2004, 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 upon the investigation conducted by the Independent Committee of Eminent Persons (“ICEP” or “ICEP Investigation”), in 1945 the average value of a custody account was SF 13,000.00.

Amount of the Award Amendment

According to the additional information from the Bank, the Account Owner held a custody account containing the following assets:

- 1 sealed sack containing 3 gold bars, each weighing 1 kilogram, with the 3 gold bars having a total combined value of SF 14,550.00 on 16 November 1938.³

Therefore, the Bank’s records indicate that the total value of the custody account in November 1938 was SF 14,550.00. The Article 29 value of SF 13,000.00, which was used in the October 2004 Award, is then subtracted from the actual historic value, resulting in a difference of SF 1,550.00. The current value of this amount is determined by multiplying this difference by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total Award Amendment amount of SF 19,375.00.

Scope of the Award Amendment

The Claimant should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on her claims 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 Amendment

The CRT certifies this Award for approval by the Court and payment by the Special Masters.

Claims Resolution Tribunal
11 August 2008

³ The market value of the gold bars is contained in the bank record, which indicates “*Wertdeklaration Fr. [SF] 14,550.00.*”