

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Maurice Poulard

Claim Number: 223386/JT¹

Award Amount: 25,680.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Maurice Poulard (the “Account Owner”) at the Geneva 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 Claimant

The Claimant submitted a Claim Form identifying the Account Owner as his uncle, Maurice Poulard, formerly known as Maurice [REDACTED], who was Jewish, lived in Poland and immigrated to France sometime before the Second World War. The Claimant stated that his parents changed their names from [REDACTED] to Poulard to assimilate into French culture and avoid the growing anti-Semitism in Europe at the time because they felt the name “[REDACTED]” identified them as Polish Jews. The Claimant further stated that his parents chose the name “Poulard” because it sounded French while remaining similar to their original family name, “[REDACTED].” The Claimant indicated that he believes his uncle Maurice also adopted the last name Poulard for the same reasons his parents did. According to the Claimant, his uncle perished in a concentration camp sometime during the Second World War. The Claimant indicated that because he is proud of his Polish and Jewish heritage, he has resumed using his original family name, [REDACTED]. The Claimant submitted a family tree and a copy of his birth certificate identifying his father as [REDACTED]. The Claimant indicated that he was born on 4 September 1936 in Nancy, France.

¹ The Claimant submitted additional claims to the accounts of [REDACTED] and [REDACTED], which are registered under the Claim Numbers 206123 and 206121. The CRT will treat the claims to these accounts in a separate decision.

Information Available in the Bank Records

The bank records consist of an extract from a suspense account ledger and printouts from the Bank's database. According to these records, the Account Owner was Maurice Poulard who resided in France. The bank records indicate that the Account Owner held a demand deposit account. The account was transferred on or before 16 August 1949 to a suspense account. The amount in the account as of 16 August 1949 was 48.00 Swiss Francs. The account remains open and dormant.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. His uncle's name and country of residence match the published name and country of residence of the Account Owner. The CRT notes that the Claimant has provided the CRT with a compelling explanation for the difference between the spelling of his last name and his uncle's last name; therefore, the CRT concludes that it is plausible that the Claimant's uncle and the Account Owner are the same person. In support of his claim, the Claimant submitted documents, including a family tree and a copy of his birth certificate. The CRT also notes that the claim made by the Claimant is the only claim to the account of 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 was Jewish, that he lived in France during the Second World War, and that he perished in the Holocaust.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner. 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 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 18 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was his uncle, and that relationship justifies an Award. Finally, the CRT has determined that it is plausible that neither the Account Owner nor his heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one demand deposit account. The bank records indicate that the value of the demand deposit account as of 16 August 1949 was 48.00 Swiss Francs. According to Article 29 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 Swiss Francs. The present value of the amount of the award is determined by multiplying the balance as determined by Article 29 by a factor of 12, in accordance with Article 31(1) of the Rules, to produce a total award amount of 25,680.00 Swiss Francs.

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
April 1, 2003